Katonah-Lewisboro School District

Code of Conduct

2026-2027

John Jay High School

John Jay Middle School

Increase Miller Elementary School

Katonah Elementary School

Meadow Pond Elementary School

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Statement of Philosophy

Our goal as an educational organization is to begin with an instructive and restorative approach to discipline and teach students that they can all achieve and behave responsibly. When at all possible, behaviors that are contrary to this Code of Conduct will be identified, and constructive interventions will be implemented before moving to disciplinary consequences.

I. Student Rights & Responsibilities

A. Public Education

- Right: Students residing in Katonah-Lewisboro have the right to a free, public education.
- Responsibility: Students have the responsibility to come to school daily and attend every assigned class prepared to fulfill all course requirements at the time designated by the teacher.

B. Supportive Environment

- Right: Students have the right to learn in a safe, supportive, welcoming, affirming, and orderly school environment that focuses on positive student behavior.
- Responsibility: Students have the responsibility to refrain from bullying, harassing, and/or discriminating against others and to report any such conduct to an employee, as defined in Article II: Code of Conduct Definitions.

C. Freedom of Expression

- Right: Students have a constitutional right to freedom of expression provided such expression does not disrupt or interfere with education, discipline, or the normal activities of the school.
- Responsibility: A student's constitutional protection to freedom of expression will not extend to libelous, slanderous, vulgar, lewd, indecent or obscene words or images or to words or images which by their very use incite others to damage property or physically injure persons.

D. Right to Privacy

- Right: Students have right to privacy**.** In accordance with the Family Educational Rights and Privacy Act (FERPA), the District is precluded from sharing disciplinary infractions and penalties with community members without receiving written authorization from the parent/guardian of the student. (See Board Policy No. 5500 and its implementing Regulations)
- Responsibility: Students are responsible for respecting their own privacy and the privacy of others by not sharing or seeking access to another student's disciplinary or personal information, and by understanding that such information is protected under the Family Educational Rights and Privacy Act (FERPA).

E. Freedom of Press

- Right: Students have the right to express their personal opinions in writing as long as such material is signed by the author and follows the guidelines identified in the "Freedom of Expression" section.
- Responsibility: Students must take responsibility for what they write. They must avoid any

statements that are libelous, obscene, or violate District policy. Any written material can be distributed only at the times and in the places designated by school officials. Students must see that the distribution of such material does not disrupt the educational process.

F. Assembly

- Right: Students have the right to assemble peacefully.
- Responsibility: Students have the responsibility to see that any meetings on the school campus are either part of the formal educational process or authorized by the school administration. Meetings or demonstrations that disrupt or interfere with the normal operations of the school or of particular classrooms are not allowed. Administrators may place reasonable restrictions on and discipline students for any events and conduct that are not authorized by the school administration, that disrupt or interfere with the normal operations of the school or of particular classrooms, and/or that otherwise violate District policies and/or the Code of Conduct.

G. Attire

- Right: Students have the right to follow personal standards of dress and grooming.
- Responsibility: Students have the responsibility to see that their dress and grooming protect the health and safety of themselves as well as other persons in school and that such dress is respectful of others and does not disrupt or interfere with the educational process.

H. Access to School Facilities

- Right: Registered students have the right to use school facilities subject to the routine operating procedures set at the building level.
- Responsibility: Students have the responsibility to use the school facilities in a safe manner and within the routine operating procedures. Each student must take the responsibility to help keep the school clean and orderly. Each student must see that their use of the school facilities does not infringe on the rights of others to use the same facility.

I. Extracurricular Activities & Clubs

- Right: Students have the right to an equal opportunity to be considered for participation in extra-curricular programs and activities subject to the guidelines set forth in the Co-Curricular/Extracurricular Code of Conduct.
- Responsibility: Student organizations have the responsibility not to restrict membership on the basis of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex, or any other arbitrary criterion, subject to necessary restrictions. Every student organization must be approved by the school administration before it can use school facilities.

  It should be noted that any student participating in an extracurricular activity or attending an extracurricular activity as a spectator on or off campus is expected to follow this Code of Conduct as well as the Co-Curricular/Extracurricular Code of Conduct.

J. Availability of School Rules & Regulations

- Right: Students, parents and community members have the right to be informed of the Code of Conduct of the Katonah-Lewisboro School District. The District will work to ensure that all stakeholders are aware of this Code of Conduct by:

1. Posting the complete Code of Conduct on the District website, including any annual updates and/or other changes made to the Code during the course of the school year;
2. Providing each student with an electronic copy of the Code of Conduct at the start of each school year as well as providing students with an age-appropriate summary version of the Code, written in plain language, and reviewing the provisions of the Code of Conduct at a school assembly to be held at the beginning of each school year.
3. Providing an electronic copy of the Code of Conduct to parents at the start of each school year as well as providing all parents or persons in parental relation to students with a plain language summary of the Code of Conduct will be reviewed with students at the beginning of each school year and making such summary available thereafter upon request;
4. Providing every teacher with a copy of the complete Code of Conduct upon their initial employment and thereafter making the Code of Conduct available electronically on an annual basis. Providing every teacher with copies of any changes to the Code as soon as practicable following the Board's adoption of such changes; and making complete copies of the Code available for review by students, parents or persons in parental relation to students, other school staff and other community members. The Code will be reviewed annually in conjunction with the opening of school.

In addition, in accordance with 8 NYCRR 100.2, the Board of Education shall provide programs for in-service education for all District staff members to ensure effective implementation of school policy on school conduct and discipline. Please see Section XIX of this Code for additional information regarding in-service education programs.

- Responsibility: All members and visitors of the school community will be responsible for reading and acting in accordance with this Code of Conduct.

K. Due Process

- Right: Students have a right to a defined procedure for student disciplinary infractions and arriving at decisions. This procedure is called "due process." Students will have a right to be told the reasons for disciplinary actions being considered and a right to present their account of the event(s) in question. Due process is designed to protect students from the arbitrary exercise of authority.
- Responsibility: Students have the responsibility to be aware of the steps of due process. They should cooperate with school authorities by providing any and all information needed to make a prompt and fair decision. The formal due process steps are outlined later in this Code of Conduct.

L. General Student Responsibilities

All District students have the responsibility to:

- Contribute to maintaining a safe, supportive, welcoming, affirming, and orderly school environment that is conducive to learning.
- Show respect to all persons and property.
- Be familiar with, and abide by all District policies, rules and regulations dealing with student conduct.
- Attend school every day unless they are legally excused; be in class on time and prepared to

learn.

- Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement.
- Respond to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
- Ask questions when they do not understand.
- Seek help in solving problems.
- Dress appropriately for school and school functions (see Student Dress Code on page 15).
- Accept responsibility for their actions.
- Conduct themselves as representatives of the District when participating in or attending school sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor and sportsmanship.

II. Code of Conduct Definitions

For the purposes of this Code, the following definitions apply:

"Dignity Act Coordinator" means at least one (1) employee designated in every school and one (1) employee designated District-wide who is instructed in the provisions of DASA and thoroughly trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation gender and sex.

"Disability" means

a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or
b) a record of such an impairment or
c) a condition regarded by others as such an impairment, provided, however, that in dealing with employment situations, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the employee from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law §292[21]).

"Disruptive Student" means an elementary or secondary student under the age of 22 who is substantially disruptive of the educational process and/or substantially interferes with the teacher's authority over the classroom.

"Employee" means any person receiving compensation from the District or employee of a contracted service provider or worker placed in the District under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to the District, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §§11[4] and 1125[3]).

"Gender" means actual or perceived sex and includes a person's gender identity or expression (Education Law §11[6]).

"Harassment" means 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; or 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 safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law §11[7]). Bullying, cyber-bullying and hazing are forms of harassment, which are covered by this definition.

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

"School Bus" means every motor vehicle owned by a public or governmental agency or private school and operatedfor the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law §11[1] and Vehicle and Traffic Law §142).

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

"School Function" means any school-sponsored, extra-curricular event, field trip, or other school-related activity, whether held on or off District property.

"Sexual Orientation" means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]).

"Violent Student" means an elementary or secondary student under twenty-two (22) years of age who:

a) commits an act of violence upon a teacher, administrator or other school employee;
b) commits, while on District property, an act of violence upon another student or any other person lawfully upon said property;
c) possesses, while on District property, a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death;
d) displays, while on District property, what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or physical injury;
e) threatens, while on District property, to use any instrument that appears capable of causing physical injury or death;
f) knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other District employee or any person lawfully upon District property; or
g) knowingly and intentionally damages or destroys District property.

"Weapon" means a firearm as defined in 18 USC 921 for purposes of the Gun-Free Schools Act. It also means any other gun, air gun, BB gun, pellet gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, paint ball gun, ammunition, dagger, razor, dirk, stiletto, switchblade knife, pocket knife, gravity knife, brass knuckles, sling shot, 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.

For certain limited purposes, such as the ability to suspend and place a student with a disability in an Interim Alternative Educational Setting ("IAES") for up to forty-five (45) school days notwithstanding a

manifestation determination pursuant to Section X of this Code of Conduct, and the one (1) year minimum period of suspension for a student found guilty of bringing a weapon onto school property pursuant to Article VII(D), a "weapon" is defined as a firearm or other weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.

III. Essential Partners

Maintaining a safe, supportive, welcoming, affirming, orderly, and learning rich environment requires the cooperation of all school community members. Below you will find many of the roles that the Board of Education, Teachers, Superintendent, Parents, Non-teaching Staff, Administration, Guidance Counselors, Clinicians and Dignity Act Coordinators are expected to focus upon that will ensure this type of environment. In addition, these essential partners should maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn. All essential partners are expected to confront issues of discrimination and/or harassment or any situation that threatens the emotional and/or physical health and/or safety of any student, school employee or any person who is lawfully on school property or at a school function.

Board of Education:

- Collaborate with students, teachers, administrators, 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, employees and visitors on school property and at school functions.
- Adopt and review at least annually, the District's Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.
- Lead by example by conducting Board meetings in a professional, respectful, courteous manner.

Teachers:

- Be prepared to teach.
- Demonstrate interest in teaching and concern for student achievement.
- Know school policies and rules, and enforce them in a fair and consistent manner.
- Communicate to students and parents:
    - Course objectives and requirements
    - Marking/grading procedures
    - Assignment deadlines
    - Expectations for students
    - Classroom discipline plan
- Communicate regularly with students, parents and other teachers concerning growth and achievement.
- Promptly report incidents of discrimination and/or harassment that are witnessed or brought to a teacher's attention.
- Promptly address personal biases that may prevent equal treatment of all students in the school or classroom setting.

Superintendent:

- Promote a safe, supportive, welcoming, affirming, orderly and stimulating school environment, supporting active teaching and learning.
- Review with District administrators the policies of the Board of Education and state and federal

laws relating to school operations and management.

- Inform the Board about educational trends relating to student discipline.
- Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
- Work with District administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

Parents:

- Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
- Send their children to school ready to participate and learn.
- Ensure that their children attend school regularly and on time.
- Ensure that absences are excused.
- Ensure that their children follow the student dress code.
- Help children understand that there are appropriate school rules that are required to maintain a safe and orderly environment.
- Convey to their children a supportive attitude toward education and the District.
- Build good relationships with teachers, other parents, and their children's friends.
- Help their children deal effectively with peer pressure.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Provide a place for study and ensure that homework assignments are completed.

Non-teaching Staff:

- Know school policies and rules, and enforce them in a fair and consistent manner.
- Convey to students and parents a supportive attitude toward education and the District.
- Lead by example by responding to students and parents in a professional, courteous and respectful manner.

Administration:

- Promote a safe, supportive, welcoming, affirming, orderly and stimulating school environment, supporting active teaching and learning.
- Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of grievances.
- Evaluate all instructional programs on a regular basis.
- Support the development of and student participation in appropriate extracurricular activities.
- Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

Guidance Counselors/Clinicians:

- Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
- Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences as necessary, as a way to support students and resolve problems.
- Regularly review with students their educational progress and career plans.

- Provide information to assist students with career planning.
- Encourage students to benefit from the curriculum and extracurricular programs.

Each building-level Dignity Act Coordinator(s) shall:

- Promote a safe, supportive, welcoming, affirming, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
- Identify curricular resources that support infusing civility in classroom instruction and classroom management and provide guidance to staff as to how to access and implement those resources.
- Coordinate Professional Development training in support of bullying prevention.
- Be responsible for monitoring and reporting on the effectiveness of the District's anti-bullying, harassment & discrimination policy/Dignity for All Students Act (DASA) policy.
- Address issues of discrimination, harassment, and bullying, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
- Address personal biases that may prevent equal treatment of all students and staff.
- Respond to and remedy any reports of bullying, harassment or discrimination in accordance with the District's Code of Conduct, as applicable.

The District-wide Dignity Act Coordinator shall:

- Oversee and coordinate the work of the building-level Dignity Act Coordinators.
- Monitor and report all material incidents of harassment, bullying, and/or discrimination to the commissioner of education on an annual basis.

IV. 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 proper 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. While the Board recognizes the importance of positive peer interactions and the ability of peers to resolve conflicts amongst themselves, students should be mindful that there may be circumstances where it is not appropriate to attempt to resolve conflicts on their own. Passive participation by a student at an illegal or forbidden act which otherwise endangers the health, safety welfare and/ or morals of the passively participating student and/ or that of another person/ student could result in disciplinary consequence for that student. Passive participation shall be defined as a student's voluntary presence at the site of an illegal or forbidden act, which otherwise endangers the health, safety, welfare and/ or morals of any person/ student.

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. Off Campus conduct may be subject to school discipline should the District determine in its discretion that such conduct creates a hostile environment for the victim at school, or materially and substantially disrupts the educational process or the orderly operation of any school building.

A student may be subject to corrective action, disciplinary consequences, or suspension from school when the student:

A. Engages in any form of academic misconduct*, including but not limited to:

- Lateness for, missing, or leaving school or class or homeroom without permission or excuse.
- Cheating (including but not limited to copying, using unauthorized help sheets and the like, illegally obtaining tests in advance, substituting for a test-taker, and other forms of unauthorized collusion).
- Plagiarism.
- Altering school records.
- Assisting another student in any of the above actions.
- Failing to comply with classroom or assignment expectations around the use of Artificial Intelligence (AI).

B. Engages in conduct which is disorderly, including but not limited to:

- Engaging in any willful act, which disrupts the normal operation of the school community.
- Fighting or threatening behavior.
- Gambling, Violating Regents Rule 19.6 and Article 9-A of the General Municipal Law by engaging in any prohibited games of chance or raffles on school grounds, including, but not limited to: Super Bowl pools, March madness pools, fantasy football and betting on any sporting event, 50/50 raffles, or any wagering game.
- Discharging a fire extinguisher or falsely setting off a fire or lockdown alarm.
- Trespassing- Students are not permitted in any school building, other than the one they regularly attend during school hours, without permission from the designated authority in the school office.
- Using drones on or above School Property except as authorized by school personnel with the permission of the Superintendent of Schools or their designee.
- Making unreasonable noise.
- Disturbing the class or school by engaging in behavior causing a disruption to the education process, which includes but is not limited to bringing distracting items to school. (Examples of distracting items include but are not limited to toys such as spinners, goo, fidgets, and skateboards.)
- Using abusive or obscene language or gestures.
- Disturbing any lawful assembly or meeting of persons.
- Obstructing vehicular or pedestrian traffic.
- Creating a hazardous or physically offensive condition by any act that serves no legitimate purpose.
- Defacing school property.
- Running in the hallways.
- Computer/electronic communications misuse. Including any unauthorized use of personal electronic devices, equipment and computers, software, or Internet/Intranet account; accessing inappropriate Web sites; or any other violation of the District's responsible use policy.
- Violating cafeteria behavioral expectations. Food is to be eaten only in the cafeteria or designated areas. Students are expected to sit on chairs or benches and not to have their feet on the tables. There is to be no throwing or misuse of food.

- Students are expected to dispose of their trash and recyclables appropriately. Materials that can be recycled must be recycled.
- Violating traffic and parking regulations on school property.
- Violating bathroom behavioral expectations includes failing to respect others' privacy, creating unsanitary conditions, loitering without a legitimate purpose, engaging in disruptive conduct, misusing restroom facilities, or entering restrooms contrary to posted guidelines.

C. Engage in conduct that is insubordinate*, including but not limited to the following:

- Failing to comply with the reasonable directions of teachers, school administrators, or other school employees in charge of students, or otherwise demonstrating disrespect.
- Lateness from, missing, or leaving school without permission.
- Skipping detention.
- Lying to school personnel.

D. Endangers the safety, morals, health or welfare of self and/or others by any act*, including but not limited to:

- Discrimination, which includes the use of an individual's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex as a basis for treating another in a negative manner.
- Harassment, which means 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; or 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 safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
- Hazing is a form of harassment which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with, or maintaining membership in any activity, organization, club, or team;
- Bullying (refer also to DASA Policy 0116 and 0116-R) is a form of harassment which includes systematic and intentional infliction of physical harm or psychological distress on an individual or group of individuals. Bullying can also encompass unwanted purposeful written, verbal, non-verbal, social or relational, or physical behavior (e.g. threatening, insulting or dehumanizing gestures by an adult or student) that has the potential to create long term damage, cause discomfort or humiliation, or unreasonably interfere with the individual's school performance. Bullying is often characterized by an imbalance of power. Unwanted teasing, touching, threatening, intimidating, stalking, physical violence, theft, sexual, religious, or racial harassment, public humiliation, destruction of school or personal property, social exclusion including incitement and/or coercion, and rumor or spreading of falsehoods are also forms of bullying.
- The District prohibits all forms of off-campus bullying/harassment including, but not limited to, "internet", "cyber-bullying" or "cyber-stalking" which may include the use of technology, electronics and/or digital media such as social media, instant messaging, e-mail, websites, chat rooms and text messaging, or other acts in violation of this Code when such acts create a hostile environment for the victim at school, infringe upon the rights of a victim at school, or

materially and substantially disrupt the educational process or the orderly operation of any school in the School District.

1. A single negative act as defined above may also constitute bullying based upon the particular circumstances, including but not limited to the seriousness of the act and/or the intent of the actor.
2. If bullying is of a sexual nature, as defined by the Board of Education's sexual harassment policy, the District's Title IX Officer will be notified, in accordance with Board of Education Policy 0110-R.
3. In order for the District to take prompt corrective action, it is essential that bullying be reported promptly. Any student who believes that he or she has been the victim of discrimination and/or harassment or any student who has knowledge of any other student that has been the victim of discrimination and/or harassment must immediately report such conduct to the Dignity Act Coordinator, Assistant Principal, Teacher on Special Assignment, teacher or other staff member.
4. All school personnel are responsible for taking action to prevent student bullying and harassment. Incidents of discrimination, bullying, and/or harassment that are either reported to or witnessed by any District staff member must be referred to the Dignity Act Coordinator in the respective school building as soon as possible after the incident. In the event the Dignity Act Coordinator is unavailable or cannot be located promptly, such reports shall be filed with the Building level administrator. If the Building level Administrator is not available, the staff member shall follow up with a District level Administrator who shall be responsible for ensuring delivery to the Dignity Act Coordinator.

- Lying or committing forgery.
- Defamation, which includes making false 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.
- Selling items without the express permission of the school administration.
- Selling, using, or possessing obscene material.
- Using vulgar or abusive language, cursing, or swearing.
- Using any form of hate symbols or language.
- Indecent exposure, that is, disrobing or any exposure to sight of the private parts of the body in a lewd or indecent manner.
- Stealing or participating in the theft of money or material from other students, school property, school personnel or other persons lawfully on school property or attending a school function including the knowledgeable receipt of stolen goods. Prohibited conduct includes but is not limited to unauthorized retrieval of items confiscated by school personnel and theft of money or items from vendors authorized to sell products on school grounds and/or at school events.
- Smoking a cigarette, cigar, pipe, using an electronic cigarette or vape device, using chewing or smokeless tobacco or using inappropriate substances.
- Possessing, consuming, selling, distributing, and/or exchanging alcoholic beverages, illegal substances, drug paraphernalia, cannabis (marijuana), cannabis products including vape cartridges/capsules/oil/edibles, nicotine products or electronic cigarette or vape paraphernalia (including devices, cartridges/capsules, and related materials). "Illegal substances" include, but are not limited to, inhalants, cocaine, LSD, PCP, amphetamines, heroin, steroids, synthetic cannabinoids, look-alike drugs, and any substances commonly referred to as "designer drugs."

- Being under the influence of alcoholic beverages, cannabis (marijuana), cannabis products including vape cartridges/capsules/oil/edibles, and/or illegal substances.
- Inappropriately using, sharing, and/or selling prescription and over-the-counter drugs or possessing prescription drugs or over-the-counter-drugs without prior notification to the school nurse.
- Initiating a warning of fire, lockdown, or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- Vandalizing, willfully damaging or destroying or attempting to cause damage to school or personal property or willfully removing or using public or private property without authorization.
- Misbehaving on school buses and vans including and not limited to physically harming other students or driver, damaging property, refusing to obey the driver, or causing persistent disruption.
- Selling, using or possessing weapons*, fireworks or other dangerous instruments or contraband capable of inflicting physical injury, or causing damage to property. 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.
- Extorting money, goods, or favors from any member of the school community.
- Reckless driving.
- Reporting a false bomb scare.
- Causing a false fire or lockdown alarm.

E. Engage in conduct that is violent*. Violent behavior includes but is not limited to:

- Committing or attempting to commit an act of violence while on school property or at a school function (such as hitting, kicking, punching, and/or scratching) upon a teacher, another student, administrator, other school employee or any other person lawfully on school property or at a school function.
- Displaying a weapon or what appears to be a weapon while on school property or at a school function.
- Threatening to use any weapon while on school property or at a school function.
- Intentionally damaging or destroying the personal property of a student, teacher, administrator, other District employee, or any person lawfully on school property, or at a school function, including graffiti or arson.
- Intentionally damaging or destroying District property.
- Assaulting or willfully injuring another person, including fighting and/or engaging in violent behavior while on school property or at a school function.
- Willfully or maliciously burning of property.

F. Inciting or conspiring with another person to commit or attempt any of the acts* enumerated above.

When such act/conduct occurs on school property, at a school-sponsored event, or the District otherwise determines that such act/conduct creates a hostile environment for the victim at school, or materially and substantially disrupts the educational process or the orderly operation of any school building.

*(Please refer to Section II of this Code for "Code of Conduct Definitions")

V. Reporting Violations

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 immediately 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.

All students are expected to immediately report violations of the Code of Conduct to a teacher, guidance counselor, the building Principal or their designee. Any student with knowledge of a violation 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.

Students who have been bullied, harassed, and/or discriminated against or other students or staff who observe or are made aware of bullying, harassing, and/or discriminating behavior must report it. Please refer to Section IV(D) of this Code and/or DASA Policy 0116-R for the required method of reporting. Additionally, parents whose children have been bullied, harassed and/or discriminated against are encouraged and expected to promptly report it to the District in accordance with the DASA Policy (0116, 0116-R). Reports may be made anonymously through our DASA form. Additional information on DASA reporting including DASA reporting forms are published on our website at: https://www.klschools.org/dasa_bullying.

Any weapon, alcohol, or any substance prohibited by this Code of Conduct found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and/or referral to the local law enforcement agency.

The building Principal, or their designee, must notify the appropriate local law enforcement agency of those code violations that constitute a crime that substantially affects the order or security of a school. (Examples include but are not limited to: causing a crime where the damages exceed $250, committing an assault on any school community member, possessing a weapon, drug, or illegal substance).

Notification to the local law enforcement agency will be as soon as practicable. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

VI. Student Dress Code

Each building Principal or their designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year. The determination of whether or not a garment is appropriate for school is in the discretion of the building administration.

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. At all times, dress must be safe, appropriate and not disrupt or interfere with the educational process.

A student's dress shall:

- Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender identity or expression, sex, reproductive health decisions, predisposing genetic characteristics.
- Cover undergarments (waistbands and bra straps are allowed to show).
- Cover all private parts and the fabric covering private parts must not be see through.
- Include footwear that must be worn at all times while in a school building or on school property.
- Not promote and/or endorse the use of alcohol, tobacco, vape products, cannabis, or illegal substances and/or encourage other illegal or violent activities.
- Not include jewelry that can be dangerous such as spiked bracelets or neck collars.
- (In the elementary schools and middle school only) Ensure that hats or other headgear are not worn in hallways, dining room/cafeteria, classrooms, or any instructional areas. The administration may make allowances for special days such as spirit week. Exceptions will also be made for medical or religious requirements.
- Ensure that the student is personally identifiable at all times. Exceptions will be made for medical or religious requirements.

This student dress code shall be enforced consistently across the District. It shall be enforced with all respect for student privacy and confidentiality, and infractions will be handled on an individual basis.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending items and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline.

VII. Disciplinary Actions, Procedures and Specific Penalties/Actions

The purpose of discipline in schools is to help students learn from their actions. Disciplinary actions should be seen not as punishments, but as tools to help students learn. These actions, when necessary, will be 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:

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

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

A. Disciplinary Actions

It is the Board's desire that student discipline is progressive and restorative; thus a student's first

violation may merit a lighter penalty or action than subsequent violations; however, depending upon the nature of the violation, any one of these penalties/actions can be implemented.

The District supports the development of measured, balanced and age-appropriate responses to the bullying, harassment and/or discrimination of students by students and/or employees on school property, including school functions, with remedies and procedures focusing on intervention and education. Successful intervention may involve remediation.

Remedial responses to bullying, harassment, and discrimination include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target of the act.

The following penalties and/or actions may be implemented, either alone or in combination, for violation of the Student Code of Conduct:

- Oral warning to student
- Oral notification to parent/guardian
- Written warning to student
- Written notification to parent/guardian
- Restitution and restoration
- Peer support groups
- Corrective instruction or other relevant learning or service experience
- Changes in class schedule
- Supportive intervention
- Behavioral assessment or evaluation
- Behavioral management plans, with benchmarks that are closely monitored
- Student counseling
- Teacher conference
- Parent conferences
- Reprimand
- Detention
- Referral to legal action, police
- Suspension from transportation
- Suspension of parking privileges
- Suspension of driving privileges
- Exclusion from a particular class
- Suspension from after school or extra-curricular activities such as newspaper, athletics, drama, music, etc.
- In-school suspension
- Suspension of five (5) days or less
- Suspension of greater than five (5) days
- Permanent suspension
- Probation
- Environmental remediation

<u>Environmental remediation may include, but is not limited to:</u>

- School and community surveys or other strategies for determining the conditions contributing to the relevant behavior
- Modification of schedules

- Adjustment in hallway traffic and other student routes of travel
- Targeted use of monitors
- Staff professional development
- Parent education seminars/workshops

- Peer support groups
- If appropriate, disciplinary action will be implemented in accordance with the provisions of this Code. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

  Staff is expected, when aware of bullying, harassment, and/or discrimination, to refer the student to designated resources for assistance and/or intervene in accordance with the provisions of this Code.

  In addition to the above consequences, the Building Principal or their designee may implement restorative practices on a case-by-case basis to mediate a conflict.

B. <u>Procedures</u>

In the case of a student charged with having violated the rules and regulations found in this Student Code of Conduct, the Principal of the school or their designee shall be authorized to determine whether a violation has occurred. Subsequently, any penalties authorized by law, including but not limited to a suspension for a period of up to five (5) school days, can be imposed by a Principal or their designee. In all cases, the student must be informed of the alleged misconduct and be given an opportunity to respond to the allegation(s).

Furthermore, to the extent necessary, the facts surrounding the alleged misconduct will be investigated by the Principal or their designee.

In determining the guilt or innocence of a student, the Principal or their designee shall not consider any information other than the evidence relevant to the guilt or innocence of the student with regard to the conduct with which the student is charged. If a student is determined by the Principal or their designee to have engaged in the conduct alleged, the student's parent(s) shall be so notified and shall be given the opportunity to attend an informal conference with the complaining witness(es), which, depending on the circumstances, may be the Principal or their designee, to discuss the misconduct and the proposed or imposed penalty. Parents and students should be aware that, in the event the District determines that a student's conduct poses a danger or ongoing threat of disruption, the disciplinary penalty may be imposed prior to holding the informal conference. If a student's conduct is determined by the District not to pose a danger or ongoing threat of disruption, the student's parent(s) will be notified and given the opportunity for an informal conference to discuss the proposed disciplinary action prior to the imposition of such penalty. If a student is determined to be innocent of a disciplinary infraction, any reference to the alleged infraction or related proceedings shall be expunged from the student's school records.

In the event that the Principal determines that the violation warrants a penalty of a suspension of more than five (5) school days, the matter shall be referred to the Superintendent of Schools for a hearing pursuant to Section 3214 of the Education Law. The parent(s)/guardians will be notified in writing as to the time and place of the hearing. Such notice shall be provided within a reasonable period of time prior to the hearing and shall provide reasonable notice as to the disciplinary charges upon which the hearing is based.

C. Specific Penalties or Actions

1. Detention:

Teachers, Principals and the Superintendent may use detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. A student who is required to serve a detention as a penalty for misconduct is not entitled to a hearing pursuant to Education Law §3214.

2. Suspension from Transportation:

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

- When a student is suspended from transportation, their parents are responsible for seeing that the student gets to and from school safely.
- A student subjected to a suspension from transportation is not entitled to a 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 Principal or the Principal's designee to discuss the conduct and the penalty involved.

3. Suspension from Athletic Participation, Extra-curricular Activities and Other Privileges:

A student subjected to a suspension from athletic participation, extra-curricular activities, or other privileges is not entitled to a 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, as soon as practicable, with the District official imposing the suspension to discuss the conduct and the penalty involved. Board Policies 5205 and 5260 contain specific rules governing participation in athletic and extracurricular activities.

4. In-School Suspension:

The Board recognizes the necessity to balance students' need to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes Principals and the Superintendent to place students in "in-school suspension."

- A student subjected to an in-school suspension is not entitled to a 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, as soon as practicable, with the District official imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher Disciplinary Removal of Disruptive Students:

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

not limited to: (1) short-term removal from a classroom; (2) sending a student to an Administrator's office for the remainder of the class time only; or
(3) sending a student to a guidance counselor or other District staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this Code of Conduct.

- On occasion, a student's behavior may become disruptive. For purposes of this Code of Conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions and/or repeatedly violates the teacher's classroom behavior rules.
- A classroom teacher may remove a disruptive student from class for the remainder of the class and up to two (2) additional days. The removal from class applies to the class of the removing teacher only. Prior to such removal, the teacher must provide the student with an explanation for why he or she is being removed and provide an opportunity to explain his or her version of the relevant events.
- The teacher must complete a School-established disciplinary removal form and meet with the Principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the Principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the Principal or their designee prior to the beginning of classes on the next school day.
- Within 24 hours after the student's removal, the Principal or another District administrator designated by the Principal must notify the student's parent, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the Principal or their designee to discuss the reasons for the removal, provided that if such twenty-four (24) hour period does not end on a school day, it shall be extended to the corresponding time on the next school day.
- The written notice must be provided by personal delivery, express mail delivery, e-mail, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parent. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.
- The Principal may require the teacher who ordered the removal to attend the informal conference.
- If at the informal meeting the student denies the charges, the Principal or their designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and Principal.
- The Principal or their 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.

- The Principal or their designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the Principal makes a final determination, or the period of removal expires, whichever is less.
- Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.
- The Principal or their designee must keep a log of all removals of students from class.
- Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her placement until he or she has verified with the Principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

6. <u>Suspension from School:</u>

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 themselves and/or others.

- The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the Principals.
- Any staff member may recommend to the Superintendent or the Principal that a student be suspended. All staff members must immediately report and refer a violent student to the Principal or the Superintendent. 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 at a hearing, if applicable.

7. <u>Short-term Suspension from School (five (5) days or fewer):</u>

- When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five (5) days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally and provide him/her an opportunity to respond to the allegation(s). 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 unless the student's conduct has been determined by the District to pose a danger, in which case the parent(s)/guardian(s) will be notified in writing that their child has been suspended. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose or impose 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 reasonable description of the charges against the student and the incident for which suspension is proposed or imposed and shall inform the parents of the right to request an immediate informal conference with the Principal. At the informal conference, should the parent(s)/guardians so choose to attend, the parents/guardians shall be permitted to ask questions of the complaining witness(es) under such procedures as the Principal may establish. Parents should be aware that, depending on the circumstances, the Principal or their designee may be the complaining witness.

- 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, in the discretion of the District, 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 informal conference in cases where a suspension is being proposed, should the parent(s) choose to attend, the Principal shall promptly advise the parent(s) in writing of his or her decision of whether to impose the suspension. In cases where the student's conduct has been determined by the District to pose a danger, the parent(s)/guardian(s) may be notified in writing prior to the informal conference that their child has been suspended. The Principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they may file a written appeal to the Superintendent within thirty (30) days of the date of the letter, unless they can show extraordinary circumstances precluding them from doing so. Parents should understand that the Superintendent will review the record regarding the matter, but will not meet with the parent, the student, and/or advocates/attorneys regarding the appeal. The record is defined as those documents and/or information used by the Principal or their designee in determining to suspend the student, i.e. no additional documentation and/or information will be considered on appeal. The Superintendent shall issue a written decision regarding the appeal within ten (10) business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they may file a written appeal to the Board of Education with the District Clerk within thirty (30) calendar days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Parents should understand that the Board of Education will review the record regarding the matter, but will not meet with the parent, the student, and/or advocates/attorneys regarding the appeal.

8. <u>Suspensions in Excess of Five (5) School Days – Superintendent's Hearings:</u>

- When the Superintendent or Principal determines that a suspension for more than five (5) school days may be warranted, he or she shall give reasonable written notice to the student and the student's parent(s) of their right to a fair hearing pursuant to Education Law Section 3214. Such notice shall include that, at the hearing, the student has the right to be represented by counsel, the right to question witnesses against him or her, to present other evidence on his or her behalf, and the right to present witnesses and/or testify him/herself.

The Superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer

oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the guilt or innocence of the student and the appropriate measure of discipline, if any, to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof. As soon as practicable following the conclusion of the hearing, the Superintendent shall provide the parent(s)/guardian(s) with their written decision.

D. Appeal of Superintendent's Decision:

If the student and/or parents/guardians disagree(s) with the decision of the Superintendent, they have the right to appeal the decision to the Board of Education. Such appeal must be in writing and should include the reason(s) why they believe the appeal should be granted. The appeal must be submitted within thirty (30) calendar days of the date of the Superintendent's decision to:

President, Board of Education
c/o District Clerk
Katonah-Lewisboro School District
60 North Salem Road
Cross River, NY 10518

The Board of Education will conduct a thorough review of the record to include:

- The transcript (or recording) of the Superintendent's Hearing;
- The report and recommendations of the Superintendent or designated hearing officer and all exhibits submitted at the hearing;
- The written request for appeal.

*Note: The record does not include any other information and/or documentation which was not introduced at the hearing or used in determining whether to suspend the student.

Parents/guardians requesting a Board of Education appeal of the Superintendent's decision may request a written transcript or audio copy, whichever is available, of the Superintendent's Hearing upon remittance of a fee for copying such written or audio transcript. Parents/guardians will be provided with a written response from the District Clerk advising parents of the date that the Board of Education will conduct the appeal in executive session. During the appeal process, parents shall not contact the Superintendent or Board of Education members regarding this matter. If the student and/or parent/guardian disagree with the final written decision of the Board of Education, an appeal can be made to the Commissioner of Education. Only final decisions of the Board may be appealed to the Commissioner of Education. Such appeal must be in writing and submitted to the Commissioner within thirty (30) calendar days from the date of the Board of Education's decision by writing to the Commissioner of Education.

E. Minimum Period of Suspension

1. Students who bring a weapon to school:

Any student found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one (1) calendar year; the Superintendent has the authority to modify the one (1) year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

- The student's age

- The student's grade in school
- The student's prior disciplinary record
- The Superintendent's belief that other forms of discipline may be more effective
- Input from parents/guardians and/or teachers
- Other extenuating circumstances

For purposes of this section, a "weapon" means a firearm or other weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.

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

2. <u>Students who commit violent acts other than bringing a weapon to school:</u>

Any student, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five (5) days. If the penalty exceeds the minimum five (5) day suspension, the student and the student's parent(s) will be given the same notice and opportunity for a hearing given to all students subject to a long term suspension.

The suspending authority has the authority to modify the five (5) day suspension on a case-by-case basis. In deciding whether to modify the penalty, the suspending authority may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

3. <u>Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere with the teacher's authority over the classroom:</u>

Any student, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, may be suspended from school for at least five (5) days. For purposes of this Code of Conduct, "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom" 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, as applicable.

If the proposed penalty exceeds a five (5) day suspension, the student and the student's parent(s) will be given the same notice and opportunity for a hearing given to students subject to a long-term suspension. The Superintendent of Schools has the authority to modify the suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent of Schools may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

Note: For discipline concerning students identified with or presumed to have a disability, please see Section X.

VIII. <u>Referrals</u>

1. <u>Counseling</u>

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

2. PINS Petitions

The District may file a PINS petition (person in need of supervision) in Family Court for any student under the age of 18 who demonstrates that they require 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 that makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.

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:

Any student under the age of 16 who is found to have brought a firearm as defined by N.Y.S. penal law onto to school property. Possession of other weapons may also be referred, ***except a 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 ***under the Criminal Procedure Law §1.20(42) to the appropriate law enforcement authorities.***

IX. Alternative Instruction

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the School District will take immediate steps to provide alternative means of instruction for the student, which should begin as soon as practicable.

X. Discipline of Students with Disabilities/Presumed to have a Disability

The Board of Education recognizes that the need to address disruptive or challenging behavior within its schools may result in the suspension, removal or other discipline of students with disabilities, or students presumed to have a disability for discipline purposes, who are or may be eligible for services under the Individuals with Disabilities Education Act (IDEA), Article 89 of the Education Law (Article 89), Section 504 of the Rehabilitation Act of 1973 (Section 504), and their implementing regulations. It also recognizes that such students are guaranteed certain procedural protections whenever school authorities determine that discipline is warranted.

Accordingly, it shall be the Board's policy that the procedures followed for suspending, removing or otherwise disciplining students with disabilities, or students presumed to have a disability for discipline purposes, who are or may be eligible for services under IDEA, Article 89 or Section 504 will conform with the procedural safeguards required by applicable laws and regulations.

This policy incorporates by reference the Procedural Safeguards for Students with Disabilities Subject to Discipline set forth in Part 201 of the Regulations of the Commissioner of Education, which implement the procedural protections provided under New York's Education Law and which coordinate the state's

general procedures for suspension of students with disabilities with the requirements of IDEA and its implementing regulations.

XI. Corporal Punishment (Please refer to Board Policy 4321.12)

The Rules of the Board of Regents prohibit any teacher, administrator, officer, employee or agent of the District from the use of corporal punishment and/or verbal abuse against a student. Corporal punishment means any act of physical force upon a student for the purpose of punishing that student, except as otherwise provided below. The use of corporal punishment constitutes child abuse in an educational setting, in accordance with Education Law 1125.

Use of Protective Holds:

In situations where alternative methods cannot reasonably be used, the use of emergency physical interventions is permitted, for the following purposes:

a) To protect oneself from physical injury; or
b) To protect another student or teacher or any person from physical injury;

The use of aversive intervention is also prohibited, except in specific cases, subject to compliance with the procedures set out in the Commissioner's Regulations and Board Policy 4321.12.

In compliance with the Commissioner's Regulations, the Board of Education hereby adopts the following procedures for the investigation of complaints about the use of corporal punishment by District personnel.

- District personnel receiving any such complaint shall file a written report with the Assistant Superintendent within three school days of the reported incident.
- The District shall conduct and encourage appropriate staff members to attend seminars and workshops to update their knowledge of disciplinary rules and to discuss in detail the scope, application and elements of the offenses of such disciplinary rules. These seminar/workshops will be implemented in the regular monthly Principal's meetings or at other appropriate occasions, as necessary.
- The District shall direct its administrators, teachers and other appropriate staff members to explain in any records, correspondence or other disciplinary documents, the specific behavior that constitutes a violation of the disciplinary rules and results in discipline against any student.

XII. Sexual Harassment (Please also refer to Board Policy 0110)

The Katonah-Lewisboro School District is committed to a collegial environment in which all individuals are treated with respect and dignity. Each individual has the right to work and study in an atmosphere that promotes equal opportunities and prohibits discriminatory practices, including sexual harassment.

Therefore, the District expects that all relationships among persons in the District, including but not limited to employees, students, and certain non-employees (which includes contractors, subcontractors, vendors, consultants and other persons providing services pursuant to a contract, or their employees), will be free of bias, prejudice, and sexual harassment.

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes: harassment on the basis of actual or perceived or self- identified sex, sexual orientation, gender identity, gender expression, and transgender status; and sexual violence, even if not explicitly stated, or outside the school setting if the harassment impacts the

individual's education or employment in a way that violates their legal rights.

Included within the broader definition of sexual harassment is gender-based harassment, which means verbal, non-verbal or physical aggression, intimidation or hostility that is based on actual or perceived gender identity or expression. Sexual or gender-based harassment occurs when:

a) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of an employee's or non-employee's employment or a student's education (including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education); or

b) submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting employee's or non-employee's employment or a student's education; or

c) the conduct or communication has the purpose or effect of substantially or unreasonably interfering with an employee's or non-employee's work performance or a student's academic performance or participation in school-sponsored activities, or creating an intimidating, hostile or offensive working or educational environment, even if the complaining individual is not the intended target of the sexual harassment;

Sexual violence means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A person may be incapable of giving consent due to age, drug or alcohol use, or intellectual or other disability. Sexual violence includes but is not limited to acts such as rape, sexual assault, sexual battery and sexual coercion. All such acts of sexual violence are forms of sexual harassment.

Sexual harassment can occur between persons of all ages and actual or perceived genders. It shall be a violation of this policy for any student, employee or third party (school visitor, vendor, etc.) to sexually harass any student, employee, or "non-employee".

School-related conduct that the District considers unacceptable and which may constitute sexual harassment includes, but is not limited to, the following:

- Unwanted sexual advances
- Subtle or overt pressure for sexual favors
- Sexual jokes
- Sexting (sending, receiving or forwarding sexually suggestive nude or nearly nude photos through social networking, text message or e-mail)
- Innuendos
- Advances or propositions
- Verbal abuse of a sexual nature
- Graphic commentary about an individual's body, sexual prowess or sexual deficiencies
- Leering, whistling, touching, pinching, assault, coerced sex acts or suggestive, insulting, or obscene comments or gestures
- Display on school property of sexually suggestive objects or pictures
- Wearing sexually suggestive garments
- Prohibited Conduct as outlined in Board Policy 0110.1 and 0110.2
- Other physical, verbal, or visual conduct of a sexual nature.

Any person who may be a target of sexual harassment by a student, district employee, "non-employee" or third party related to the school is encouraged to report complaints as soon as possible after the incident in

order to enable the district to promptly and effectively investigate and resolve the complaint. Any person who witnesses or is aware of sexual harassment of a student, employee, or "non-employee" is required to report the incident or behavior to the Building Principal, Sexual Harassment Compliance Officer or Title IX Coordinator. Targets are encouraged to submit the complaint in writing (Exhibit 0110-E.1); however, complaints may be filed verbally. Because sexual harassment may also implicate the District's Dignity for All Students Act (DASA) Policy 0116, a complaint alleging a violation of DASA may be made to a District Dignity Act Coordinators and/or any staff member in accordance with the DASA Policy 0116.

Students may also discuss their concerns with any trusted member of the staff such as a teacher, nurse, or counselor. Employees who believe they have been the target of sexual harassment or believe they have witnessed sexual harassment may also discuss their concerns with their supervisor. School employees receiving complaints of sexual harassment from "non-employees" shall direct the complainant to the Building Principal.

Any school employee who receives a complaint of sexual harassment from a student shall inform the student of the employee's obligation to report the complaint to the school administration, and then shall immediately notify the Building Principal, Sexual Harassment Compliance Officer or Title IX Coordinator. School employees receiving complaints of sexual harassment from employees and "non-employees" shall either direct the complaint to the Building Principal, or may report the incident themselves. Staff are required to report any knowledge of sexual harassment, and will be subject to discipline for failing to report suspected or reported sexual harassment knowingly allowing sexual harassment to continue, or engaging in any retaliation.

In order to assist with the investigation, targets are encouraged to document the harassment as soon as it occurs and with as much detail as possible including: the nature of the harassment; dates, times, places it has occurred; name of harasser(s); witnesses to the harassment; and the target's response to the harassment.

The complaint or allegation of sexual harassment will be investigated promptly by the Building Principal, Sexual Harassment Compliance Officer or Title IX Coordinator and may include interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or have relevant information.

Complaints will be kept confidential to the extent practicable and appropriate. Retaliation against an individual for reporting sexual harassment or in assisting in providing relevant information is a serious violation of this policy and will be treated with strict discipline.

If the initial investigation results in a determination that sexual harassment did occur, the investigator will promptly notify the Superintendent, who shall then take prompt disciplinary action in accordance with Board Policies 0110.1 and 0110.2 and their accompanying Regulations , the applicable collective bargaining agreement, or state law. Other responsive action to sexual harassment may include: training, referral to counseling, and referral to appropriate child protection and law enforcement authorities where the Building Principal, Sexual Harassment Compliance Officer or Title IX Coordinator has a reasonable suspicion that the alleged harassment involves criminal activity.
Any party who is not satisfied with the outcome of the initial investigation by the Building Principal, Sexual Harassment Compliance Officer, or Title IX Coordinator may request a district-level investigation by submitting a written complaint to the Superintendent within 30 days. No later than 30 days following receipt of the complaint, the Superintendent (or in cases involving the Superintendent, the Board-appointed investigator) will notify the target and alleged harasser, in writing, of the outcome of the investigation or provide all parties with a written status report if additional time is needed to complete the investigation or take appropriate action.

Targets of sexual harassment have the legal right to file a complaint with the Office of Civil Rights of the

Department of Education, the U.S. Equal Employment Opportunity Commission and the New York State Division of Human Rights (DHR) (for employee targets), and other agencies that enforce laws concerning discrimination.

XIII. Vaping, Smoking, Tobacco and Cannabis Use (Please also refer to Board Policy 1530)

Due to the health hazards associated with vaping, smoking, tobacco and cannabis, and in accordance with federal and state law, each school of the Katonah-Lewisboro Union Free School District is a non-vaping, non-smoking, tobacco free campus. For purpose of this provision, non-vaping shall refer to the prohibition of the use of any smoking device (electronic cigarette or vape device) by anyone and the possession of such devices or related substances by students. Pursuant to Federal and New York State law, smoking, vaping and tobacco or any other matter or substance that contains tobacco, nicotine, cannabis or cannabinoid hemp use is forbidden. No person, including visitors, shall vape, smoke, or use tobacco, and no student shall possess tobacco products or electronic cigarette or vape paraphernalia (including devices, cartridges/capsules, and related materials), on school grounds (i.e., any school facility, building, structure, and surrounding outside grounds within the school's property), at school sponsored activities and field trips, or on school buses or other vehicles transporting children.

XIV. Student Searches and Interrogations

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the District Code of Conduct.

School officials questioning students shall advise such student why he/she is being questioned. However, parents and students should be aware that school officials are under no obligation to contact a student's parent/guardian prior to questioning the student nor are students entitled to be advised of their legal rights, i.e. "Miranda" warning, prior to any questioning by a school official, as such rights only apply to situations where an individual is being questioned while in the custody of the police.

An authorized school official may conduct a search of a student and/or their belongings so long as the school official has a legitimate reason for the search. 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 of Conduct, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. Please also refer to the District's Technology Responsible Use Policy, Policy No. 4526 for information related to search of District technology devices.

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

A. Student Lockers, Desks and other School Storage Places

Student lockers, desks and other school storage places may be subject to search at any time by school officials without prior notice to students and without their consent.

B. Documentation of Searches

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

1. Name, age and grade of student searched.

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

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

C. Police Involvement in Searches and Interrogations of Students

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

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

Before police officials are permitted to question or search any student, the Principal or their 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 be conducted only under exigent circumstances. The Principal or their designee will also be present during any police questioning or search of a student on school property or at a school function.

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

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

D. Child Protective Services (CPS) 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 Principal or their designee. The Principal or their designee shall set the time and place

of the interview.

In accordance with the Family Court Act, 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 or guardian's consent.

XV. Visitors to the Schools (Please also refer to Board Policy 1240)

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

- Anyone who is not a regular staff member or student of the school will be considered a visitor.
- All visitors to the school must enter through the main entrance, check in with the greeter and show photo identification. The greeter will issue a visitor's pass with the appropriate destination printed on it, which must be worn at all times while in the school or on school grounds. This includes but is not limited to parent pick up.
- Visitors are required to report only to their intended destination as printed on their visitor badges.
- The visitor must return the visitor's pass to the greeter before leaving the building.
- Visitors attending school functions after school hours are not required to register.
- Teachers are not expected to take class time to discuss individual matters with visitors.
- 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.
- All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.
- Student visitors to school must apply for permission from the appropriate official inaccordance with the building Code of Conduct.
- Volunteers are required to complete a Volunteer Form.
- Visitors should be escorted to their destination when practicable.

XVI. Public Conduct on School Property (Please also refer to Board Policy 1520 and 1520-R)

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 of Conduct, "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 of Conduct 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 of Conduct 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 and must adhere to the guidelines set forth in section IV of this Code of Conduct.

XVII. Misuse of Electronic Media

Students in the Katonah-Lewisboro Union Free School District are now able to receive vast amounts of information through our computer networks and the Internet. The Internet represents a massive set of computer databases and networks around the world, which are made available to our students in all schools. Contact can be made with students in other schools within the District, to students in other Districts, in other cities, and in other countries around the world. Massive amounts of information are available in text, photographs, and sound from local agencies and governments, to universities, people, and businesses in every corner of the globe.

Parents set appropriate guidelines for the use of such technology within the home. The District must also set guidelines for technology use within the schools to assure the proper use of materials on the Internet, to prevent inappropriate materials from being used in the school setting, and to ensure that all laws appropriate to such information be followed.

With the world now "at the fingertips" of our students, it is most important that the information, programs, and telecommunications made possible by technology, be used in a constructive, educational, safe, and legal manner. Students must know that with power comes responsibility.

Students and visitors are required to follow the Responsible Use Policy in effect in the District. It should be recognized that not all materials found on the Internet are appropriate for students and the District will make attempts to prevent such material from being accessed on our computers. While such material may be a small amount of the information available on the Internet, it does exist. If you have a question or concern regarding such material, please contact the school Library Media specialist.

Students who do not use the District's technology in a responsible manner are subject to a range of consequences including, but not limited to, the suspension of the use of the Internet and/or network and/or computers within the District, and a Superintendent's suspension hearing. Please also refer to Board Polices 4526, 4526.1 and implementing Regulations 4526.E1, 4526.E2, 4526.E3 and 4526.1-R for specific rules governing the use of the District's computers and computer network.

Police will be notified if a crime involving electronic media has taken place.

A. **Photography, Tape Recording, and Videotaping**:

Students and visitors are prohibited from taking photographs on school grounds, while using on-line learning platforms, during school hours, using a video camera, digital camera, cell phone, or any other photographic device, without a valid school purpose. Prior to taking photographs for any other reason, using any of the above methods, consent shall be obtained from the building Principal or their designee. Tape recording or videotaping on school grounds, during school hours is prohibited unless for a valid educational purpose upon prior consent from the building Principal (or their designee) or the classroom teacher. Any student or visitor granted permission to photograph/record/tape on school grounds, during school hours who wishes to share such image/audio/video recording with any third party shall be further required to obtain prior consent from the building Principal or their designee to ensure that no unwarranted invasion of personal privacy results from such disclosure.

XVIII. Use of Electronic Devices (please refer to Board Policy 5695)

A. **Cell Phone Use**:
In accordance with Education Law §2803, students are prohibited from use of non-instructional cell phones and personal electronic/internet enabled devices during the school day.

B. **Other Electronic Devices**:
The use of these items on District property, including but not limited to drones, be subject to the discretion of the building Principal or their designee.

C. **District Issued Devices:**
Students will be issued a mobile device to complete the digital activities in their coursework. Students should immediately report any damage to their devices to their building's technology department. Lost or stolen devices should also be reported as soon as the student knows it is missing. Families may be responsible to pay for a replacement for lost device. Families will be responsible for payment if it is found the device was intentionally damaged.

Please refer to the District's Responsible Use Policy. Please also refer to Board Polices 4526, 4526.1 and implementing Regulations 4526.E1, 4526.E2, 4526.E3 and 4526.1-R for specific rules governing the use of the District's computers and computer network.

XIX. In-Service Education

The Board will sponsor an in-service education program for all District staff members to ensure the effective implementation of the District's policy on school conduct and discipline, including but not limited to, guidelines for promoting a safe and supportive school climate while discouraging, among other things, discrimination or/or harassment against students by students and/or school employees; and including safe and supportive school climate concepts in the curriculum and classroom management. The Superintendent may solicit the recommendations of District staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students. Ongoing professional development will be provided, as needed.

Community of Acceptance

The Board of Education believes we have a responsibility to focus on creating an educational environment that is a community of acceptance, free of hostile or harassing conduct (verbal, physical, graphic or written), bullying and discrimination among students, teachers, administrators, staff, and parents. This policy of nondiscrimination includes, but is not limited to: creating a community of acceptance that provides opportunities in the curriculum, classroom, sports, after-school activities, and a character education program to explore and celebrate differences and strengths of culture, race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and other differences, to examine and appreciate respective contributions to society, history and scholarship.

Katonah-Lewisboro Union Free School District Code of Conduct
Acknowledgement 2026-2027

Please complete this form for each child in your family who attends a Katonah- Lewisboro school and return to your child's school by opening day. If you need more copies, please visit the District website or call one of the school offices. Thank you.

I have received and reviewed the Katonah-Lewisboro School District Amended Code of Conduct ***and discussed it with my child.***

_____
Parent Name (Please Print) Parent Signature

_____
Date

_____ _____ ____
Child's Name School Grade