



Campbell-Savona Central School District

**CODE
OF
CONDUCT
2022-23**

This code of conduct has been drafted to meet the requirements of the Project SAVE legislation (Education Law §2801) and section 100.2(l) of the Commissioner's regulations.

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INTRODUCTION

The Campbell-Savona Central School Board of Education, faculty and staff are committed to providing a safe and orderly school environment where students may receive, and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly. To this end, the Board adopts this Code of Conduct.

Unless otherwise indicated, this Code of Conduct applies to all students, school personnel, parents, and other visitors when on school property or attending a school function.

DEFINITIONS

For purposes of this code, the following definitions apply.

"Disruptive student" means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

"Parent" means parent, guardian or person in parental relation to a student.

"School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142.

"School function" means any school-sponsored extra-curricular event or activity.

"Violent student" means a student under the age of 21 who:

- A. Commits an act of violence upon a school employee or attempts to do so.
- B. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function or attempts to do so.
- C. Possesses, while on school property or at a school function, a weapon.
- D. Displays, while on school property or at a school function, what appears to be a weapon.
- E. Threatens, while on school property or at a school function, to use a weapon.

- F. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
- G. Knowingly and intentionally damages or destroys school district property.

"Weapon" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act and also includes:

- A. a firearm, including, but not limited to, a rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, air gun, spring gun, BB gun, or paint ball gun;
- B. a switchblade knife, gravity knife, pilum ballistic knife, cane sword, dagger, stiletto, dirk, razor, box cutter, metal knuckle knife, utility knife, or any other dangerous knife;
- C. a billy club, blackjack, bludgeon, chukka stick, or metal knuckles;
- D. a sandbag or sandclub;
- E. a sling shot or slungshot;
- F. a martial arts instrument, including, but not limited to, a kung fu star, ninja star, nin-chuck, or shirken;
- G. an explosive, including but not limited to, a firecracker or other fireworks;
- H. a deadly or dangerous chemical, including, but not limited to, a strong acid or base, mace, or pepper spray;
- I. an imitation gun;
- J. loaded or blank cartridges or other ammunition; or
- K. any other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

"Discrimination and harassment" means an intentional act against any student, on school property or at a school function, that creates a hostile environment by conduct, with or without physical contact by verbal threats, intimidation or abuse, including cyberbullying, of such a severe nature that it:

- A. Has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional physical well-being; or
- B. Reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety.
- C. Occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Such conduct shall include, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. For the purposes of this definition the term "threats and intimidation or abuse" shall include verbal and non-verbal actions.

Cyberbullying shall mean harassment or bullying as defined in subdivision seven of this section, including paragraphs (a)(b)(c) and (d) of such subdivision, where such harassment or bullying occurs through any form of electronic communication.

Emotional Harm that takes place in the context of harassment or bullying shall be defined as harm to a student's emotional well-being through creation of a hostile

school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education. Such conduct shall include, but is not limited to, acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

Racial Harassment of students occurs when:

- A. An agent or employee of the district, acting within the scope of his or her official duties, has treated a student differently on the basis of race, color, or national origin in the context of an educational program or activity without a legitimate, nondiscriminatory reason so as to interfere with or limit the ability of the student to participate in or benefit from the services, activities or privileges provided by the School District. This is referred to as "different treatment" racial harassment.
- B. The district creates or is responsible for a racially hostile environment - i.e., harassing conduct (e.g., physical, verbal, graphic, or written) that is sufficiently severe, pervasive or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from the services, activities or privileges provided by the district. The district has subjected an individual to different treatment on the basis of race if it has effectively caused, encouraged, accepted, tolerated or failed to correct a racially hostile environment of which it has actual or constructive notice. This is referred to as "hostile environment" racial harassment.
- C. Retaliation against any individual who, in good faith, reports or assists in the investigation of harassment, bullying and/or discrimination is strictly prohibited.

STUDENT RIGHTS AND RESPONSIBILITIES

A. Student Rights

The district is committed to safeguarding the rights given to all students under state and federal law. In addition, to promote a safe, healthy, orderly, and civil school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of race, color, creed, national origin, religion, religious practice, gender, sexual orientation, disability, ethnic group or weight.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

B. Student Responsibilities

All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.

5. React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

ESSENTIAL PARTNERS

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
7. Know school rules, including dress code, personal hygiene and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.

B. Teachers/Staff

All district teachers and staff are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom management plan.
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.

C. School Counselors

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
3. Regularly review with students their educational progress and career plans.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.

D. School Resource Officer (SRO)

1. Assist the district in providing a safe learning environment.
2. Foster and maintain a strong partnership between the school and law-enforcement.
3. Assist students and school personnel in the capacity of being an educational resource.
- 4.
5. Serve as a positive role model, be accessible to staff and students, and be available to attend certain school functions.
6. Encourage individuals to make informed choice in life when provided with opportunities.
7. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

E. Building Administrators

1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal
3. Evaluate on a regular basis all instructional programs.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

F. District Administrators

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Review with administrators the policies of the Board of education and state and federal laws relating to school operations and management.
3. Inform the Board about educational trends relating to student behavior
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

G. Board of Education

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
2. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.

STUDENT DRESS CODE

The purpose of the District's Dress Code Policy is to clearly define acceptable student attire. The objective of the policy is to promote an atmosphere for academic success while recognizing freedom of student choice and expression. While our goal is to maintain consistency throughout the district, it is important to note that the following policy may be supplemented by specific building rules. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

Students' dress, grooming and appearance, shall adhere to the following guidelines:

- A. Be safe, appropriate, and not disrupt or interfere with the educational process as defined by staff, faculty, and administration
- B. All Private areas of the body are covered, and undergarments are covered with outer clothing.
 - i. No see-through clothing is permitted.
- C. Clothing or footwear that is construed by the principal, or designee, as hazardous or dangerous to the health or safety of the student or others or which might lead the principal, or designee, to reasonably forecast substantial disruption of or material interference with school activities
- D. Hoods are not permitted in common areas and non-instructional spaces.
- E. Not wear items that are vulgar, obscene, libelous, or denigrate others or which encourage the use of drugs, tobacco, alcohol, violence, weapons, or support discrimination on the basis of age, race, color, religion, religious practice, creed, national origin, gender, sexual orientation, disability, ethnic group, genetic information, marital status, weight or gang association

Each Building Principal or his/her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item, and if necessary or practical, replacing it with an acceptable item

PROHIBITED STUDENT CONDUCT

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel and other members of the school community, and for the care of school facilities and equipment.

Students will have the opportunity to learn and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow from their mistakes

The Board recognizes the need to make expectations for student conduct while on school property or engaged in a school function specific and clear. School wide expectations are taught explicitly through Tier 1 School Wide Positive Behavior Intervention Systems (PBIS) Students not meeting expectations may be subject to disciplinary action, up to and including suspension from school, when they:

A. Engage in conduct that is disorderly. Examples of disorderly conduct include:

1. Running in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act which disrupts the normal operation of the school community.
6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
7. Misusing computer/electronic communications devices, or any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the District's Acceptable Use Policy and Student User Agreement Form.

B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Tardiness, truancy, or leaving school without permission.

C. Engage in conduct that is disruptive. Examples of disruptive conduct include:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
2. Inappropriate public sexual contact or public displays of affection.

D. Engage in conduct that is violent. Examples of violent conduct include:

1. Committing an act of violence (such as hitting, kicking, punching, spitting, and scratching) upon a teacher, administrator or other school employee or attempting to do so.

2. Committing an act of violence (such as hitting, kicking, punching, spitting, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
 3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
 4. Displaying what appears to be a weapon.
 5. Threatening to use any weapon.
 6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
 7. Intentionally damaging or destroying school district property.
- E. Engage in any conduct that endangers the safety, morals, health, or welfare of others.** Examples of such conduct include:
1. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
 2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
 3. Discrimination as defined by this code, which includes the use of race, color, creed, national origin, religion, religious practice gender, sexual orientation, disability, ethnic group or weight as a basis for treating another in a negative manner.
 4. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals (as described in #3) that harm the reputation of the person or the identifiable group by demeaning them.
 5. Harassment or bullying as defined by this code, which includes a sufficiently severe action or persistent pervasive pattern of actions or statements directed at an identifiable individual or group (as described in #3) which are intended to be, or which a reasonable person would perceive as ridiculing or demeaning. Harassment and bullying includes cyberbullying.
 6. Intimidation, which includes engaging in actions, statements or threats that put an individual in fear of bodily harm.
 7. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
 8. Selling, using or possessing obscene material.
 9. Using vulgar or abusive language, cursing or swearing.
 10. Possessing and/or smoking a cigarette, electronic cigarette, cigar, pipe or using chewing, smokeless tobacco.
 11. Possessing, consuming, selling, distributing, exchanging or being under the influence of alcoholic beverages, illegal substances, or items that are illegal to be on school property .
 12. Inappropriately using or sharing prescription and over-the-counter drugs.
 13. Gambling.

14. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
 15. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
 16. Lying to school personnel.
 17. Unauthorized consumption of food or beverages outside of the cafeteria.
- F. Engage in misconduct while on a school bus.** Students will behave appropriately while riding on district buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated. Appropriate behavior includes (but not limited to):
1. Keeping the aisle clear at all times.
 2. Staying in your assigned seat.
 3. Keeping your voice at a reasonable level.
 4. Keeping your hands, feet and all other objects to yourself
 5. Refrain from consuming food and drink. Keep them stored and closed in its proper container.
- G. Engage in any form of academic misconduct.** Examples of academic misconduct include:
1. Plagiarism.
 2. Cheating.
 3. Copying.
 4. Altering records.
 5. Assisting another student in any of the above actions.
- H. Engage in misconduct that endangers the health and safety of students or staff within the school or adversely affects the educational process.** Examples of such misconduct include:
1. Cyberbullying
 2. Threatening, hazing, harassing students or school personnel over the phone or the internet
 3. Using message boards to convey threats, derogatory comments or post pornographic pictures of students or school personnel

REPORTING VIOLATIONS

All students are expected to promptly report violations of the code of conduct to a teacher, school counselor, the Building Principal or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the Principal, the Principal's designee or the Superintendent of Schools.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so

authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction, which may include permanent suspension and referral for prosecution.

The principal or his/her designee may notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical.

DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to learn from their mistakes

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose consequences will consider the following:

- The student's age and developmental capacity
- The nature of the offense and the circumstances which led to the offense.
- The student's prior disciplinary record.
- The effectiveness of other forms of discipline.
- Information from parents, teachers and/or others, as appropriate.
- Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

Note: A student whose conduct has been suspected or determined to be directly related to his/her disability (as documented on the student's IEP or 504 Plan) will be subject to the procedures for disciplining students with disabilities. (Refer to that section in this code of conduct)

A. Penalties

Students who are found to have violated the district's code of conduct may be subject to one or more of the following penalties, depending on the severity of the infraction:

1. Minor classroom write-up
2. Major Office Referral
3. Removal from classroom by teacher
4. Conference with Principal or designee
5. Parent contact
6. Parent Conference

7. Restitution
8. Detention
9. Suspension from transportation
10. Suspension from athletic participation
11. Suspension from extracurricular activities
12. Suspension of other privileges
13. In-school suspension
14. Short Term suspension from the classroom
15. Short-term (five days or less) suspension from school
16. Long-term (more than five days) suspension from school – Pending Superintendent Hearing

B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to school personnel.

Students who are to be given penalties other than an oral warning, or parent contact are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

1. Detention

After school detention may be used as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed after the student has confirmed there is appropriate transportation home.

2. Suspension from transportation

If a student does not conduct oneself properly on a bus, the bus driver should submit a discipline referral. Students who become a serious disciplinary problem may have their riding privileges suspended.

In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with school personnel.

3. Suspension from athletic participation, extra-curricular activities, and other privileges

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will

be provided with a reasonable opportunity for an informal conference with district personnel.

4. In-school Suspension

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent may be provided with a reasonable opportunity for an informal conference with district personnel.

5. Teacher Disciplinary Removal of Disruptive Students

On occasion, a student's behavior may become disruptive. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom expectations.

6. Suspension from School

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the Principals.

Any staff member may recommend to the Superintendent or the Principal that a student be suspended. All staff members must immediately report and refer a violent student to the Principal or the Superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The Superintendent or Principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

a. Short term (five days or less) Suspension from School

When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose

suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of education with the District Clerk within 10 business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

b. Long term (more than five days) suspension from school

When the Superintendent determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The Superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of

the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within 10 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

c. Permanent suspension

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

d. Procedure after suspension

The Board may condition a student's early return from a suspension on the student's voluntary participation in counseling or specialized classes, such as anger management or dispute resolution. The Board retains discretion in offering this opportunity. If and when the student and/or parent/guardian agrees to this option, the terms and conditions shall be specified in writing.

C. Minimum Periods of Suspension

1. Students who bring or possess a weapon on school property

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

- a. The student's age and developmental capacity.
- b. The student's grade in school.
- c. The student's prior disciplinary record.
- d. The Superintendent's belief that other forms of discipline may be more effective.
- e. Input from parents, teachers and/or others.
- f. Other extenuating circumstances.

A student with a disability may be suspended only in accordance with the requirements of state and federal law.

2. Students who commit violent acts other than bringing or possessing a weapon on school property

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interferes with the teacher's authority over the classroom

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least five days. For purposes of this code of conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law § 3214 (3-a) and this code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

D. Referrals

1. Counseling

The Guidance Office shall handle all referrals of students to counseling.

Substance Abuse

The district may require students who are in possession or under the influence of illegal substances to participate in a substance abuse counseling program.

PINS Petitions

The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.

ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student.

CORPORAL PUNISHMENT

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

- A. Protect oneself, another student, teacher or any person from physical injury.
- B. Protect the property of the school or others.
- C. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts.

The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

STUDENT SEARCHES AND INTERROGATIONS

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the Superintendent of Schools, Building Principals, the school nurse and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

A. Student Lockers, Desks, and other School Storage Places

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

B. Strip searches

A strip search is a search that requires a student to remove any or all of his or her clothing. This does not include an outer coat, sweatshirtjacket or footwear. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the Superintendent or the school attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others.

Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another district professional employee who is also of the same sex as the student.

In every case, the school official conducting a strip search must have probable cause – not simply reasonable cause – to believe the student is concealing evidence of a violation of law or the district code. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student's age, the student's record and the need for such a search.

School officials will attempt to notify the student's parent by telephone before conducting a strip search or in writing after the fact if the parent could not be reached by telephone.

C. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

1. Name, age and grade of student searched.
2. Reasons for the search.
3. Name of any informant(s).
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search.
6. Person conducting search and his or her title and position.
7. Witnesses, if any, to the search.
8. Time and location of search.
9. Results of search (that is, what items(s) were found).
10. Disposition of items found.
11. Time, manner, and results of parental notification.

The Principal or the Principal's designee shall be responsible for the custody, control, and disposition of any illegal or dangerous item taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the item is turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

D. Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Been invited by school officials.

Before police officials are permitted to question or search any student, the principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

E. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will provide data and assistance to local child protective services workers or members of a multi-disciplinary team accompanying such workers who are responding to allegations of suspected child abuse, and/or neglect, or custody investigations. Such data and assistance include access to records relevant to the investigation, as well as interviews with any child named as a victim in a report, or a sibling of that child, or a child residing in the same home as the victim.

All requests by child protective services to interview a student on school property shall be made directly to Principal or his or her designee. Child protective service workers and any associated multi-disciplinary team members must comply with the district's procedures for visitors, provide identification, and identify the child(ren) to be interviewed.

The principal or designee shall decide if it is necessary and appropriate for a school staff member, including but not limited to an administrator, school counselor or school nurse, to observe the interview either from inside or outside the interview room

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if not, he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities are afforded certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities

1. For uses of this section of the code of conduct, the following definitions apply.
 - a. A "suspension" means a suspension pursuant to Education Law § 3214.

- b. A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.
 - c. An “Interim Alternative Education Setting” (IAES) means a temporary educational placement for a period of up to 45 school days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that
 - i. Enables the student to continue to progress in the general curriculum, although in another setting,
 - ii. to continue to receive those services and modifications, including those described on the student’s current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and
 - iii. Include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.
2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
- a. The Board, the district (BOCES) Superintendent of Schools or a school principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - d. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 school days, if the student carries or possesses a firearm to or at school or to or at a school function, or the student knowingly possesses or uses illegal drugs or sells, distributes or solicits the sale of a controlled substance while at school or a school

function.

- e. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 school days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - a. for more than 10 consecutive school days; or
 - b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they accumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving firearms, illegal drugs, or controlled substances.

C. Special Rules Regarding the Suspension or Removal of Students with Disabilities

1. The district's Committee on Special Education shall:
 - a. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either
 - i. for misconduct involving firearms, illegal drugs or controlled substances or
 - ii. because maintaining the student in his current educational setting poses a risk of harm to the student or others;
 - iii. or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. If the CSE determines the behavior subject to disciplinary action is a manifestation of the student's disability, the District will conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving firearms, illegal drugs or controlled substances or the infliction of serious bodily harm.

If subsequently, a student with a disability who has a Behavioral Intervention Plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

3. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
 - a. The Superintendent, school principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
 - b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
 - i. conducted an individual evaluation and determined that the student is not a student with a disability, or
 - ii. determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations. If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

- iii. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving firearms, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
- iv. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
- v. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
- vi. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
- vii. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearings

An expedited due process hearing is an impartial hearing conducted under the procedures specified in S200.5 of regulations of the Commissioner when there is a dispute between parents and school personnel regarding disciplinary actions and to initiate temporary removals of a student in a dangerous situation. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:

1. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.

2. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - a. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving firearms, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
 - b. If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
3. An expedited due process hearing shall be completed within 20 school days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within 10 school days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to law enforcement and judicial authorities

In accordance with the provisions of IDEA and its implementing regulations:

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The Superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

VISITORS TO THE SCHOOLS

The principal or designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

- A. Anyone who is not a regular staff member or student of the school will be considered a visitor.
- B. All visitors to the school must report to the main office upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the office before leaving the building.
- C. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
- D. Visitors to a teacher classroom while school is in session are required to arrange such visits in advance with the classroom teacher and or principal or designee .
- E. Teachers are expected not to take class time to discuss individual matters with visitors.
- F. Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
- G. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

PUBLIC CONDUCT ON SCHOOL PROPERTY

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, "public" shall mean all persons when on school property or attending a school function including students, teachers and district personnel.

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall:

- 1. Intentionally injure any person or threaten to do so.
- 2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.

3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass, or discriminate against any person on the basis of race, color, creed, national origin, religion, religious practice age, gender, sexual orientation, disability, ethnic group or weight.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute, or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance, or Board policy while on school property or while at a school function.

B. Penalties

Persons who violate this code shall be subject to the following penalties:

1. **Visitors.** Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. **Students.** They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. **Tenured faculty members.** They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law § 3020-a or any other legal rights that they may have.
4. **Staff members** in the classified service of the civil service entitled to the protection of Civil Service Law § 75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law § 75 or any other legal rights that they may have.
5. **Staff members** other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension, or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The principal or his/her designee shall be responsible for enforcing the conduct required by this code.

When the Principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

DISSEMINATION AND REVIEW

A. Dissemination of Code of Conduct

The Board will work to ensure that the community is aware of this code of conduct by:

1. Providing copies of a summary of the code to all students at a general assembly held at the beginning of each school year.
2. Making copies of the code available to all parents at the beginning of the school year.
3. Providing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents and other community members.
7. Posting of the code on the district website for review by students, parents and other community members.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

B. Review of Code of Conduct

The Board will review this code of conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently.

The Board may appoint an advisory committee to assist in reviewing the code and the district's response to code of conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

Before adopting any revisions to the code, the Board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

The code of conduct and any amendments to it will be filed with the Commissioner of Education no later than 30 days after adoption.

ADOPTION DATE:

11/2022