Wayland-Cohocton Central School District

Code of Conduct



2025 - 2026

District

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ATTENDANCE POLICY

It is the expectation of the Wayland-Cohocton Central School District that all students will be present in school on a daily basis. Absence from school will be monitored on an individual student basis. The Principal, school counselor, teacher and other school officials as a team, will review individual student attendance issues and determine the most effective course of action.

Absences

Only a parent or legal guardian may write an excuse for a student who is absent or needs to be excused early for an appointment. Students who do not live with a parent or guardian must meet with the building Principal to make arrangements for the signing of their excuses.

Excuses must include:

- Student's first and last name
- Date of the illness or appointment
- Specific reason for the student's absence (doctor/dentist name if appropriate) or the business to be conducted
- Time the parent/legal guardian will pick up the student for an early departure
- Approximate time when the student will return to school
- Parent/guardian signature

Please note that absences may be called in, but a written excuse must follow upon the student's return to school.

The following are deemed to be acceptable reasons for absence from school:
1. Personal illness (After three days, a doctor's excuse is required)
2. Illness or death in the family
3. Religious observance
4. Quarantine (with legal documentation)
5. Required court appearance
6. Attendance at health clinics (A doctor's note may be required)
7. Approved college visits (the student must provide signed documentation by the college admissions office.)
8. Approved cooperative work programs
9. Military obligations (documented by appropriate military staff)
10. Disciplinary detention of an incarcerated youth
11. Approved school business
12. Being sent home by one of the school's offices (Attendance, Guidance, Principal, Nurse).(If a student leaves school during the day without permission from one of these offices, no excuse from home will be accepted.)
13. Any other reason approved by the Commissioner of Education
14. Drivers Education Exam

The following are examples of unacceptable reasons for absence from school. It is only a partial listing. It is not to be assumed that if a reason is not listed below that it is acceptable.

1. Working
2. Staying home to babysit
3. Shopping
4. Missing the bus
5. Missing a scheduled school day for a vacation
6. Oversleeping
7. Being tired
8. Traveling
9. Cold or inclement weather

Responsibility for Good Attendance

Research states good attendance has a direct result in a child's academic growth. Successful implementation of this policy requires cooperation among all members of the educational community, including parents, students, teachers, administrators and all staff members.

Parent/Guardian Responsibilities

- It is the responsibility of parents/guardians to ensure that their children attend school regularly and on time.
- Parents/guardians are required to provide their current home address, telephone number, emergency number(s) and a list of adults to contact in the event of an emergency.
- Parents are to notify the school(s) when a change in address, phone number or emergency contact occurs.
- When a student is absent from school, parents/guardians must contact the school to report the absence.
- The written excuse must be submitted to the correct attendance office within five days of the absence.
- Failure to do so will result in the absence being recorded as unexcused.
- A doctor's verification of the absence may be requested.
- When a student is tardy to school, parents/guardians must provide a written excuse upon the student's arrival at school.
- Failure to do so within five days will result in the tardy being recorded as unexcused.
- Appeals concerning the application of the policy should be made to the building Principal.

Student Responsibilities

- Students must attend school daily and be on time.
- Students must attend all classes and participate fully.
- Students are expected to make timely arrangements with their teachers to make up assignments and classwork they have missed during their absence.
- Students must not leave school without signing out of the appropriate attendance office. The student is also expected to sign back in upon return to school.
- If suspended students will have an alternative education provided to them.

When A Student is Absent

If a student is going to be absent from school, the parent/guardian should call the attendance office/clerk as indicated below:
Cohocton Elementary Building.....585-384-9598
Wayland Elementary Building.....585-213-4368
Middle School.....585-213-4339
High School……..…….….....585-213-4335

Doctor's Appointments

If you have to leave school early because of an appointment, please bring in a note regarding the time your parent(s) will be picking you up. Students in grades PreK-8 are not allowed to leave school alone; someone must pick the student up at the office. Students in grades 9-12 may leave school alone, but they must sign out of the attendance office prior to leaving for any reason. The student must also sign back in when returning to school that day.

Physical Education Class Absences

If a student has to be excused from physical education class because of a medical reason (not a routine visit), a note must be sent to the school nurse that is signed by the student's doctor.

The full attendance policy can be obtained from the Principal's office or our website at https://www.wccsk12.org/

Code of Conduct

I. Introduction

The Wayland-Cohocton Central School District 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, District personnel, parents, and other visitors is essential to achieving this goal.

The District has a set of expectations for conduct on school property and at school functions for all people. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, integrity, and dignity.

In accordance with the Dignity for All Students Act, School District policy and practice must ensure that no student is subject to discrimination or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex by school employees or students on school property, on a school bus, or at a school function.

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

II. Definitions

For purposes of this Code, the following definitions apply.

"Bullying" has been described by the U.S. Department of Education as unwanted, aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. According to the U.S. Department of Education, bullying generally involves the following characteristics:

- **An Imbalance of Power**: Individuals who bully use their power, such as physical strength, access to embarrassing information, or popularity to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- **Intent to Cause Harm:** The person bullying has a goal to cause harm. Bullying is not accidental.
- **Repetition:** Bullying behaviors generally happen more than once or have the potential to happen more than once.

"Cell phone" shall mean any personal mobile communication device capable of sending and/or receiving text messages and sending and/or receiving calls.

Cyberbullying" includes, but is not limited to, the following misuses of technology: harassing, discriminating, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures of images, or website postings (including blogs) which as the effect of:

1. Physically, emotionally, or mentally harming a student.

2. Placing a student in reasonable fear of physical, emotional, or mental harm.

3. Placing a student in reasonable fear of damage to or loss of personal property.

4. Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.

"Disruptive student" means an elementary, middle school, 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.

"Instrument of Violence" includes, but is not limited to, 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 cutter, cane sword, electronic dart gun, kung fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death.

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

"**Personal Internet Enabled Device**" includes, internet-enabled devices (including but not limited to smartphones, tablets, bluetooth/internet enabled headphones and smartwatches)

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

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

"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 on school property or at the school function, or attempts to do so.
3. Possesses, 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.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person on school property or at a school function.
7. Knowingly and intentionally damages or destroys school District property.

"Weapon" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any device, instrument, material, or substance that can cause physical injury or death when used to cause physical injury or death.

III. Student Rights and Responsibilities

Wayland-Cohocton School Rights and Responsibilities

This Section of the Code of Conduct is an expression of the rights and responsibilities that are expected of students at **Wayland-Cohocton High School**.

Rights	**Responsibilities**
It's the Student's Right To:	**It is the Student's Responsibility To:**
1. Attend school in the District in which parent or legal guardian resides.	Attend school daily, except in the case of a legal excuse.
2. Expect that the school will be a safe orderly place for all students to pursue education.	Follow classroom, hall, bus, and school rules and procedures. Encourage other students to conduct themselves in accordance with these rules.
3. Expect their school and community to provide clean, safe, and functional school facilities.	Do all that can be done to maintain such an environment and not engage in such activities which detract from school facilities.
4. Express opinions verbally or in writing.	Express thoughts in a manner which is not slanderous or obscene. The expression should not incite others to damage property, do physical harm, break school rules, or criminal laws.
5. Be afforded an opportunity to develop school publications such as school newspapers and the yearbook.	Refrain from libelous and obscene statements and observe the rules of responsible journalism.
6. Express oneself as it relates to dress and physical appearance.	Refrain from dressing in a manner which causes distraction with regard to the educational process.

7. Be represented by an active student government.	Take an active part in student government through informed participation.
8. Participate in after school activities, clubs, student government, athletics, dances and other school functions.	Be aware of and abide by all rules and regulations which govern the student body in order to avoid disciplinary action. Be truthful and respectful when responding to authority.
9. Be afforded an opportunity to respond (due process) in the event of a disciplinary action.	To respect one another and treat others fairly in accordance with the District Code of Conduct and provisions of the Dignity Act.
10. To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function, or activity.	To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.

Wayland-Cohocton School Student Rights and Responsibilities

This Section of the Code of Conduct is an expression of the rights and responsibilities that are expected of students at **Wayland-Cohocton Middle School.**

Rights	**Responsibilities**
It's the Student's Right To:	**It is the Student's Responsibility To:**
1. To attend school daily and to be granted the opportunity to receive a good education.	To attend school regularly and on time, perform assignments, and strive to do the highest quality work possible.
2. To be made aware of the school rules and policies, and to always be treated in a manner consistent with these policies in all disciplinary matters.	To be familiar with the Wayland Cohocton Middle School Code of Conduct, obey the rules it contains, and conduct yourself in a manner not distracting to others.
3. To have the opportunity to present your version of the facts and circumstances in all disciplinary matters.	To be truthful and respectful when responding to authority.
4. To take part in all school activities on an equal basis regardless of race, sex, religion, national origin, or disability.	To work to the best of your ability in all academic and extracurricular activities, as well as being fair and supportive of others.
5. To be safe in the school environment.	To behave in a manner that will not jeopardize the safety and well being of yourself or others.
6. To not be intimidated or harassed by others.	To respect one another, and treat others in the manner that you would want to be treated.
7. To dress according to personal taste.	To dress in a manner not too distracting to others, and in accordance with school policy.
8. To attend school in a facility that is clean, safe, and functional.	To maintain a clean environment by not littering or destroying school property or the property of others.

9.	To be afforded an opportunity to develop school publications such as school newspapers and the yearbook.	To refrain from libelous and obscene statements and observe the rules of responsible journalism.
10.	To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function, or activity.	To respect one another and treat others fairly in accordance with the District Code of Conduct and provisions of the Dignity Act. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.

Wayland Cohocton Student Rights and Responsibilities

This Section of the Code of Conduct is an explanation of the behavior that is expected of students in our **PreK - Elementary schools**.

Rights	**Responsibilities**
It's the Student's Right to:	**It is the Student's Responsibility To:**
1. Be respected by teachers, students and other staff.	Show respect for adults and students.
2. Have access to school materials and equipment (books, computers, playground facilities, etc.)	Show proper use of these items.
3. Be safe in the school environment	Behave in a way that does not affect the safety of themselves and others.
4. Be listened to by teachers, students and other staff.	Listen to adults and each other respectfully.
5. Be treated kindly.	Follow character education guidelines established by your school.
6. Attend school with attention to personal cleanliness and appropriate dress.	Be clean and dress in a manner that is not distracting.
7. Not be bullied or teased by others either with hands or words.	Respect one another and treat others the way they would like to be treated.
8. To be protected from negative situations based on differences that occur at school events.	To respect one another. To behave in a way that supports an environment that is free from intimidation, discrimination, and harassment. To report and encourage others to report when they see negative events occurring.

IV. Essential Partners

A. All parents or guardians are expected to:

1. Recognize that the education of their children is a joint responsibility of the parents or guardians and school community and contact staff appropriately following the chain of command.

2. Send their children to school ready to participate and learn.

3. Ensure that children attend school regularly and on time.

4. Ensure absences are legal.

5. Insist their children be dressed and groomed in a manner consistent with the student Dress Code.

6. Know school rules and help their children understand them.

7. Convey to their children a supportive and respectful attitude towards education and the District.

8. Participate in the school community by maintaining open relationships with the teachers and school personnel.

9. Help children understand appropriate behavior with respect to peers and staff and how to address problems that may arise.

10. Inform school officials of any home situations which may affect student performance that parents feel the school should be aware of wherein the school may offer assistance.

11. Encourage good study habits and help, to the extent possible, ensure that homework assignments are completed.

12. Teach their children respect and dignity for themselves, and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act.

13. Model behavior that is free from harassment, bullying, cyberbullying, and/or discrimination.

14. Use appropriate judgment.

B. Teachers, Teaching Assistants, and Teachers' Aides 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, religious practice, disability, sexual orientation, gender/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.

2. Be prepared to teach and/or provide instructional support using the best educational strategies available and keeping a current knowledge of the subject matter.

3. Know school policies and rules, abide by them, and enforce them in a fair and consistent manner.

4. Communicate, as appropriate to the respective roles, to students and parents:
   a) Course objectives and requirements.
   b) Marking/grading procedures.
   c) Assignment deadlines.
   d) Expectations for students.
   e) Classroom discipline plan.
   f) The best method of communication between parent and teacher.
   g) Ensure that each student is benefiting from all necessary and available support services.

5. Communicate regularly, as appropriate to the respective roles, with students, parents, and other teachers and support service personnel concerning growth and achievement as well as areas of concern or need for support.

6. Maintain appropriate confidentiality about all personal information and educational records concerning staff, students, and their families.

7. Set a good example for students and colleagues by demonstrating dependability, integrity, respect, and other standards of ethical conduct.

8. Encourage students to take advantage of all the available activities and support services.

9. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee, or any person who is lawfully on school property or at a school function.

10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

11. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

12. Model behavior that is free from harassment, bullying, cyberbullying, and/or discrimination.

C. Student Support Service Personnel

Student support service personnel including counselors, social workers, psychologists, speech, physical and occupational therapists, as well as other health-related personnel, provide educationally related services to students. Their responsibility is to:

1. Support educational and academic goals.

2. Know school rules, abide by them, and enforce them in a fair and consistent manner.

3. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.

4. Set a good example for students and colleagues by demonstrating dependability, integrity, respect, and other standards of ethical conduct.

5. Maintain appropriate confidentiality about all personal information and educational records concerning staff, students, and their families.

6. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, as a way to resolve problems and communicate as necessary in any other manner with parents and other staff regarding student progress and needs. Coordinate Intervention Support Services, as needed, with students, parents, building Principal, and teachers.

7. Regularly review with students their educational progress, career plan, and graduation requirements.

8. Provide information to assist students with career planning.

9. Encourage students to benefit from the curriculum and extra-curricular programs.

10. 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/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.

11. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

12. Model behavior that is free from harassment, bullying, cyberbullying, and/or discrimination.

D. Building Administrators

All building administrators; Principals and Assistant Principals, are expected to:

1. Promote a safe, orderly, respectful, and stimulating school environment, supporting active teaching and learning.

2. Ensure that students, staff, and parents have the opportunity to communicate regularly with the building administrators and approach them for redress of grievances.

3. Evaluate on a regular basis all instructional programs.

4. Support academic goals and the development of and participation in appropriate extracurricular activities and support services.

5. Be responsible for enforcing and abiding by the Code of Conduct in ensuring that all cases are resolved promptly and fairly.

6. Maintain appropriate confidentiality about all personal information and educational records concerning staff, students, and their families.

7. Set a good example for students and staff by demonstrating dependability, integrity, respect, and other standards of ethical conduct.

8. 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/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.

9. Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC).

10. Model behavior that is free from harassment, bullying, cyberbullying, and/or discrimination.

E. Other School Staff and Volunteers Other school staff perform non-instructional duties that support the academic and operational functioning of the school.

They are expected to:

1. Follow the Code of Conduct; know, abide by, and enforce school rules in a fair and consistent manner.

2. Set a good example for students and other staff by demonstrating dependability, integrity, respect, and other standards of ethical conduct.

3. Assist in promoting a safe, orderly, and stimulating school environment.

4. Maintain appropriate confidentiality about all personal information and educational records concerning staff, students, and their families.

5. 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/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.

6. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

7. Model behavior that is free from harassment, bullying, cyberbullying, and/or discrimination.

F. The Superintendent is expected to:

1. Promote a safe, orderly, respectful, and stimulating school environment, free from intimidation, discrimination, and harassment and supporting active teaching and learning.

2. Review with District administrators the policies of the Board of Education and state and federal laws relating to school operations and management.

3. Inform the school Board and community about educational trends, including student discipline.

4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.

5. Know school rules and abide by them and work with District administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

6. Set a good example for students and all school personnel by demonstrating dependability, integrity, respect, and other standards of ethical conduct.

7. Maintain appropriate confidentiality about all personal information and educational records concerning students and their families.

8. Ensure that students and staff have the opportunity to communicate regularly with the Superintendent and approach the Superintendent for redress of grievances.

9. Model behavior that is free from harassment, bullying, cyberbullying, and/or discrimination.

F. The Board of Education is expected to:

1. Ensure that the community and staff have the opportunity to communicate regularly with the Board, 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. Periodically review the District's Code of Conduct in order to evaluate the Code's effectiveness and the fairness and consistency of its implementation.

3. Appoint a Dignity Act Coordinator in each school building. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, and sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.

4. Lead by example by conducting Board meetings in a professional, respectful, and courteous manner and by demonstrating dependability, integrity, respect, and other standards of ethical conduct in all other areas.

5. Model behavior that is free from harassment, bullying, cyberbullying, and/or discrimination.

6. Maintain appropriate confidentiality about all personal information and educational records concerning staff, students, and their families.

Dignity for All Students Act Coordinator (DAC)

All District dignity act coordinators (at least one per building) are expected to:

1. Serve as the lead person responsible for facilitating implementation of DASA.

2. Participate in required training in order to respond to human relations in the areas of actual and/or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, and gender.

3. Be accessible to students and other staff for consultation and guidance as needed relative to the Dignity for All Students Act.

4. Accept reports regarding violations and conduct investigations as appropriate.

5. Model behavior that is free from harassment, bullying, cyberbullying, and/or discrimination.

All forms of bullying are unacceptable and, to the extent that such actions are disruptive of the educational process of the School District, offenders shall be subject to appropriate staff intervention, which may result in administrative discipline. Complaints of bullying or cyberbullying shall be investigated promptly, and corrective action shall be taken when a complaint is verified. The District prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of the cyber-bullying complaint.

The term "bullying" and "cyberbullying" shall not be interpreted to infringe upon a student's right to engage in legally protected speech or conduct. The absence of a specific rule will not be a license or reason for showing disrespect or limiting the rights of others.

Dignity for All Students Act Coordinator by Building

Wayland-Cohocton PreK School	Early Childhood Coordinator
Wayland-Cohocton Elementary School	Assistant Principal of the Building
Wayland-Cohocton Middle School	Assistant Principal of the Building
Wayland-Cohocton High School	Assistant Principal of the Building

V. Student Dress Code

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other District personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance, including hair style/color, jewelry, make-up and nails, shall:

1. Be safe, appropriate and does not disrupt or interfere with the educational process.
2. Ensure that underwear is covered with outer clothing.
3. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
4. Wearing of hats in the classroom except for a medical or religious purpose is at the teacher's discretion.
5. Not include items that are vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability or otherwise offensive.
6. Not promote and/or endorse the use of alcohol, tobacco, or illegal drugs and/or encourage other illegal or violent activities.

Students who violate the student Dress Code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including out-of-school suspension 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. While subjective in nature, the judgment of Administration, including sanctions for violations, shall prevail.

VI. Personal Internet-Enabled Device and Cell Phone Use

The use of internet-enabled devices (including smartphones, tablets, bluetooth/internet enabled headphones and smartwatches) and cell phones is prohibited for students during instructional time, from bell to bell, with the exceptions of devices supplied by the District that are used for an educational purpose. Devices must be turned off and stored in student lockers (or other designated location as per administration) throughout the school day. This aligns with Board of Education Policy 7317: Use of Internet-Enabled Devices and Cell Phones During the School Day. Violations may result in disciplinary action as outlined in this Code of Conduct.

VII. Prohibited Student Conduct

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

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use 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. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

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

A. Engage in conduct that is disorderly. Examples of disorderly conduct include but are not limited to:

1. Running in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar, or abusive.
4. Public Displays of Affection (PDA): includes physical contact including but not limited to; intimate touching, fondling, cuddling, and kissing at school or a school-sponsored activity between two students. Students shall refrain from all Public Displays of Affection (PDA) while on campus or while attending and/or participating in a school-related activity.
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 without permission.

8. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the District's acceptable use policy. **This includes unauthorized video recording, audio recording, and/or picture taking.**

B. Engage in conduct that is insubordinate and/or disruptive. Examples of insubordinate or disruptive conduct include but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving school without permission. Under certain circumstances, law enforcement may be alerted if a student leaves campus.
3. Skipping detention.
4. Repeatedly disruptive to classroom procedures.

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

1. Threatening/Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator, or other school employee or attempting to do so.
2. Threatening/Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
4. Possessing an instrument of violence.
5. Displaying what appears to be a weapon. (*see page 7 for definition*)
6. Threatening to use any weapon or instrument of violence.
7. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other District employee or any person lawfully on school property, including graffiti or arson.
8. Intentionally damaging or destroying school District property or school personnel's property on or off school grounds. Parents may be responsible for property damage which occurs as a result of student misconduct (as deemed necessary by administration).
9. Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical well – being.
10. Communicating, by any means, including oral, written, or electronic (such as through the Internet, social media, or email) off school property, where the content of such communication: (a) can reasonably be interpreted as a threat to commit an act of violence on school property; or, (b) results in material or substantial disruption to the educational environment.

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

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, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex as a basis for treating another in a negative manner on school property or at a school function
5. Harassment, the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional, or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex.
6. Bullying and intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort; for example, "play" fighting, extortion of money, overt teasing, etc.
7. "Electronic bullying" (also referred to as "cyberbullying") including the use of instant messaging, email, websites, chat rooms, text messaging, or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees.
8. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending, displaying, forwarding, or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature
9. 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.
10. Selling or possessing obscene material.
11. Using vulgar or abusive language, cursing, or swearing.
12. Possessing, consuming, selling, attempting to sell, distributing or exchanging alcoholic beverages, tobacco, tobacco products or illegal and/or controlled substances, counterfeit and designer drugs, or paraphernalia for use of such drugs or being under the influence of any such substances on school property or at a school function. "Illegal/unauthorized substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia, other substances (including vapor cigarettes and associated liquidated substances: as well as synthetic marijuana, K2/Spice and Bath Salts), prescription medication, dietary supplements, weight loss pills and any substance commonly referred to as "designer drugs."
13. Inappropriately using or sharing prescription and over-the-counter drugs.
14. Gambling and gaming.
15. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
16. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.

Items that are confiscated from students which aren't allowed in school will be turned over to the law enforcement. Suspicious paraphernalia or substances will be submitted through them for testing.

E. Engage in misconduct while on a school bus.

It is crucial for students to behave appropriately while riding on District buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving, throwing objects, fighting, harassment, discrimination, and any other actions that can cause harm to self or others will not be tolerated.

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

1. Plagiarism.
2. Cheating.
3. Using artificial intelligence in any way to complete schoolwork.
4. Copying.
5. Altering records.
6. Assisting another student in any of the above actions.

VIII. Reporting Violations

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

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

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

The building Principal or his or 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 or her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

IX. Disciplinary Responses

***Principal = Principal or designee**

Procedures and Referrals

As a general rule, discipline will be progressive and restorative in nature. This means that a student's first violation will usually merit a lighter consequence 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. Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline. Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age.
2. The nature of the offense and the circumstances 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.

A. Disciplinary Outcomes

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. The Principal and Superintendent may designate a person(s) to act on their behalf.

1. Any member of the District staff may issue an oral warning, a written warning or written notification to the parent/guardian.
2. Detention – teachers, administrators
3. In-school suspension – administrators
4. Post-School detention (Monday- Thursday from 2:30-5:30)- administrators
5. Suspension from transportation – Director of Transportation, administrators
6. Suspension from athletic participation – coaches, Athletic Director, administrators
7. Suspension from social or extracurricular activities – advisor/activity director, administrators
8. Suspension of other privileges –administrators
9. Removal from classroom by teacher – teachers, administrators
10. Short-term (five days or less) suspension from school – administrators, Board of Education
11. Long-term (more than five days) suspension from school - Superintendent, Board of Education
12. Permanent suspension from school – Superintendent, Board of Education.
13. Diversion programs/services for substance abuse

14. School-based interventions
15. Restorative meetings

B. Procedures

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

1. Detention

Teachers, Principals and the Superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate.

2. Post-School Detention

Principals and Superintendent may use post-school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate.

3. Suspension from Transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building Principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building Principal or the Superintendent or 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 building Principal or the Principal's designee to discuss the conduct and the penalty involved.

4. Suspension from athletic participation, extra curricular 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(s) 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.

5. In-school Suspension

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building Principals and the Superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension." The in-school suspension teacher will be supervised by a certified staff member.

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(s) 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.

6. Teacher Disciplinary Removal of Disruptive Students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting.

Such practices may include, but are not limited to: (1) short-term "time out" in a classroom or in a supervised area for the remainder of the class time; (2) sending a student into the hallway briefly; or (3) sending a student to a school 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 chronic unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

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

The procedural requirements for a formal removal by a teacher of a student are:

A. If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.
B. If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 1 school day.
C. The teacher must communicate/meet with the Principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal. The teacher must document their request for removal on the referral and must phone contact the parent within 1 school day. Written notice will include due process rights.

D. If the Principal or designee is not available by the end of the same school day, the teacher must meet with the Principal or designee prior to the beginning of classes on the next school day.
E. Within 1 school day after the student's removal, the Principal or another District administrator designated by the Principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the Principal or the Principal's designee to discuss the reasons for the removal.
F. The written notice must be provided by some means that is reasonably calculated to assure receipt of the notice within 1 school day of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.
G. The Principal may require the teacher who ordered the removal to attend the informal conference.
H. If at the informal meeting the student denies the charges, the Principal or the Principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 2 school days of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and Principal.
I. The Principal or the Principal's designee may overturn the removal of the student from class if the Principal finds any one of the following:
    - The charges against the student are not supported by substantial evidence.
    - The student's removal is otherwise in violation of law, including the District's Code of Conduct.
    - The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.
J. 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.

7. Suspension from School

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

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

Any staff member may recommend to the Superintendent or the Principal that a student be suspended. All staff members must immediately report and refer a violent student to the Principal or the Superintendent for a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral

warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The Superintendent or Principal, 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 (5 days or less) Suspension from School

When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 1 school day of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

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

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

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

B. Long-term (more than 5 days) Suspension from School

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

Students who bring a firearm to school

A student found guilty of bringing a firearm, as defined by Guns-Free School Act, 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 Section 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:

1. The student's age.

2. The student's grade in school.

3. The student's prior disciplinary record.

4. The Superintendent's belief that other forms of discipline may be more effective.

5. Input from parents, teachers, and/or others.

6. Other extenuating circumstances.

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

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

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school

for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

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

D. Referrals

1. **Counseling**
   The Counseling Office shall handle all referrals of students to 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 possessing 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 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.

X. Alternative Instruction

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

XI. 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 "suspension" means a suspension pursuant to Education Law § 3214.

   A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

   An "IAES" means a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student's current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:

a. The Board, the District Superintendent of Schools or a building principal may order the suspension of a student with a disability 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 Board, the District Superintendent of Schools or a building principal may order the suspension of a student with a disability for up to 10 cumulative 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 District Superintendent of Schools or building principal may order the suspension of a student with a disability for greater than 10 cumulative school days if after completing a pattern determination, no pattern is found. Patterns may be specific, but not limited to behavior; day, time, and location of the behavior; individuals involved.

d. When the district is attempting to suspend a student with a disability for more than 10 cumulative school days, when a pattern of behavior has been found, the student must be afforded a Manifestation Determination Review. If a nexus is found, the student may not be suspended for more than 10 cumulative days in the school year; however, if a nexus isn't found, the student may be suspended for more than 10 cumulative days, but not to exceed the amount of time non-disabled students would be subject to suspension for the same behavior. In this situation, prior to the student serving the suspension, the CSE must determine the IAES.

e. 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, or causes serious bodily injury.

(1) "Weapon" means a weapon, device, instrument, material or substance, animate or initiate, that is used for, or is readily capable of, causing death or seriously bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length.

(2) "Illegal drugs" means a controlled substance, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional or substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or any other provision of Federal Law.

(4) "Serious Bodily Injury" means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss of impairment of the function of a bodily member, organ, or mental faculty.

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:

      1) Cumulate to more than 10 school days in a school year
      2) Behavior is substantially similar to behavior in previous incidents that resulted in the series of removals
      3) Additional factors such as the length of each suspension or removal, total time the student has bee

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 serious bodily injury.

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

1. When the District proposes a suspension that constitutes a disciplinary change in placement, the District shall provide parents with

   a. Prior Written Notice outlining the proposed suspension and including a copy of the Procedural Safeguards.
   b. The same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
   c. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this Code.
   d. A Manifestation Determination Review no later than 10 days after the behavior; however, the District will make every attempt to coordinate the Superintendent Hearing and Manifestation Determination Review.

2. The District's Committee on Special Education shall:
   a. Conduct a Functional Behavioral Assessment to inform a Behavior Intervention Plan, as well as assess the IEP to see if other support is needed if a nexus is found by the Manifestation Determination Review Committee. Determine the IAES if a nexus isn't found.

3. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school District is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the District is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.

   a. The Superintendent, building Principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.

   b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the District had knowledge the student was a student with a disability, the District either:

   (1) conducted an individual evaluation and determined that the student is not a student with a disability,
   (2) the parent did not allow an evaluation, or
   (3) the parent refused services.

   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.

4. 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 it has been determined that no pattern of behavior exists, or in the case of a pattern, the Manifestation Determination Review Committee has indicated that the behavior is not a manifestation of the student's disability.

5. 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 serious bodily injury, 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 within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such a time period, he or she must mail a written decision to the District and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

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.

XII. PHYSICAL FORCE/PHYSICAL RESTRAINT

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

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

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

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

STUDENT SEARCHES AND QUESTIONING OF STUDENTS

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

In addition, the Board authorizes the Superintendent, building Principals, 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. Whenever possible, searches will be conducted by a staff member of the same sex as the student and another staff member will be present as a witness.

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 source. 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.

Student Lockers, Desks, and other School Storage Places

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

Other Searches

More intrusive searches may occur by authorized personnel in accordance with Board policy and law.

The building Principal or the Principal's designee shall be responsible for the custody, control, and disposition of any illegal or dangerous item taken from a student. The Principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the item(s) 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.

Police Involvement in Searches and Questioning of Students

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

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

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

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

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

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 building Principal or his or her designee. The Principal or his or her designee shall set the time and place of the interview. The Principal or 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 shall 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 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.

XIII. Visitors to the Schools

The Board encourages parents and other District citizens to visit the District's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building Principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the office of the Principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the Principal's office before leaving the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.

6. Any unauthorized person on school property will be reported to the Principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

XIV. Public Conduct on School Property

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

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

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

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school District property or the personal property of a teacher, administrator, other District employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs, or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass, or discriminate against any person on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex.
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.
16. Use inappropriate language.
17. Make threats of violence.

B. Disciplinary Outcomes

Persons who violate this Code shall be subject one or more to the following disciplinary outcomes based on the incident and previous behaviors.:

1. **Visitors.** Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.

2. **Students.** They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.

3. **Tenured faculty members.** They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.

4. **Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75.** They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.

5. **Staff members other than those described in subdivisions 4 and 5 (including members of the Board of Education).** 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 Superintendent or his or her designee, building Principal or his or her designee shall be responsible for enforcing the conduct required by this Code.

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.

XV. 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. 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.

2. Providing copies of a summary of the Code to all students at a general assembly held at the beginning of each school year.

3. 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.

4. Making copies of the Code available for review by students, parents, and other community members at the beginning of the school year.

5. Providing all new employees with a copy of the current Code of Conduct when they are first hired.

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

The Board of Education 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 no later than 30 days after adoption.