

Code of Conduct

Introduction from the Board of Education

The Board of Education is 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 of Education 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 applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

Code of Conduct:

The school district has created a detailed Code of Conduct to describe expected behavior of all district students, staff and visitors to school buildings and the disciplinary actions resulting from violations of the codes.

District Procedure:

The code of conduct will serve as a major component of our violence prevention program. The code will be evaluated annually and revised as necessary to reflect changes in school policies and procedures.

Building principals will review the contents of the codes with all building staff at a faculty meeting at the beginning of each year.

At the beginning of each school year, classroom teachers shall review the contents of the District Codes of Conduct with their students and post in classroom.

A copy of the codes shall be made available to parents at back to school nights held in each building, and/or during their individual PPR Conferences. A copy will be made available to parents, visitors and community members and posted in each building.

Discipline of Students

Definition of Students

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

"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.

"Violent student" means an elementary school age student who:

Commits or attempts to commit an act of violence upon a school employee.

Commits or attempts to commit, while on school property or at a school activity an act of violence upon another student or any other person lawfully on school property or at the school function.

Possesses, while on school property or at a school function, a weapon.

Displays, while on school property or at a school function, what appears to be a weapon.

Threatens, while on school property or at a school function, to use a weapon.

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.

Knowingly and intentionally damages or destroys school district property.

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:

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

Student Responsibilities

All district students have the responsibility to:

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

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

Student Dress Code

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. 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.

A student's dress, grooming and appearance, including hairstyle / color, jewelry and nails, shall:

- Be safe, appropriate and not disrupt or interfere with the educational process
- Include footwear at all times. Footwear that is a safety hazard (e.g., flip flops) will not be allowed
- Not include the wearing of hats in the classroom except for a medical or religious purpose
- Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability
- Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities
- Ensure that underwear is completely covered with outer clothing
- Recognize that extremely brief garments that are too revealing, which might include tube tops, net tops, halter-tops, spaghetti straps, plunging necklines and see-through garments, are not appropriate.

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 dress code revisions 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. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for

the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out-of-school suspension.

Parents:

- Recognize that children's education is a joint responsibility of parents and the school community.
- Send their children to school ready to participate and learn.
- Ensure their children attend school regularly and on time and confirm excused absences.
- Insist their children be dressed and groomed in a manner consistent with the student dress code.
- Ensure students bring only items appropriate and related to instructional programs to school.
- Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
- Know school and classroom rules and help their children understand them.
- Convey to their children a supportive attitude toward education and the district.
- Build good relationships with teachers, other parents and their children's friends.
- Help their children deal effectively with peer pressure.
- Inform school of changes in the home situation that may affect student conduct or performance.
- Provide a place for study and ensure homework assignments are completed.
- To review Code of Pupil Discipline/Cooperation and sign contract.

District Teachers:

- Maintain a climate of mutual respect and dignity to strengthen students' self-concept and promote confidence to learn.
- Demonstrate interest in teaching and concern for student achievement, and be prepared to teach.
- Know school policies and rules and enforce them in a fair and consistent manner.
- Communicate to students and parents regarding academic and behavioral expectations
- Communicate with students, parents and other faculty concerning growth and achievement.
- Build good relationships with colleagues.
- To review code of Pupil Discipline/Cooperation and sign contract.

Support Staff (Clerical, Custodial, Monitors, Bus Drivers, Matrons and Teacher Aides):

- Build good relationships with teachers, parents and community members.
- Promote a safe and secure environment

Mental Health Professionals:

- Assist students in coping with peer pressure and, where necessary, personal, social and emotional problems.
- Initiate conferences with appropriate participants (e.g., parents, students, teachers) as necessary, as a way to resolve problems.
- On an as needed basis, review educational progress with students and teachers.

Principals:

- Promote a safe and orderly school environment, supporting active teaching and learning.
- Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
- Monitor all instructional programs.
- Be responsible for enforcing the Student Code of Conduct, Parents and Visitors Code of Conduct, and district dress code and ensuring that all cases are resolved promptly and fairly.

Superintendent:

- Promote a safe and orderly school environment, supporting active teaching and learning.
- Review with district administrators the policies of the board of education and state and federal laws relating to school operations and management.
- Inform the board about educational trends relating to student discipline.
- Support the implementation of instructional programs that minimize misconduct and are sensitive to student needs.
- Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

Board of Education:

- Adopt and review annually the district's code of conduct.
- Lead by example by conducting board meetings in a professional, respectful, courteous manner.

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.

The best discipline is self-imposed, and students must learn to assume 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 appropriate disciplinary action when necessary and to place emphasis on the students' ability to grow in self-discipline.

The board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who do not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences of their conduct.

Students may be subject to disciplinary action, up to and including suspension from school, when they:

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

- Using language or gestures that are profane, lewd, vulgar or abusive
- Obstructing vehicular or pedestrian traffic
- 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
- Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy
- Cellphone/electronic device misuse, including inappropriate texting, games and camera use

*Cellphone use is not permitted during the school day. Cellphones brought to school must be stored in student backpacks.

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

- Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect
- Leaving school without permission

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

- Engaging in any willful act that disrupts the normal operation of the school community

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

- Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so
- Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so

- 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
- Displaying what appears to be a weapon
- Threatening to use any weapon
- Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property,
- Intentionally damaging or destroying school district property, including graffiti or arson

Engage in any conduct that endangers the safety, morals, health or welfare of others.
Examples include:

- Lying to school personnel
- Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function
- Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them
- Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner
- Harassment, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be or which a reasonable person would perceive as ridiculing or demeaning
- Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm
- Cyber Bullying, which includes using technology to defame, harass, intimidate, and/or discriminate against any student or school personnel
- 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
- Selling, using or possessing obscene material
- Using vulgar or abusive language, cursing or swearing
- Smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco
- Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either
- Inappropriately using or sharing prescription and over-the-counter drugs
- Gambling
- Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner
- Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher, pull box, misuse of false alarm

Engage in misconduct while on a school bus.

- It is crucial for students to 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.

Engage in any form of academic misconduct. Examples of academic misconduct include:

- Plagiarism
- Cheating
- Copying
- Altering records
- Assisting another student in any of the above actions

Reporting Violations

- All students are expected to promptly report violations of the code of conduct to a teacher, 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 building principal, the principal's designee or the superintendent.
- *All district staff that are authorized to impose disciplinary sanctions is expected to do so in a prompt, fair and lawful manner. District staff that is not authorized to impose disciplinary sanctions is 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 if warranted, which may include permanent suspension and referral for prosecution.
- *The building principal or his/ her designee must 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, but in no event later than the close of business the day the principal or his/ her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.*

Disciplinary Penalties and Procedures

- 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 grow in self-discipline.
- 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 disciplinary penalties will consider the following:
 1. The student's age.
 2. The nature of the offense and the circumstances that led to the offense.
 3. The student's prior disciplinary record.
 4. The effectiveness of other forms of discipline.
 5. Information from parents, teachers and/or others, as appropriate
 6. 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.
- If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

A. Disciplinary Penalties

Students who are found to have violated the district's code of conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

- Oral warning - any member of the district staff
- *Written warning - teachers, principal, superintendent*
- *Written notification to parent - teachers, principal, superintendent*
- *Detention - teachers, principal, superintendent*
- *Suspension from transportation - principal, superintendent*
- *Suspension from social or extracurricular activities - principal, superintendent*
- *Suspension of other privileges - principal, superintendent*
- *In-school suspension - principal, superintendent*
- Removal from classroom by teacher - teachers, principal
- Short-term (five days or less) suspension from school - principal, superintendent, board of education
- Long-term (more than five days) suspension from school - principal, superintendent, board of education
- Permanent suspension from school - superintendent, board of education

B. Disciplinary Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty. In all cases, regardless of the penalty, 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 the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed.

These additional rights are explained below:

1. Detention

Teachers, principals and the superintendent may use after-school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or his/her designee. In such cases, the student's parent will become responsible for seeing that his/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 the building principal or the principal's designee to discuss the conduct and the penalty involved.

3. Suspension from extracurricular activities and other privileges

A student subjected to a suspension from 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 the district official imposing the suspension to discuss the conduct and the penalty involved.

4. In-school suspension

The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "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 will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher disciplinary removal of disruptive students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in another classroom or in an administrator's office; or (2) sending a student to appropriate district staff for counseling. Classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. 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 behavior rules.

A classroom teacher may remove a disruptive student from class for up to one day. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24 hours.

The teacher must complete a district-established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day. Within 24-hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

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 student's removal 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 parents.

The principal may require the teacher who ordered the removal to attend the informal conference.

If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.

The principal may overturn the removal of the student from class if the principal finds any one of the following:

- The charges against the student are not supported by substantial evidence.
- The student's removal is otherwise in violation of law, including the district's code of conduct.
- Conduct warrants suspension from school pursuant to **Education Law §3214** and a suspension will be imposed.

The principal or designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 24-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

Each teacher must keep a complete log (on a district-provided form) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

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 building 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 will gather the facts relevant to the matter and record them for subsequent presentation upon receiving a recommendation or referral for suspension or when processing a case for suspension.

- **Short-term (5 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. The parents shall in the dominant language or mode of communication use both the notice and informal conference. 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 within 30 days of the decision.

- **Long-term (more than 5 days) suspension from school**

When the superintendent or building principal 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/ she and the right to present witnesses and other evidence on his her behalf.

The superintendent shall personally hear and determine the proceeding or 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 within 30 days of the decision.

- **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.

C. Minimum Periods of Suspension

Students who bring a weapon to school

Any student*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 or designee 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:

- The student's age and grade in school.
- The student's prior disciplinary record.
- The superintendent's belief that other forms of discipline may be more effective.
- Input from parents, teachers and/or others.
- Other extenuating circumstances.
 - Students with a disability may be suspended only in accordance with the requirements of state and federal law.

Students who commit violent acts other than bringing a weapon to school

Any student* 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 parents 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 parents 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 an one-year suspension for possessing a weapon.

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

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

Any student* 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 an one-year suspension for possessing a weapon.

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

D. Referrals

Counseling

The District social workers and/or psychologists shall handle all referrals of students to counseling. School staff should consult with the principal and mental health staff.

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:
- Being habitually absent and not attending school as required by part one of Article 65 of the Education Law
- Engaging in an ongoing or continual course of conduct that makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
- Knowingly and unlawfully possesses marijuana in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.

Juvenile Delinquents and Juvenile Offenders (7 to 15 - more than 7 and less than 16)

The superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

- Any student under the age of 16 who is found to have brought a weapon to school.

E. Alternative Instruction

When a teacher removes a student of any age from class, 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 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:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. 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 reports 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, building principals, and the school nurse 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 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 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 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, other than an outer coat or jacket. 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 building 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 items 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 building 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 cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by child protective services to interview a student on school property shall be made directly to building principal or his or her designee. The principal or his or her designee shall set the place of the interview. A school official is to be present during the interview. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex.

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 enjoy 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 disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws/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 laws and regulations. For additional information contact the Special Education Office and refer to the Individuals With Disabilities Act. See Information Section.

Authorized Suspensions or Removals of Students With Disabilities

1. For purposes of this section of the code of conduct, the following definitions apply.
A "**suspension**" means a suspension pursuant to **Education Law § 3214**.
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. An IAES" means a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, 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 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 superintendent or a building 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 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 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
 - a. "Weapon" means the same as "dangerous weapon" under 18 U.S.C. § 930(g)(w) which includes "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except ... [for] pocket knife with a blade of less than 2 1/2 inches in length."
 - b. "Controlled substance" means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
 - c. "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
3. 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 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.

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: for more than 10 consecutive school days or 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 cumulate 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 weapons, illegal drugs or controlled substances.

Special rules regarding the suspension or removal of students with disabilities

1. The district's Committee on Special Education shall:

- a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior and 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 weapons, illegal drugs or controlled substances.

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 CSE members 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 CSE meeting to modify such plan and its implementation, to the extent the committee determines necessary.

- b. 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 for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. 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 laws 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, building 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:
 - Conducted an individual evaluation and determined that the student is not a student with a disability
 - or
 - 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 laws 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.
3. 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 weapons, 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.
4. 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.
5. 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

6. 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.
7. 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.

Expedited due process hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
 - a) 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.
 - b) 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.
 - During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, 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.
 - 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.
2. An expedited due process hearing shall be completed within 15 business 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 five business 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.

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 which a crime is reported.

Discipline of Visitors to the Schools

The board encourages parents and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set, for such visits.

The **building principal** or his/ her 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:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must **report to the principals' 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.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings are not required to register.
4. Teachers are expected not to take class time to discuss individual matters with visitors.
5. 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.
6. All visitors are expected to abide by the district Parents and Visitors Code of Conduct when they are on school property or attending school-sponsored events.

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 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 will be properly attired for the purpose they are on school property.

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 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 disruptive to the school program. **(Dress Code)**
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
6. Enter any portion of the school premises without authorization or remain in any building 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, and tobacco** products 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 a 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.

*Parents/visitors must respect others' right to privacy and not upload/publish online photos and/or videos of students other than their own.

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. Refusal to leave 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 4 and 5: They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

Enforcement

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

1. *When the building principal or 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.*
2. *The principal or designee shall also warn the individual of the consequences for failing to stop.*
3. *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.*
4. *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

Dissemination of Code of Conduct

To ensure that the community is aware of this code of conduct the following steps will be taken:

1. Copies of the district Pupil Code of Conduct will be given to all students at the beginning of each school year.
2. Copies of the code will be made available to all parents at the beginning of the school year or Back-to-School Night
3. Teachers and other staff members will be provided with a copy of the Pupil Code of Conduct.

4. Providing all new employees with a copy of the current Code of Conduct.
5. Making copies of the code available for review by students, parents and other community members who will be posted in school office.

The **Board** will support ongoing in-service education for all district staff members pertaining to the management and discipline of students.

The **Board of Education** will review this code of conduct every year and update it as necessary.

The district Project SAVE Committee will 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, parent organizations 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.

4. Responding to Violence

Removal of Disruptive or Violent Students / Removal by Teacher and Principal Suspension

For all certified district teachers, principals and superintendent.

District Procedure: Exclusion statement - A teacher may remove a disruptive student from the classroom for up to one school day. The child will be taken to a location to be determined within the school building.

Uniform Violent Incident Reporting System

All district personnel shall collect reports of violent incidents 1st Precinct and forwarded to the state.

District Procedure: Any employee of the District who is involved with, informed of, or witnesses on school grounds any violent incident shall report such incident to the building principal, or designee, who shall be required to complete the District Incident Report. In addition, dependent on the severity of the incident, the principal or designee may need to report such incident to the local police department, secure the area (yellow tape) where the incident occurred and ensure the physical safety of students and staff. The reports shall be maintained within the buildings with a copy to the superintendent's office.

Protection of School Employees Who Report Acts of Violence / Whistleblower Protection

This applies to all school district employees.

District Procedure: School employees who have reasonable cause to suspect that a person has committed an act of violence in or on school property or upon a student, school employee or volunteer, either on school grounds or elsewhere, or that person who has brought a gun, knife, bomb or other dangerous instrument on school grounds will have the immunity from civil liability for reporting those suspicious, in good faith, to school officials or law

enforcement. Such employees will also be protected from retaliatory action by school district or other school employees.

Reporting Sentences to School / Youthful Offenders

A youthful offender is a juvenile delinquent who is between 7 to 15 years of age. For all students 7 to 12 years of age, adjudicated in family court (non-criminal or delinquent act)

District Procedures: The information received by the school district from the court system in regards to juvenile delinquency adjudications is confidential and does not enter the student's permanent school record. It is to be kept in a separate file at district level. An educational official shall be designated by the school district to receive these records. The information can only be used for purposes related to the IEP, where applicable. This information can only be accessed by permission of the Superintendent and only accessible to persons responsible for IEP. Under no circumstances shall this record be made available to any other persons.

Child Abuse in an Educational Setting / Reporting and Prohibiting Silent Resignations

Teachers, school nurses, school psychologists, social workers, school administrators, school board members, superintendents and other school personnel required to hold teaching or administrative licenses/certificates.

- Recognition and reporting suspected child abuse
- Employee as subject

District Procedure:

- North Bellmore Public Schools has a policy regarding child abuse reporting.
- Silent resignations prohibited as specified by law. The Superintendent of Schools has specific duties and responsibilities. If a Superintendent permits an employee to resign under these circumstances, it will be a class E felony, punishable by up to a maximum of 4 years in prison. In addition, the Superintendent will be subject to a civil penalty not to exceed \$20,000.

Fingerprinting and Criminal History Information

This applies to all prospective school district employees. This law does not apply to current employees of the school district. However, if a current employee terminates employment and seeks re-employment in the same district, the individual must undergo fingerprinting and a background check to obtain clearance for employment.

District Procedure: As a requirement for employment, all prospective district employees will be required to be fingerprinted and have a criminal history background check done to obtain clearance for employment.

Felony Assaults / Persons Assaulted on School Grounds

This applies to any member of the district who is informed of, involved in or witnesses any felony assaults where an individual who assaults a school employee on school grounds, or any student or non-student assaults a student on school grounds, during school hours or at school events.

- Physical Injury - an impairment of physical condition (e.g. a swollen, blackened eye) or substantial pain.

Serious Physical Injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.

- Instrument - means any instrument, article or substance used as a weapon.
- Reportable Assault - any even where a physical injury or serious physical injury occurs to any person upon school grounds by way of an intentional act. In addition, a reportable assault takes place when a serious physical injury occurs by means of a reckless act, or a physical injury occurs by way of an instrument through a reckless act.

District Procedures: When a felony assault occurs call 911.

If possible:

- Stop assault
- Notify EMS, if necessary
- Notify parents (all involved)
- Prepare District Incident Report

Plan for Enrolling Juvenile Delinquents in Educational or Vocational Programs upon Release from Placement in Youth Detention Facility

This applies to a juvenile delinquent, who is between 7 to 15 years of age.

For all students 7 to 12 years of age, adjudicated in family court (non-criminal/delinquent act)

District Procedure: Accept plan put forth by Office of Children and Family Services, which are youth detention facilities and local social service commissioners and other persons or agencies having custody of youth placed by order of a family court.

Adoption date: February 10, 2011