

**Oppenheim-Ephratah
St. Johnsville Central School
District**



**Code of Conduct
2022- 2023**

Table of Contents

<i>Introduction.....</i>	<i>2</i>
<i>Definitions.....</i>	<i>2</i>
<i>Student Rights and Responsibilities.....</i>	<i>3</i>
<i>Student Complaints and Grievances.....</i>	<i>4</i>
<i>Essential Partners.....</i>	<i>5</i>
<i>Student Dress Code and Grooming.....</i>	<i>8</i>
<i>Student Behavior and Prohibited Conduct.....</i>	<i>9</i>
<i>Reporting Violations.....</i>	<i>11</i>
<i>Disciplinary Penalties, Procedures and Referrals.....</i>	<i>12</i>
<i>Alternative Instruction.....</i>	<i>18</i>
<i>Discipline of Students with Disabilities.....</i>	<i>18</i>
<i>Student Searches.....</i>	<i>22</i>
<i>Corporal Punishment.....</i>	<i>23</i>
<i>Lockers.....</i>	<i>24</i>
<i>Student Driving/Parking.....</i>	<i>24</i>
<i>Personal Electronic Devices (PEDs).....</i>	<i>24</i>
<i>Bicycles.....</i>	<i>25</i>
<i>Food and Drink.....</i>	<i>25</i>
<i>Public Conduct on School Property.....</i>	<i>25</i>
<i>Dissemination and Review.....</i>	<i>26</i>



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 as well as conduct off school premises, which relates to the Oppenheim-Ephratah-St. Johnsville Central School District, its students and staff. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, 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 ("Code").

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

Definitions

For purposes of this code, the following definitions apply.

- A. "Disruptive student" means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.
- B. "Disability" means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held. (Education Law §11(4) and Executive Law §292(21)).
- C. "Cyberbullying" means harassment or bullying as defined in subdivision K of this section where such harassment or bullying occurs through any form of electronic communication.
- D. "Employee" means any person receiving compensation from a school District or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such District, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact. (Education Law §§ 11(4) and 1125(3)).
- E. "Parent" means a parent, guardian or person in parental relation to a student.
- F. "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 Education Law §11(1).
- G. "School Bus" means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of

pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities. (Education Law §11(1) and Vehicle and Traffic Law §142).

- H. "School function" means any school-sponsored extracurricular event or activity on or off school property as defined in Education Law §11(2).
- I. "Sexual Orientation" shall mean actual or perceived heterosexuality, homosexuality or bisexuality as defined by Education Law §11(5).
- J. "Gender" shall mean actual or perceived sex and shall include a person's gender identity or expression as defined by Education Law §11(6).
- K. Race means any traits which are historically associated with race, including but not limited to hair texture and protective hairstyles, as defined in Education Law §11(9).
- L. Protective Hairstyles include but are not limited to, hairstyles such as braids, locks, and twists as defined in Education Law §11(10).
- M. "Harassment" or "bullying" shall mean the creation of a hostile school environment by conduct or by threats, intimidation or abuse, including cyberbullying as defined in Education Law §11(8), that either has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, and/or physical well being; including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety. Such conduct includes acts of harassment and/or bullying that occur (1) on school property; and/or (2) at a school function or (3) off school property where such acts of harassment and bullying create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying shall include but are not limited to nonverbal and verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, age, sexual orientation, gender or sex.
- N. "Violent student" means a student under the age of 21 who:
 - 1. Commits an act of violence upon a school employee, or attempts to do so.
 - 2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
 - 3. Possess, while on school property or at a school function, a weapon.
 - 4. Displays, while on school property or at a school function, what appears to be a weapon.
 - 5. Threatens, while on school property or at a school function, to use a weapon, even if such weapon is not present.
 - 6. 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.
 - 7. Knowingly and intentionally damages or destroys school District property.
 - a. "Weapon" means a "dangerous weapon" as defined in 18 USC §930(g)(2), and means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, incendiary bomb, ammunition, imitation ammunition or exploding substances, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

Student Rights and Responsibilities

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, religious practice, weight, gender, gender identity, sex, sexual orientation, age, economic status 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.
- To be protected from intimidation, harassment, bullying or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender, including gender identity, sexual orientation, age, economic status or disability, by employees or students on school property or at a school sponsored event, function or activity.

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 all District policies, rules and regulations 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 possible.
- React 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 and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
- To respect one another and treat each other fairly and civilly in accordance with the District Code of Conduct and provisions of the Dignity for All Students Act, including the responsibility to conduct themselves in a manner that fosters an environment free from intimidation, harassment or discrimination.
- Students have the right of access to computer technology. Students have the responsibility to use computer technology responsibly and only for school-related projects.

Student Complaints and Grievances

Students will be given an opportunity to be heard concerning complaints and grievances they may have. A student filing a complaint for any matter, or alleging discrimination on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender, including gender identity, age, economic status, disability and/or sex including sexual harassment or harassment on the basis of sexual orientation, should read the following information regarding the resolution of the complaint.

A. Investigation of a Complaint

Upon receipt of a formal or informal complaint, a prompt, thorough and impartial investigation of the allegations will follow. All witnesses shall be interviewed and the complainant will be notified of the outcome of the investigation.

B. Informal Complaints

The OESJ School District encourages the resolution of all student complaints as promptly as possible and at the lowest level possible. Accordingly, students are urged to discuss complaints first with the appropriate teacher, staff member or Building Principal. However, if the complaint concerns sexual harassment, the student and/or parent should notify the Compliance Officer or their designee. Upon receipt of an informal complaint the Compliance Officer, designee, Principal or other appropriate staff member will conduct a prompt investigation to determine what occurred and then take appropriate steps to resolve the situation.

The complainant has the right to end the informal process at any time and begin the formal stage of the complaint process.

Essential Partners

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
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 school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the District.
9. Build good relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.
13. Teach their children respect and dignity for themselves and for other students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, gender or gender identity or sex, which will strengthen their child's confidence and help promote learning in accordance with the Dignity for All Students Act.

B. Non-Instructional Staff

All District non-instructional staff are expected to:

1. Maintain a climate of mutual respect and dignity, for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, age, economic status, sexual orientation, gender and gender identity or sex, which will strengthen students' self-confidence and promote learning.
2. Contribute to the educational process and student achievement.
3. Build good relationships with administration, teachers, parents and children.
4. Assist in maintaining a climate of mutual respect and dignity throughout the District.
5. Know school policies and rules and assist in enforcing them in a fair and consistent manner.

C. Teachers and other instructional staff

All District teachers and other instructional staffs are expected to:

1. Maintain a climate of mutual respect and dignity, for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, age, economic status, sexual orientation, gender and gender identity or sex, which will strengthen students' self-confidence and promote learning.
2. Be prepared to teach.
3. Demonstrate an interest in teaching and concern for student achievement.
4. Know school policies and rules, enforce them in a fair and consistent manner.
5. Confront issues of discrimination, bullying and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
7. Report incidents of discrimination, bullying and harassment that are witnessed by teachers or other instructional staff or who receive an oral or written report of such conduct shall promptly be orally reported to the building administrator, superintendent or their designee, and/or Dignity Act Coordinator (DAC) within one (1) school day of when they witness or receive the report and within two (2) school days thereafter shall file a written report with the principal, superintendent or their designee.
8. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan

9. Communicate regularly with students, parents and other teachers concerning growth and achievement.

D. School Counselors/Social Workers

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
3. Regularly review with students their educational progress and career plans.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and gender identity or sex, with an understanding of appropriate appearance, language and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
7. Report orally any incidents of discrimination, bullying and/or harassment that are witnessed or otherwise brought to the counselor's attention to the building administrator, superintendent and/or their designee, which may be the Dignity Act Coordinator (within one (1) school day and shall file a written report of such incident with the designated official to receive these reports within two (2) school days after making an oral report.

E. Principals and Supervisory Personnel

1. Seek to develop a sound and helpful atmosphere of mutual respect within the school.
2. Evaluate the program of instruction in their school to achieve a meaningful educational program;
3. Help their staff self-evaluate their own procedures and attitudes in relation to the interactions within their classrooms;
4. Provide the opportunity and encouragement for students and staff to approach the principal or other appropriate administrators directly for redress of grievances;
5. Work with students and staff to formulate individual school regulations;
6. Assist staff members to resolve any school related problems which may occur;
7. Work closely with parents to establish a cooperative relationship between home and school;
8. Utilize all appropriate support staff and community agencies as resources to help parents and students identify problems and seek solutions;
9. Establish necessary building security;
10. Assume responsibility for the distribution of the Code of Conduct and ensure that all discipline cases referred are resolved justly and promptly;
11. Ensure fairness, reasonableness and consistency,
12. Comply with pertinent state laws governing hearings, suspensions and student rights;
13. Demonstrate desirable standards of behavior through personal example.
14. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion and religious practice, disability, age, economic status, sexual orientation, gender and gender identity or sex, with an understanding of appropriate appearance, language and behavior in a school setting, which will strengthen student' self-image and promote confidence to learn.
15. Promptly lead or supervise and complete a thorough investigation of all written reports of discrimination, bullying and/or harassment that are submitted to the Principal or their designee.
16. When an investigation verifies a material incident of harassment, bullying and/or discrimination, the principal and/or their designee shall take prompt action, consistent with the District's Code of Conduct, including but not limited to the provisions of 100.2(1)(2)(ii)(h), reasonably calculated to end the harassment, bullying and/or discrimination, eliminate any hostile environment and create a more positive school culture and climate.
17. Ensure the safety of the student or students against whom harassment, bullying or discrimination was directed.
18. Shall promptly notify the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct.
19. Shall provide a regular report on data and trends related to harassment, bullying and/or discrimination to the Superintendent. A "regular report" shall mean at least once during each school year in a manner prescribed by the District.

F. Superintendent and District Administration

1. Take such steps as are necessary to develop, publicize and carry out the rules and regulations for students;
2. Consider and act upon recommendations for suspensions in keeping with the Board of Education policy;
3. Review with the principals and other supervisory personnel the policies of the Board of Education and State Laws relating to discipline,
4. Listen and consider the views of the total community;
5. Inform the Board of Education of educational trends relating to discipline;
6. Provide for the development of innovative educational programs which will help to minimize problems of misconduct;
7. Make himself/herself available to administrators, teachers and other staff, advise them on serious discipline matters and support them so long as the latter have acted in accordance with the discipline policies of the District and the laws of the State of New York;
8. Be well informed on the programs and the problems of the District and work with staff in offering leadership.
9. Promote a safe, orderly, respectful and positive school environment, free from intimidation, harassment and discrimination.
10. The Superintendent and/or their designee shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination to ensure that such investigation is completed promptly after receipt of any written reports made under Education Law section 13.
11. When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the Superintendent or their designee shall take prompt action, consistent with the District's Code of Conduct, including but not limited to the provisions of section 100.2(l)(2)(ii)(h), reasonably calculated to end harassment, bullying and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate and prevent recurrence of the behavior.
12. The Superintendent and/or their designee shall ensure the safety of the student or students against whom harassment, bullying and/or discrimination was directed.
13. The Superintendent and/or their designee shall notify promptly the appropriate law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct.

G. Board of Education

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, District personnel and visitors on school property and at school functions.
2. Adopt and review at least annually the District's Code of Conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Appoint a Dignity Act Coordinator (DAC) in each school building who has the appropriate licensure and/or certification by the Commissioner of Education as a classroom teacher, school counselor, school psychologist, school nurse, school social worker, school administrator or supervisor, or Superintendent of schools.
4. In the event that a Dignity Act Coordinator vacates their position another eligible employee shall be immediately designated for an interim appointment as the DAC, pending approval of a successor coordinator by the Board of Education within thirty (30) days of the date the position was vacated. In the event a DAC is unable to perform their duties of the position for an extended period of time, another eligible employee shall be immediately designated for an interim appointment as Coordinator, pending the return of the previous DAC to their duties.
5. Ensure that each Dignity Act Coordinator appointed will be thoroughly trained to handle human relations in areas of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practices, disability, sexual orientation, gender and gender identity and sex.
6. Ensure that each Dignity Act Coordinator appointed shall be provided with training which addresses the social patterns of harassment, bullying, and discrimination, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.
7. Ensure that each Dignity Act Coordinator will be provided with training in the identification and mitigation of harassment, bullying and discrimination.
8. Ensure that each Dignity Act Coordinator shall be provided with training strategies for effectively addressing problems of exclusion, bias and aggression in educational settings.
9. Ensure that each Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.

10. Designate the school employee(s) charged with receiving reports of harassment, bullying and discrimination.
11. Submit an annual report of material incidents of harassment, bullying and/or discrimination that occurred in such school year to the Commissioner in accordance with Education Law Section 15.
12. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.

Student Dress Code and Grooming

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. **The items listed below are examples of appropriate dress and grooming and should not be considered an exhaustive list.** The rules of dress and grooming are designed to focus on safety and respect for the rights of others. In keeping with the educational purpose of this school, students, teachers, other personnel, parents and visitors are expected to dress and groom themselves appropriately for school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other personnel should exemplify and reinforce acceptable dress and help students develop an understanding of appropriate appearance in the school setting. Failure to cooperate will be considered insubordination or disruptive to the educational environment; violators shall be subject to disciplinary action.

Appropriate Standards of Dress

1. Students are expected to dress in a manner that is safe, reflects appropriate attire in the educational environment, and is not a distraction to the educational process. Students will be required to change immediately if deemed necessary (or stay in the ISS room).
2. Students may not wear headgear during school hours. Some examples of headgear include hats, visors, sunglasses, bandanas, that tie, and hoods (students may be asked to remove other types of headgear and be held accountable for noncompliance, as well). Headgear or head coverings that are medical or religious in nature are exceptions to this rule.
3. Clothing or accessories that promote and/or endorse the use of weapons, alcohol, tobacco, or illegal drugs and/or encourage other illegal or violent activities will not be allowed.
4. Clothing or accessories may **not** include words, statements, items, or symbols that are disruptive, vulgar, obscene, libelous, or denigrate others on account of race, color, weight, creed, gender or gender identity, religion or religious practices, ancestry, national origin, sex, sexual orientation, or disability.
5. Skirts/shorts should be of an appropriate length as to not distract from the learning environment. Principal or his/her designee will determine appropriate length using various techniques including fingertip tests, etc.
6. Recognize that extremely brief garments such as tube tops, net tops, halter tops, plunging necklines(front and back) and see through garments are not acceptable. **The width of tank tops is up to administrative discretion. Muscle shirts/tanks that expose a student's midsection are prohibited.** Principal and his/ her designee will determine appropriate length
7. Under garments must be completely covered with outer clothing.
8. At no time should midriffs or cleavage be visible. See-through garments are not permitted.
9. Coats and backpacks (or large bags used to carry school supplies or other items) are not allowed during the school day.
10. Proper footwear must be worn at all times. Cleats, spikes, and heeies may not be worn inside the school building. Students will be asked to change unsafe footwear that is deemed hazardous.
11. Wallet chains (or thick chains) are prohibited in school.
12. Pajamas and slippers are not allowed as we are preparing students for career readiness.

The Administration shall be responsible for informing all students, teachers, other personnel and parents of the dress code at the beginning of the school year in addition to any 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.

Student Behavior and Prohibited Conduct

The items listed below are examples of conduct which are prohibited, but should not be considered an exhaustive list. The rules of conduct are designed to focus on safety and respect for the rights and property of others. The Board of Education expects 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. An awareness of school rules on the part of the students and enforcement of them by school personnel help to minimize discipline problems. 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. 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. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences for their conduct.

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

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

1. Use and possession of all personal electronic devices is prohibited upon entering the school building in the morning until outside the school building after dismissal. Some examples of electronic devices include cell phones, iPods or music devices, cameras, games, and laser pointers (anything that uses electricity). Personal computers may be used solely for academic reasons and must be approved by the administration prior to their use.
2. Running in hallways.
3. Making unreasonable noise.
4. Using language or gestures that is profane, lewd, vulgar, or abusive.
5. Obstructing vehicular or pedestrian traffic.
6. Engaging in any willful act which disrupts the normal operation of the school community.
7. 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.
8. Computer/electronic communications misuse, including any unauthorized use of computers, software, or Internet/intranet account; accessing inappropriate websites, or any other violations of the District's educational information network and Internet acceptable use policy.
9. Video/Pictures are not to be taken of students/staff without their consent. All picture taking is prohibited in bathrooms and locker rooms at any time. Any inappropriate video/picture taking of yourself or others will be subject to discipline.

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

1. Failing to comply with the lawful directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for missing or leaving school without permission.
3. Skipping detention.
4. Absences that are excessive and unexcused

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

1. Failing to comply with the lawful directions of teacher, school administrators or other school personnel in charge of students (including dress code violations).
2. Being late for school or class.
3. Being unprepared for class.
4. Harassment of other students.
5. Public Display of Affection.

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

1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee.
2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function. "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 cane, electronic dart 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 and/or threatening to use any weapon, even if such weapon is not present.
5. Intentionally damaging or destroying the personal property of a teacher, administrator, other District employee or any person lawfully on school property, including graffiti or arson.
6. Intentionally damaging or destroying school District property.
7. Engaging in harassing, bullying or discriminatory conduct, including through threats, intimidation or abuse which may include verbal and nonverbal actions, which has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would be reasonably expected to cause emotional harm; or reasonably causes or would reasonably be expected to cause a physical injury to a student or to cause a student to fear for his or her physical safety or well being; or creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats intimidation or abuse might reach school property.

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

1. Lying to school personnel.
2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
3. 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.
4. Discrimination, which includes the use of actual or perceived race, color, natural hair or hair styles, weight, creed, ethnic group, national origin, religion or religious practice, age, gender, gender identity, sexual orientation, or disability as a basis for treating another in a negative manner.
5. Harassment and bullying, which includes the creation of a hostile environment by verbal and non-verbal conduct, intimidation, verbal threats or abuse, including cyberbullying, that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits; or mental, emotional and/or physical well being; including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or reasonably causes or would reasonably be expected to cause emotional harm; or reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. Such acts of harassment and bullying include those that occur on school property; at a school function or off school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Harassing and bullying behavior may be based on any characteristic including but not limited to actual or perceived race, color, natural hair or hair styles, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender and gender identity.
6. Intimidation and bullying. Threatening, stalking or seeking to coerce or compel a person to do something; engaging in nonverbal or verbal or physical conduct that threatens another with harm, including intimidation through the use of epithets or slurs involving actual or perceived race, ethnicity, national origin, religion, religious practice, disability, sex, sexual orientation, gender and gender identity that substantially disrupts the educational process or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well being. Intimidation, cyberbullying and bullying are forms of harassment.
7. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
8. Selling, using or possessing obscene material.
9. Using vulgar or abusive language, cursing or swearing.
10. Possessing or smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco, including the use of a vapor cigarette/vapor-pen (including all similar devices).
11. Possessing, consuming, selling, distributing or exchanging alcohol or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs".

12. Inappropriate using or sharing prescription and over-the-counter drugs.
13. Gambling.
14. Indecent exposure, or exposure to sight of the private parts of the body in a lewd or indecent manner, including any sexual activity or misconduct on school property.
15. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
16. Possess, use or distribute synthetic cannabinoids on school property or at school functions.

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

1. Plagiarism
2. Cheating
3. Copying
4. Altering records
5. Assisting another student in any of the above actions

G. Engage in misconduct while on a school bus.

The bus driver is in charge at all times and students must follow directives. Students must conduct themselves in a manner consistent with school and bus rules and regulations. Unsafe behaviors and insubordination will not be tolerated, such as excessive noise, destroying property, throwing objects, teasing and bullying, inappropriate language, standing and moving around, pushing, shoving, fighting, arguing with the driver, and not following driver instructions. Bus referrals generally result with higher level consequences due to the immediate danger inappropriate behaviors pose. Consequences include losing riding privileges; parents will be responsible for transporting their student(s).

Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, the Building Principal, his/her designee, or any other staff member. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the Principal, the Principal's designee or the Superintendent of Schools. Any student observing a student being harassed, bullied and/or discriminated against by another student or a staff member shall report this information either orally or in writing immediately to a staff member, the Principal, the Principal's designee, the Superintendent of Schools or the Dignity Act Coordinator.

Staff who receive oral or written reports of harassment, bullying and/or discrimination or witness such acts shall report the incident orally within one (1) school day to the Principal, the Principal's designee, the Superintendent or the Dignity Act Coordinator. Following the oral report, a written report of acts of harassment, discrimination and/or bullying shall be filed within two (2) school days following receipt. The District's Building Principal, Superintendent or their designee shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after receipt of any written report made.

When an investigation verifies a material incident of harassment, bullying and/or discrimination, the Superintendent, Principal or their designee shall take prompt action, consistent with the District's Code of Conduct, including but not limited to the provisions of Section 100.2(1)(2)(ii)(h), reasonably calculated to end the harassment, bullying and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior and ensure the safety of the student or students against whom such behavior was directed. Any retaliation against an individual who, in good faith, reports or assists in the investigation of harassment, bullying and/or discrimination is prohibited.

All District staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

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

suspension and referral for prosecution.

The Principal or his/her designee 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 must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime. The Principal, Superintendent or their designee shall notify promptly the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination may constitute criminal conduct.

Disciplinary Penalties, Procedures and Referrals

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

In the event of disciplinary actions in response to acts of harassment, bullying and or discrimination against students by employees or students, a progressive model of student discipline shall be imposed which includes measured, balanced and age-appropriate remedies and procedures that make appropriate use of prevention, education, intervention and discipline and shall consider, among other things, the nature and severity of the offending student's behavior, the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances as well as the impact the student's behaviors had on the individual(s) who was physically injured or emotionally harmed as a result of such acts. Responses shall be reasonably calculated to end the harassment, bullying and/or discrimination, prevent recurrence and eliminate the hostile environment.

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 – bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, Principal, Superintendent

Written notification to parent – bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, Principal or his/her designee, Superintendent

Detention – teachers, Principal or his/her designee, Superintendent

Suspension from transportation – Director of Transportation, Principal or his/her designee, Superintendent

Suspension from athletic participation – coaches, athletic director Principal or his/her designee, Superintendent

Suspension from social or extracurricular activities – activity director, Principal or his/her designee, Superintendent

Suspension of other privileges – Principal or his/her designee, Superintendent

In-school suspension – Principal, Superintendent
Removal from classroom by teacher – teachers, Principal or his/her designee.
Short-term (five days or less) suspension from school – Principal, Superintendent, Board
Long-term (more than five days) suspension from school – Principal, Superintendent, Board
Permanent suspension from school – Superintendent, Board.

Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to 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, or their designees, 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. After School Detention will be imposed as a penalty only on dates that transportation home is provided by the District.

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 administration's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the Principal or the Superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance; the District will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the Principal or his/her designee to discuss the conduct and the penalty involved.

3. *Suspension from athletic participation, extracurricular activities and other privileges*

A student subjected to a suspension from athletic participation, extracurricular 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 (ISS)*

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 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 exercising good classroom management. Unfortunately behavior challenges occasionally require techniques at the extreme end of the behavioral management continuum. 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 an elementary classroom or in an administrator's office; (2) sending a student into the hallway briefly; (3) sending a student to the Principal's office for the remainder of the class time only; or (4) sending a student to a guidance counselor or other District staff member for counseling. Time-honored 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.

Within 24 hours after the student's removal, the Principal, or another District administrator designated by the Principal, must notify the student's parents by phone, email or 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 his/her designee to discuss the reasons for the removal. 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 his/her 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.

When a student is removed from a classroom at the secondary level, the teacher must generate a District-established disciplinary referral form as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal. Within 24 hours after the student's removal, the principal or another District administrator designated by the principal must adjudicate the referral and notify the student's parents by phone, email or 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 principal may require the teacher who ordered the removal to attend the informal conference.

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/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 (OSS)*

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

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

Any staff member may recommend to their respective Principal that a student be suspended. All staff members must immediately report and refer a violent student to the Principal or his/her designee 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, Principal, or their designee, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

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

When the 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 or their designee, must immediately notify the student orally. If the student denies the misconduct, the suspending authority or their designee, must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

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

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

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

b. Long term (more than five days) Suspension from School

When the Superintendent or 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 or her and the right to present witnesses and other evidence on his or her behalf.

The Superintendent shall personally hear and determine the proceedings or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and 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 preclude them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

c. Permanent suspension

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

Minimum Periods of Suspension

1. Students who bring a weapon to school

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

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

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

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

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to a minimum suspension period from school (in-school or out of school) for a minimum of one (1) day. If the proposed penalty is the minimum one-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 principal recommends a five-day out of school suspension for the student and also request a Superintendent's hearing pursuant to Education Law Section 3214 to determine potential additional discipline, 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 student's suspension period on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

Any student, other than a student with a disability whose conduct is directly and substantially related to his or her disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom shall be subject to a minimum suspension period from school (in-school or out of school) for a minimum of one (1) day. 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. If the proposed penalty is the minimum one-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 principal recommends a five-day out of school suspension for the student and also requests a Superintendent's hearing pursuant to Education Law Section 3214 to determine potential additional discipline, 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 student's suspension period on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

Referrals

1. **Counseling**

The guidance counselors and/or social workers shall handle all referrals of students to counseling. A student found guilty of alcohol or drug use and/or possession shall be scheduled for a minimum of three remedial sessions with a school counselor. Students found guilty of harassment or discrimination may be referred for counseling.

2. **PINS Petitions**

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

- a. being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. engaging in an ongoing or continual course of conduct, which makes the student ungovernable, or habitually disobedient, and beyond the lawful control of the school.
- c. knowingly and unlawfully possession of marijuana in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.

3. **Juvenile Delinquents and Juvenile Offenders**

The Superintendent, or his designee, is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

- a. Any student under the age of 16 who is found to have brought a weapon to school, or
- b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law § 1.20 (42).

The Superintendent is required to refer students age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

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 act promptly to provide alternative means of instruction for the student.

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 otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. This Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the Code of Conduct, the following definitions apply.
 - a. A "suspension" means a suspension pursuant to Education Law § 3214.
 - b. A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself/herself or others.
 - c. 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 (BOCES) Superintendent of Schools or a Principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - d. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 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.
 - (1) "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] a pocket knife with a blade of less than 2 1/2 inches in length."
 - (2) "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.
 - (3) "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.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - a. For more than 10 consecutive school days; or
 - b. For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they 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.

C. 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 develop or review behavioral intervention plans whenever the District is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving 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 members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary. If the CSE finds that modifications to the student's current IEP, program and/or supports are needed, the CSE shall convene a meeting to modify such plan and its implementation.

- 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 law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school District is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the District is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
 - a. The Superintendent, 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:
 - (1) Conducted an individual evaluation and determined that the student is not a student with a disability, or
 - (2) 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.
 - (3) The Parent of the student has not allowed an evaluation of the student pursuant to Section 200.4; or
 - (4) The Parent of the student refused services under IDEA and Article 89 of the Education Law of New York.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

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

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 divided 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.

D. 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.
 - (1) 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.
 - (2) 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 be conducted in accordance with the procedures specified in Section 200.5(j) of the Regulations of the Commissioner pursuant to the following timelines unless the Parent and District agree in writing to waive the resolution meeting or agree to use mediation:
 - a. A resolution meeting shall occur within seven (7) days of receiving notice of the due process complaint.
 - b. The expedited due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within fifteen (15) days of receipt of the due process complaint.
 - c. The expedited due process hearing shall occur within twenty (20) school days of the date the complaint requesting the hearing is filed.
 - d. The impartial hearing officer shall make a determination within ten (10) school days after the hearing is completed.
 - e. No extension to an expedited impartial hearing timeline may be granted.
3. The impartial hearing shall mail a copy of the written (or at the option of the Parents) electronic findings of fact and the decision to the Parents, to the Board of Education and to the Office of Special Education of the State Education Department within ten (10) school days after the hearing is completed.

E. Referral to law enforcement and judicial authorities

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

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

Student Searches

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 disciplinary sanctions on a student may question a student about an alleged violation of law or the District Code of Conduct. Students are not entitled to any sort of “Miranda”-type warning before being questioned by school officials, nor are school officials required to contact a student’s parent before questioning the student. However, school officials will tell all students why they are being questioned.

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

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

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

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the District code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

A. Student Lockers, Desks and other School Storage Places

School lockers, desks, computers, and other such equipment are not the private property of students but the property of the school District, and as such may be opened and subject to inspection from time to time by school officials. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

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

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

C. *Police Involvement in Searches and Interrogations of Students*

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

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

Before police officials are permitted to question or search any student, the Principal or his/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 his/her 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.

D. *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 the Principal or his/her designee. The Principal or his/her designee shall set the time and place of the interview. The Principal or his/her designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. 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.

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:

*Protect oneself, another student, teacher or any person from physical injury.

*Protect the property of the school or others.

*Restrain or remove a student whose behavior interferes with the orderly exercise and performance of District functions, powers and duties, if that student has refused to refrain from further disruptive acts

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

Lockers

Lockers are issued to all students in grades 2-12. Students should not share locker combinations or keep their possessions in another student's locker. The main office is required to keep a master list of lockers indicating student names and combinations or an extra key if applicable. Changes in locker assignments will be made in only extreme circumstances. Lockers and their contents are school property and as such, subject to search by the administration at any time. Students found guilty of damaging lockers will pay restitution to cover the cost of repairs.

Student Driving/Parking

Student parking will be in the lower two lots that are accessible from the Averill Street entrance. Seniors will need to fill out a parking permit request in the main office. After the seniors have been registered, and if there is space available juniors will have an opportunity to register. No student vehicles will be allowed past the lower lots. Tags must be visible at all times. School speed limit (5 mph) will be adhered to at all times while on school grounds. Students will not be permitted to go to their cars/use their cars during the school day, unless they receive permission from the principal or his/her designee.

Any minor violations will be dealt with as follows:

- 1st offense: Parking privileges revoked one week.
- 2nd offense: Parking privileges revoked one month.
- 3rd offense: Parking privileges revoked remainder of the year.

The District reserves the right to immediately revoke parking for any dangerous actions putting others at risk. Please remember that student parking is a privilege. Make sure you take care of this privilege by being courteous and responsible drivers.

Personal Electronic Devices (PEDs)

Personal Electronic Devices if used inappropriately are disruptions to the learning process. Appropriate classroom use of PED will be at the discretion of the teacher. The teacher will explain all expectations for use in the classroom. If a student is in violation of the PED rule, the following discipline will take place:

1st Offense-Student will be asked to turn over the device to the teacher and will receive it at the end of the period.. If the student refuses to hand the device over or becomes insubordinate then the student will go directly to the consequence for insubordination and a parent must pick up the PED at the end of the school day in the office.

2nd Offense and thereafter-Student will be asked to hand over the device to a staff member. The device will be delivered to the office. If the student refuses to hand the device over or becomes insubordinate then the student will go directly to the consequence for insubordination. A parent must pick up the PED at the end of the school day.

Bicycles

Students riding their bicycles to school must lock them in the designated area. Students riding bikes are not allowed to leave school through the bus loop/area during bus dismissal. Students who do not exercise the proper care and safety when riding on school grounds will not be allowed to ride to and from school. In New York State, all bicyclists under the age of 14 years old are required to wear safety certified bicycle helmets when they are operators or passengers on bicycles (Sec. 1238(5)), however it is recommended that all students wear a bicycle helmet.

Food and Drink

Students are not allowed food or drinks (with the exception of water in a clear container) anywhere in the building except the cafeteria during their lunchtime, unless permission is provided by the principal or his/her designee, or for medical reasons issued by a doctor and approved by the school nurse. Students found with food or drink at an inappropriate location or time will be asked to put the item away or face discipline for insubordination.

Public Conduct on School Property

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

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The District recognizes that free inquiry and free expression are indispensable to the objectives of the District. The purpose of this code is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy 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, bully and/or discriminate against any person on the basis of actual or perceived race, color, creed, national origin, religion or religious practices, age, gender, gender identity or expression, sexual orientation or disability on school grounds or at a school function.
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 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.

C. Enforcement

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

When the 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/her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or his/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 designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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

Dissemination and Review

A. Dissemination of Code of Conduct

The Board will work to ensure that the community is aware of this Code of Conduct by:

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

The Board will sponsor an in-service education program for all District staff members to ensure the effective implementation of school policy on school conduct and discipline, including but not limited to, guidelines for promoting a safe and supportive school climate while discouraging, among other things, discrimination or harassment against students by students and/or school employees, and including safe and supportive school climate concepts in the curriculum and classroom. Such training shall be designed to raise staff awareness and sensitivity to potential discrimination or harassment and provide strategies and responses to assist staff in responding to reports and incidents of discrimination and harassment and to help discourage their reoccurrence. The Superintendent may solicit the recommendations of the District staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

The District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website.

B. Review of Code of Conduct

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

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

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

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

Board Approved: