

**CENTRAL SQUARE CENTRAL
SCHOOL DISTRICT**

CODE
OF
CONDUCT

DISTRICT MISSION: TO EMPOWER ALL STUDENTS TO EXCEL AS CITIZENS IN A CHANGING WORLD

CENTRAL SQUARE CENTRAL SCHOOL DISTRICT
Central Square, New York

Updated July 2009

CODE OF CONDUCT

A new law was enacted by New York State, effective July 1, 2001, requiring each school district to adopt a Code of Conduct. The Central Square Central School District Board of Education took such action in June 2001.

INTRODUCTION

The Central Square Central School District Board of Education ("Board") is committed to providing a safe and orderly learning environment where students may receive and Central Square Central School District personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other Central Square Central School District personnel, parents and other visitors is essential to achieving this goal.

Central Square Central School District has a long-standing set of expectations for conduct on school property and at its functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, integrity, and the belief in the educational goals of the organization.

The Board recognizes the need to clearly define these expectations for acceptable conduct on Central Square Central School District property, identify the possible consequences of unacceptable behavior, and to see to it that discipline, when necessary, is administered promptly and fairly. To this end, the Board adopts this Code of Conduct ("code").

Unless otherwise indicted, this code applies to all students, school personnel, parents and other visitors when on Central Square Central School District property or attending a Central Square Central School District function.

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I. DEFINITIONS

For purposes of this code, the following definitions apply.

“Disruptive student” means a 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 the biological, adoptive or foster parent, legal guardian or person in parental relations to a student.

“Central Square Central School District property” means in or within any building, structure, play area, parking lot or lane contained within the real property boundary line of a Central Square Central School District facility, or in or on a school bus as defined in Vehicle and Traffic Law 142.5.

“Central Square Central School District function” means any Central Square Central School District sponsored extracurricular event or activity.

“Violent student” means a student under the age of 21 who may be described by any of the clauses below.

1. Commits an act of violence upon a Central Square Central School District employee.
2. Commits, while on Central Square Central School District property or at a Central Square Central School District function, an act of violence upon another student or any other person lawfully on Central Square Central School District property or at a Central Square Central School District function.
3. Possesses while on Central Square Central School District property or at a Central Square Central School District function a weapon.
4. Displays, while on Central Square Central School District property or at a Central Square Central School District function, what appears to be a weapon.
5. Threatens, while on Central Square Central School District property or at a Central Square Central School District function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any Central Square Central School District employee or of any person lawfully on Central Square Central School District property or at a Central Square Central School District function.
7. Knowingly and intentionally damages or destroys Central Square Central School District property.

“Weapon” means a firearm as defined in 18 USC 921 for purposes of the Gun Free School Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause serious physical injury or death when used as a weapon.

II. STUDENT RIGHTS AND RESPONSIBILITIES

A. Central Square Central School District IS committed to safeguarding the rights given to all students under state and federal law. In addition to those rights, all Central Square Central School District students have the right to:

1. A safe, healthy, orderly and civil learning environment.
2. Take part in all Central Square Central School District activities on an equal basis regardless of age, race, religion, color, national origin, gender, or disability.
3. Present their version of the relevant events to Central Square Central School District personnel authorized to impose a disciplinary penalty as in connection with the imposition of the penalty.
4. Access to Central Square Central School District rules and, when necessary, to receive an explanation of those rules from Central Square Central School District personnel.

B. STUDENT RESPONSIBILITIES

All Central Square Central School District students have the responsibility to:

1. Contribute to maintaining a safe and orderly learning environment that is conducive to learning and to show respect for other persons and to property.
2. Be familiar with and abide by all Central Square Central School District policies, rules and regulations dealing with student conduct.
3. Attend classes every scheduled day unless legally excused, and to be 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 all other Central Square Central School District 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 class and Central Square Central School District functions.
10. Accept responsibility for their action.
11. Conduct themselves as representatives of Central Square Central School District when participating in or attending Central Square Central School District sponsored extracurricular events and to hold themselves to the highest standards of conduct.

12. Maintain the confidentiality of their locker combination(s) and to know that school officials have the legal right to inspect lockers or to search a student's person or belongings on school property.

III. RESPONSIBILITIES OF THE ESSENTIAL PARTNERS IN EDUCATION

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 educational community.
2. Send their children to educational programs ready to participate and learn.
3. Ensure their children attend class regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know Central Square Central School District rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and Central Square Central School 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

All district teachers are expected to:

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

C. GUIDANCE COUNSELORS

All Guidance Counselors are expected to:

1. Assist students in coping with peer pressure and emerging personal, social, academic, and emotional problems.
2. Participate in teacher/student/counselor conferences and parent-teacher/student/counselor/administrator conferences, as a way to resolve problems.
3. Annually review with students their educational progress and career plans (at appropriate grade levels).
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.

D. PRINCIPALS

All Principals are expected to:

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Facilitate regular communications (including the redress of grievances) among the principal, staff and students.

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, fairly and uniformly.

E. SUPERINTENDENT

The Superintendent is expected to:

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

F. BOARD OF EDUCATION

The Board of Education is expected to:

1. Collaborate with student, teacher, administrator, and parent organizations, Central Square Central School District safety personnel and other Central Square Central School District personnel to develop a code of conduct that clearly defines expectations for the conduct of students, Central Square Central School District personnel and visitors on Central Square Central School District property and at Central Square Central School District functions.
2. Adopt and review at least once each year the Central Square Central School District code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.

IV. STUDENT DRESS CODE

The Board of Education sets the following standards for student dress, and expects school staff to reinforce acceptable attire and guide students in developing an understanding of appropriate appearance in the educational setting.

Each Building Principal shall be responsible for informing all students and their parents of the student dress code within the first 30 school days of each academic year, or upon entering school.

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 out of school suspension.

The following is Board of Education Policy 5311.5-R, which addresses specific student dress and general appearance requirements.

The responsibility of student dress and general appearance rests with the individual student and parent. However, the Board of Education requires students to attend school in appropriate dress that meets health and safety standards and does not interfere with the learning process or contradict the educational mission of the school.

The Board prohibits the wearing of attire bearing any expression or insignias which are obscene or offensive, or which advocate racial or religious prejudice, or items that denigrate others, display sexually suggestive language or promote alcohol, drug or tobacco use.

The Board prohibits the wearing of attire that has the potential of interfering with the safe and healthy environment of the school. Examples, but not limited to: coats (not to include sweatshirts, lightweight fleece, blazers, and suit jackets), bare feet, soiled clothing, clothing with excessive holes, jewelry that could harm others, ornamental chains, and dog collars.

The Board of Education prohibits the wearing of various items, as they have the potential of interfering with the educational process. Examples are, but not limited to: hats, headgear, headbands, sweatbands, sunglasses, short shorts, short skirts, (to be measured by length longer than arms/fingers fully extended), see-through clothing, underwear or spaghetti-strap tank tops, halter or strapless tops. Clothing which exposes undergarments, midriffs or plunging necklines is not permitted in school.

Any exception to the above must be with specific written prior approval of the School or House Principal or the Superintendent of Schools.

The Board of Education directs consistent implementation and enforcement of this dress code and regulations throughout all district buildings.

The administration shall have the authority to require a student to change his/her attire should it be deemed inappropriate according to the guidelines set forth in this policy.

V. RULES OF CONDUCT

The Board recognizes the need to make its expectations for student conduct while on Central Square Central School District property or engaged in a Central Square Central School District sponsored 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 will not accept responsibility for their own behavior and who violate these rules will be required to accept the penalties for their conduct.

Students may be subject to disciplinary action, up to and including suspension from Central Square Central School District programs when they:

- A. Engage in conduct that is **disorderly**. Examples of disorderly conduct may include but are not limited to:
 - 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 Central Square Central School District community.
6. Trespassing. Students are not permitted in any Central Square Central School District building, other than the one they regularly attend, without permission from the administrator in charge of the building.

B. Engage in conduct that is **insubordinate**. Examples of insubordinate conduct may include but are not limited to:

1. Failing to comply with the lawful directions of teachers, Central Square Central School District administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving Central Square Central School District property without permission.
3. Skipping detention.
4. Lying to Central Square Central School District personnel.

C. Engage in conduct that is **disruptive**. Examples of disruptive conduct may include but are not limited to:

1. Failing to comply with the lawful directions of teachers, Central Square Central School District Administrators or other Central Square Central School District personnel in charge of students.
2. Being late for school or class.
3. Being unprepared for class.

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

1. Threatening or committing an act of violence (such as hitting, kicking, punching, biting, spitting and scratching) upon a teacher, administrator or other Central Square Central School District employee.
2. Threatening or committing an act of violence (such as hitting, kicking, punching, biting, spitting and scratching) upon another student or any other person lawfully on Central Square Central School District property.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on Central Square Central School District property or at a Central Square Central School District function. "Weapon" means a gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, metal knuckle knife, box cutters, cane sword, electronic dart gun, stun gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other dangerous instrument that can cause physical injury or death.

4. Displaying what appears to be a weapon.
 5. Threatening to use any weapon.
 6. Intentionally or recklessly damaging or destroying the personal property of a teacher, administrator, other district employee or any personal lawfully on Central Square Central School District property, including graffiti or arson.
 7. Intentionally or recklessly damaging or destroying school district property.
- E. Engaging in any conduct in violation of the **tobacco or drug and alcohol** policies of the Central Square School District.
1. Possession and/or use of tobacco products (including but not limited to a cigarette, cigar, pipe, lighter, matches or chewing/smokeless tobacco) on school property.
 2. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either, "illegal substances" including inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs". (BOE 5312.10)
 3. Inappropriately using or sharing prescription, over-the-counter drugs, and herbal and dietary supplements.
- F. Engage in **theft** by stealing the property of other students, Central Square Schools personnel or any other person lawfully on school property or attending a school function.
- G. Engage in **misconduct while on a school bus**. It is crucial for students to behave appropriately while riding on Central Square Central School 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.
- H. Engage in any form of **academic misconduct**. Examples of academic misconduct may include but are not limited to:
1. Plagiarism.
 2. Cheating.
 3. Altering a grade, or other student record, on paper or in electronic form.
- I. Engage in any conduct that **endangers the safety, morals, health or welfare** of others. Examples of such conduct may include but are not limited to:
1. Falsely reporting an incident.
 2. Unjustified activation of any fire alarm, or any other safety or security device or alarm on school property, school transportation, or at any school related function..
 3. Bomb threats of any type.

- J. Engaging in harassment of any student, staff member, or visitor to the Central Square School District as set forth by the Board of Education Policy 0110, on Harassment, Hazing, and Bullying.
 - 1. Acts of sexual harassment.
 - 2. Selling, using or possessing obscene or pornographic material.
 - 3. Acts of hazing.
 - 4. Acts of bullying.

- K. Engaging in misuse of school computers as detailed in the Board of Education Policy 4526-R Computer Network Policy Regulations (see Acceptable Use Policy)

VI. REPORTING VIOLATIONS OF THE CODE OF CONDUCT

Any student observing a student possessing a weapon, alcohol or illegal substance on Central Square Central School District property or at a Central Square Central School District function shall report this information immediately to a teacher, Central Square Central School District administrator, or the Superintendent. Any weapons, alcohol or illegal substances found shall be confiscated immediately, followed by notification of the parent of the student involved and the appropriate disciplinary action taken, up to and including permanent suspension and referral for prosecution.

The Building Principal, or program supervisor, 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 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(s) and explain the conduct that violated the code of conduct and constituted a crime.

VII. DISCIPLINARY PROCEDURES AND PENALTIES

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. Central Square Central School District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the student's 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 which 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 subsequent violations will usually merit a stiffer penalty than the first violation.

If the conduct of a student is related to a disability or suspected disability, a manifestation determination hearing will be held before additional consequences are rendered. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

A. CONSEQUENCES

Students who are found to have violated the Central Square Central School District Code of Conduct may be subject to the following penalties, either alone or in combination with one another. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Verbal warning – any member of the Central Square Central School District staff
2. Written warning – bus driver, hall and lunch monitors, teachers, principal, superintendent
3. Written notification to parent – bus driver, hall and lunch monitors, teachers, principal, superintendent
4. Detention – teachers, principal, superintendent
5. Extended Detention – building administrators, superintendent
6. Saturday Suspension - building administrators, superintendent
7. Suspension from transportation – principal, superintendent
8. Suspension from social or extracurricular activities – principal, superintendent
9. Suspension of other privileges – principal, superintendent
10. In-school suspension – principal, superintendent
11. Removal from classroom by teacher – teachers, principal, superintendent
12. Short-term (five days or less) suspension from school –principal, superintendent, Board of Education
13. Long-term (more than five days) suspension from school – superintendent, Board of Education
14. Permanent suspension from school – superintendent, Board of Education
13. Notification of authorities – principal, superintendent

B. PROCEDURES

Central Square personnel authorized to impose penalties must let the student know what misconduct the student is alleged to have committed, and must investigate the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the Central Square Central School District personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

Students who are to be given penalties other than a verbal 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 (See approved Board of Education policy 5320; 5320-R)

3. In-school Suspension

The Board recognizes that 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". "In-school suspension" is the temporary removal of students from the classroom and their placement in another area of the school.

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.

VIII. TEACHER REMOVAL OF A DISRUPTIVE STUDENT:

A disruptive student is one who negatively affects a teacher's ability to teach and makes it difficult for other students in the classroom to learn. In many instances the classroom teacher can control disruptive student behavior by using good management techniques. Occasionally, however, it may be necessary for a teacher to remove a disruptive student from the classroom to ensure that the other students continue to learn.

A classroom teacher may remove a student from class for up to two days if the teacher determines that the student is disruptive. The removal from class applies to the class of the removing teacher only.

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

If the student does pose 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 Central Square Central School District established referral form and meet with the principal as soon as possible, but no later than the end of the school day, to explain the

circumstance of the removal and to present the referral forms. If the principal 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 supervisor prior to the beginning of classes on the next school day.

Within 24 hours after the student's removal, the principal, or another Central Square Central School District administrator designated by the principal must notify the student's parent, 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, supervisor, or the designated administrator to discuss the reasons for the removal and behavior modification (s) to remedy the cause 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 parent. Where possible, notice should also be provided by telephone if Central Square Central School District has been provided with a telephone number(s) for the purpose of contacting parents.

If at the informational meeting the student denies the charges, the principal, or the designated administrator, 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 informational meeting must be held within 48 hours of the student's removal. The teacher will be involved in the informational meeting, unless the principal decides that it is not beneficial to have the teacher involved. The timing of the informational meeting may be extended by mutual agreement of the parent, teacher and principal.

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

1. The charges against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law.
3. The conduct warrants suspension from school pursuant to Education Law 3214 and a suspension will be imposed.

The principal, or his/her designee, must make a determination as to whether to overturn the removal before the close of business on the day after the day of the informal hearing. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal, or designee, makes a final determination, or the period of removal expires, whichever is less. At the teacher's discretion he or she may rescind the removal prior to the expiration of the full period of removal.

Each teacher must keep documentation for all cases of removal of students from his/her class. The principal must keep documentation of all removals of students from class. Removal of a student with a disability may, under certain circumstances, constitute a change in the student placement. When a student with a disability is to be removed from his or her class, the teacher should consult with the principal, supervisor or the chairperson of the Committee on Special Education to confirm that the removal will not violate the student's rights under state or federal law or regulation.

Nothing in this section of the Code of Conduct abridges the customary right or responsibility of a principal to suspend a student. Further, nothing in this code abridges the customary right and responsibility of a teacher to manage student behavior in the classroom. Short-term, time-honored classroom management techniques, such as "time-out" in an elementary classroom or in an administrator's office, or sending students briefly into the hallway, are not considered removals from class. The removal process should not become a substitute for good classroom management.

1. Minimum Suspension Periods for Students Who are Repeatedly Substantially Disruptive.

A student who is removed from class on four or more occasions during one semester may be subject to a minimum out-of-school suspension of 2 days. Such removals need not be by the same teacher. The suspension period may be increased or reduced on a case-by-case basis by the superintendent, or his/her designee, consistent with law.

2. Minimum Suspension Periods for Students Who are Violent.

Students who are deemed to be “violent pupils” as defined by Education Law Section 214(2-a)(a) may be subject to a minimum out-of-school suspension of at least 3 days. The suspension period may be increased or reduced on a case-by-case basis by the superintendent, or his/her designee, consistent with law.

3. Reporting Crimes and Referring Students for PINS or to Human Services Agencies.

Procedures to Inform Law Enforcement Officials of a Crime and Filing Criminal/Juvenile Delinquency Complaints.

When a violation of this code constitutes a crime, the superintendent has established the following procedures to report the incident to the appropriate law enforcement agency and to follow through with filing a criminal/juvenile delinquency complaint:

- a. Any individual who believes that he/she has witnessed a crime either on school premises or at a school function should report it to the appropriate building principal or his/her designee. The principal/designee will gather the necessary information to determine whether he/she believes that a crime has been committed. If so, the appropriate local law enforcement agency will be contacted immediately. If not, the principal/designee will take whatever disciplinary steps may be necessary, consistent with the code. These procedures should be followed in all circumstances except for reporting “child abuse in an educational setting” where the procedure for reporting such incidents is set forth in the statute.
- b. If the school district is deemed (by law enforcement) to be the appropriate entity to file a criminal/juvenile delinquency complaint against a code violator, the appropriate school official (e.g. building principal) will be expected to file such a complaint. Where the victim of the crime is an individual, whether a student, teacher, staff member, visitor, etc., the crime victim will be strongly encouraged to file such a complaint.

A. PINS (PETITION/REFERRAL TO HUMAN SERVICES AGENCIES)

The superintendent has established the following procedures for filing PINS petitions or for the referral of pupils to the appropriate human service agency.

1. Where a student does not attend school in accordance with the Education Law or is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent or other lawful authority or who violates provisions of Section 221.05 of the Penal Law (unlawful possession of marijuana), the building principal having authority over the student will be responsible for filing a PINS proceeding against that student. Being incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent or other lawful authority has the same definition as that provided in Article 7 of the Family Court Act. These petitions may also be filed by guidance counselors, or other certified staff members, but must be done in consultation with the building principal. Prior to commencing any such proceedings, the building

principal should review the matter with the superintendent, who may consult with the school district's attorney.

2. The superintendent will make available to all building principals a list of appropriate human services agencies located in or near the district. When, in the discretion of the building principal, referral to such an agency is appropriate, such referrals will be made. This does not, however, affect the mandatory reporting requirements of all school district employees to make referrals for suspected child abuse.

B. 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 entitled to certain procedural protections whenever school authorities intend to impose a removal or suspension that changes their educational placement. The Board is committed to providing these procedural protections when disciplining these students. 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.

C. 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.

IX. 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 a 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 a 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 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 above. 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 building principal or his/her designee shall be responsible for enforcing the conduct required by this code. When the building principal or his/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 his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her 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 his/her 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.

X. CONDUCT AND DISCIPLINE

Misconduct, Definitions and Range of Consequences

The following pages provide definitions and a range of consequences for student misconduct. These guidelines are meant to be used when working with students who have committed various offenses against the educational environment. In some instances, the first (minimum) step may resolve the problem; in others, it may be necessary to employ all procedures available to the administrator in the building. These are intended to be general guidelines. More specific information for infractions may be included in the individual building student handbooks.

CONDUCT AND DISCIPLINE

MISCONDUCT	DEFINITION	RANGE OF CONSEQUENCES
Abusive language (student to student)	Written or spoken language, gestures, that are obscene, or vulgar.	min. verbal warning max. out of school suspension/ superintendent's hearing
Abusive language or obscene gestures directed toward staff	Written or spoken language or gestures that are offensive, obscene or vulgar and is directed at a staff person.	min. detention as defined by building max. out of school suspension/ superintendent's hearing
Arson	Any act utilizing fire, smoke or explosives, which causes alarm or danger to life; and/or willful or malicious burning of school property.	min. out of school suspension max. notify authorities/ superintendent's hearing
Assault	An unlawful physical attack using force upon a person resulting in physical injury.	min. ISS/parental notification max. superintendent's hearing/notify authorities
(Trespass) burglary	Illegal or unauthorized entry of any area of the school during or after regular school hours; e.g. rooms, cabinets, classrooms auditorium, offices, lockers or gym etc.	min. restitution and/or OSS max. notify authorities/superintendent's hearing

MISCONDUCT	DEFINITION	RANGE OF CONSEQUENCES
Cheating	to dishonestly acquire/or provide information, answers, unearned marks, or credits	Min. Parent notification Max. superintendent's hearing
Criminal mischief	The destruction or serious defacing of school property or the property of others.	Min. restitution & parent notification Max. notify authorities/ superintendent's hearing
Cutting Class	An unexcused absence from class when the student is present in the building.	Min. detention Max. OSS
Disruption to the educational process	Behavior that seriously disrupts any school activity or the orderly operation of the school.	Min. detention as defined Max. OSS
Disruptive behavior	Language, gestures, or actions, which incite, produce distractions, or seriously interfere with the effective functioning of the teacher, class or school.	Min. written warning Max. OSS
Dress Code School Board Policy # 5311.5	Reference: Page 9 of this document.	Min. verbal/written warning Max. OSS

MISCONDUCT	DEFINITION	RANGE OF CONSEQUENCES
Failure to attend detention	Not reporting for a scheduled detention without administrative permission to miss the detention.	Min. additional/extended detention with parent notification Max. ISS/OSS
Failure to attend an extended day or Saturday detention.	The disruption of or failure to attend a scheduled Saturday detention.	Min. additional/extended detention with parent notification Max. ISS/OSS
Fighting	Aggressive physical conflict between two or more individuals including wrestling, shoving, punching, kicking, hitting, shaking, poking.	Min. detention as defined by building with parent notification Max. OSS with superintendent's hearing/notify authorities
Forgery	The act of forging a signature or using something written or falsely produced with the intent to deceive.	Min. parent notification Max. OSS/superintendent's hearing/notify authorities
Gambling	Participating in game(s) of chance, including card playing, for money and/or other things of value.	Min. warning Max. OSS with restitution/ superintendent's hearing
Harassment (Threatening Behavior)	A threat to engage in menacing behavior that is violent or sexual in nature without physical contact that would likely cause offense, annoyance or alarm.	Min. written warning Max. OSS/superintendent's hearing

MISCONDUCT	DEFINITION	RANGE OF CONSEQUENCES
Harassment of staff (threatening behavior)	A threat to engage in menacing behavior that is violent or sexual in nature – without physical contact – that would likely cause offense, annoyance, or alarm.	Min. parent conference Max. superintendent’s hearing
Inappropriate use of computers Board of Education Policy # 4526; 4526-R; 4526.1; 4526.1R	The action by any student to view or change information on a computer that they are not authorized to access.	Min. restricted use of computers Max. OSS/ superintendent’s hearing
Insubordination	Verbal or non-verbal refusal to comply with the reasonable request of any staff member.	Min. detention as defined by building Max. OSS/superintendent’s hearing
Leaving school without permission.	Once a student arrives at the school campus he/she may not leave school, unless authorized to do so, until the end of the student’s scheduled day.	Min. detentions as defined by building with parent notification Max. OSS
Loitering	The act of remaining in an area for no obvious reason – “hanging around”.	Min. warning Max. detention as defined by building

MISCONDUCT	DEFINITION	RANGE OF CONSEQUENCES
Plagiarism	The act of taking or giving ideas, writings, work, etc., from a source and passing it off as the efforts of another.	Min. notify parents Max. no credit given for course
Possession of electronic entertainment devices	The possession of radios, walk-mans, electronic games or other toys that may be deemed disruptive or the potential to be disruptive.	Min. warning/ have devise put away Max. confiscate until parent picks - up/OSS
Possession of electronic communication devices.	The possession of pagers, beepers, cellular phones or any such wireless communication devices are forbidden by students in school.	Min. warning/have devise put away Max. confiscate until parent picks - Up/OSS
Smoking School Board Policy # 5312.3	The use and/or possession of tobacco products (cigarette, cigar, pipe, lighter, matches, chewing tobacco, etc.) are prohibited on school grounds at any time.	Min. ISS Max. OSS with superintendent's hearing
School Bus Misconduct School Board Policy # 5320; 5320-R		See School Board Policy # 5320; 5320-R Max. superintendent's hearing
Theft/possession/transfer of stolen goods	The act of taking possession, withholding, transferring the property of another without the consent of the owner.	Min. parent notification, restitution when appropriate Max. superintendent's hearing/notify authorities

MISCONDUCT	DEFINITION	RANGE OF CONSEQUENCES
Trespassing	A suspended student or an individual who is not on school grounds for a legitimate reason or a person who does not have written permission from a school administrator and knowingly or unknowingly enters and/or remains unlawfully upon school property.	Min. superintendent's hearing/notify authorities Max. immediate notification to authorities
Absence from School School Board Policy #5100	Absence from school without parent/guardian authorization or approved reason.	Min. parent notification Max. family court action
Unexcused tardy to school	Late to school without parent/guardian authorization and an approved reason.	Min. warning Max. ISS
Use and/or possession of Drugs/Alcohol School Board Policy #5312.1	To possess on your person or among your personal belongings, or to use or have consumed any substance capable of behavior or altering a state of mind or feelings.	See Board Policy
Weapons possession/concealment/ sale School Board Policy # 5312.2; 5321.2R	The possession, concealment or sale of any kind of weapon(s), dangerous instrument(s) or any other item that could be used as a weapon.	See Board Policy