



Genesee Valley BOCES Code of Conduct

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INTRODUCTION & PHILOSOPHY

Genesee Valley BOCES is committed to providing a safe and orderly school environment conducive to learning and respectful to all people and property. Responsible behavior by students, teachers, other district personnel, parents, and other visitors is essential to achieving this goal. Every member of the school community is expected to work together to modify behaviors that interfere with the learning process.

Genesee Valley BOCES upholds expectations for conduct on school property and at school functions based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. The Board of Education recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible reactions unacceptable conduct, and to ensure that when disciplinary action is necessary, it is administered promptly and fairly.

Our approach to managing student behavior emphasizes teaching students to behave in ways that contribute to academic achievement, school success and post-secondary success. Our intent is to support a school environment where students and school staff are responsible and respectful. We also emphasize the need for school staff to promote appropriate behaviors by teaching, modeling, reinforcing, and monitoring appropriate behaviors. We recognize that effective school discipline is anchored to meaningful, corrective instruction and guidance that offers students an opportunity to learn from their mistakes, make amends, and contribute to the school community. Ongoing monitoring and documentation of student management data is essential to record and adjust disciplinary practices in a fair and non-discriminatory manner.

The principles of our school culture will be clarified, supported and implemented by all building leaders and programs through this Code of Conduct. The Rules supporting these principles should be clearly outlined in the individual building level implementation plans.

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

In compliance with Title IX of the federal Education Amendments of 1972 (20 US.C. § 1681 et seq.), Title VI of the federal Civil Rights Act of 1964 (42 US. C. §2000d), Section 504 of the Rehabilitation Act of 1973 (29 US.C. §794), the Americans With Disabilities Act of 1990 (42 US.C. §12101 et seq.), §3201- a of the New York Education Law and other New York statutes, the Regulations of the Commissioner of Education of New York, and Title VII of the federal Civil Rights Act of 1964 (42 US.C. §2000e-2), it is the policy of the Genesee Valley BOCES not to discriminate on the basis of sex, race, creed, color, religion, national origin, disability, or marital status in admissions, employment, and treatment of students and employees in any educational program or activity.

DIGNITY FOR ALL STUDENTS ACT (DASA)

The intent of the Dignity for All Students Act (DASA) is to provide all public school students with an environment free from discrimination and harassment, as well as to foster civility in public schools. It focuses on prevention of harassment and discriminatory behaviors through the promotion of educational measures meant to positively impact school culture and climate. The Dignity Act states that no student shall be subjected to harassment, discrimination, bullying or cyberbullying by employees or

students based on their actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender/gender identity by school employees or students on school property, at a school function, or off school property where such acts create or would foreseeably create a risk of substantial disruption within the school, environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

The Dignity Act emphasizes the importance of tolerance and respect for others by students and staff alike. Therefore, all members of the school community, including essential partners such as the superintendent, school board members, parents, students, teachers, support staff, principals, administrators and other school personnel have particularly important roles to play in its implementation.

Dignity Act Coordinators are Partnership employees appointed by the Board of Education to assist in the implementation and enforcement of the Dignity for all Students Act. Those employees are:

1. Robert Tuites – Batavia Campus, (585) 344-7711 RTuites@gvboces.org
2. Catherine Bennett – Batavia Campus, (585) 344-7711 Cbennett@gvboces.org
3. Tim Flack – Mount Morris Campus, (585) 658-7811 TFlack@gvboces.org
4. Mike Cosimano – Mount Morris Campus, (585) 658-7811 MCosimano@gvboces.org
5. Todd Keenan – Mount Morris Central School, (585) 658-5042 TKeenan@gvboces.org
6. Matt Flowers – Dansville GCC Campus, (585) 658-7811 MFlowers@gvboces.org

If you feel you, or your child, are being bullied, harassed or discriminated against by anyone, or if you feel this is happening to someone else, please report it to one of the Coordinators immediately. The Coordinator will investigate, and will take action to address the situation.

If you would like a copy of our Dignity for all Students Policy, please ask any of the Dignity Act Coordinators or refer to our website, www.gvboces.org, Board of Education Policy 6215/5185.

DEFINITIONS FOR STRENGTHENING UNDERSTANDING WITHIN THIS CODE

Color: the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

Consequence: the results of a previous action that breaks the rules. Those responsible for administering a consequence take into account, the behavior, the situation, the individual involved, and the best means for helping that individual.

Types of Reactions to Behavior in Violation of the Code of Conduct:

- **Restitution:** the individual makes right what they did wrong. This is logically related to the behavior.
- **Conventional Consequences:** commonly used in practice (i.e. time-out, removal from a classroom, suspension etc).
- **Generic Consequences:** include reminders, warnings, choice options, and/or behavior plans brought into play when there is misbehavior.
- **Instructional Consequences:** teach and/or revisit the prosocial skills necessary for an individual to behave or respond in accordance with the Principles and Rules of the school.

Contraband: Defined as alcohol, drugs and devices to include, but not limited to, the following: tobacco,

tobacco products, prescription drugs, illegal drugs, controlled substances, synthetic or designer drugs, or any drug delivery systems such as cigarettes, e-cigarettes (vapes) or any e-cigarette/vape hardware including but not limited to the battery, tank, heating element, accessories or the vape juice, or any device or paraphernalia that could be used to store, conceal, inject, inhale, or consume any type of prescription drug, illegal drug, controlled substance, or synthetic or designer drug or substance.

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

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

Disruptive student: means a student 21 years of age or under and/or a registered adult learner who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

Disruptive student behavior: behavior from an elementary or secondary student under the age of 21, or adult student enrolled in program, who substantially disturbs or distracts from the educational process or interferes with the teacher's ability to manage and teach students.

Emotional harm: takes place in the context of "harassment or bullying," meaning harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education

Employee: any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law Section s11[4] and 1125[3]).

Ethnic Group: a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.

Fair: Doing what is reasonable and in the best interest of the individual and/ or group.

Firearm: defined in 18 USC §921 for the purposes of the Gun-Free Schools Act.

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

Harassment or bullying: 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 Section 11[7]).

Intervention: the modification of a response to an event by school personnel to promote a safe physical and psychological environment for all members of the school community.

Sexual Orientation: actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law Section 11[5]).

Race: a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/African-descent", "Asian", "Bi-racial", "Hispanics/Latinos" etc. to describe and classify the inhabitants of the United States.

Weight: aside from the obvious meaning in the physical sciences, the word is used in reference to a person's "size".

National Origin: a person's country of birth or ancestor's country of birth.

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

Positive Behavioral Interventions and Supports (PBIS): is a proven, research and evidence-based discipline program that emphasizes school-wide systems of support that include strategies for defining, teaching, modeling and supporting appropriate student behaviors to create positive school environments.

Principles: core values that demonstrate how individuals should conduct themselves and relate to each other. They encompass a set of beliefs which provide the reasons for the rules and the motivation for following them.

Religion: specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.

Religious Practice: means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.

Removal: as in Education Law Section 3214. Accordingly, 'removal' is the disciplinary measure imposed upon a disruptive student by which a teacher prohibits that student from attendance in that teacher's classroom. The term 'removal,' therefore, does not include pupil absences for any reason other than to discipline a disruptive pupil.

Rules: based on the principles (core values), they identify acceptable and unacceptable behavior that is observable, clear, specific and enforceable.

School Bus: every motor vehicle owned and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

School Function: a school sponsored extracurricular event or activity.

School Property: in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus.

Sex: the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)

Sexual orientation: the sex to which a person is sexually attracted. Someone attracted primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual. Someone attracted primarily or exclusively to members of the same sex is characterized as homosexual. A person with a strong or viable attraction to both genders is characterized as bisexual or pansexual.

Violent student: a student 21 years of age or under and/or registered adult learner who:

Violent student behavior: behavior occurring on or around school property, before, during or after the school day that endangers self, others or property.

Weapon: refers to the definition of firearm in the Gun-Free Schools Act, 18 USC §921. Any item that could cause physical harm to someone depending on intent and use (can include but is not limited to: BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box 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).

RIGHTS AND RESPONSIBILITIES

STUDENT RIGHTS

The district is committed to safeguarding the rights given to all students under state and federal law. In addition, to promote a safe, healthy, orderly, and civil school environment, all district students have the right to attend a safe, healthy, orderly and civil school environment safeguarding the rights given all students under state and federal law. These rights include (but are not limited to):

- To be respected as an individual.
- To be afforded equal and appropriate educational opportunities.
- Participation in all district activities on an equal basis AND to be protected from intimidation, harassment, or discrimination regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- To express one's opinions verbally or in writing. To present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
- Ongoing communication directly to them or through their parent from administrators, teachers and support staff regarding course objectives, grade level expectations, requirements and assignments.
- An explanation of marking/grading procedures.
- A copy of the school and classroom behavior expectations and, when necessary, receive an explanation of those rules from school personnel.
- Asking questions when they do not understand (applies to content or directives).
- A school community that is drug and alcohol free.

- Use technology and internet accounts with authorization to access educational resources.

STUDENT RESPONSIBILITIES

All students have the responsibility to maintain a safe and orderly school environment conducive to learning and respectful to all people and their property. School is a place where students learn that they are responsible for their actions and that their way is not the only way. These responsibilities include (but are not limited to):

- Maintaining a climate of mutual respect and dignity for all regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Responding to incidents of harassment, bullying and/or discrimination, by reporting to school personnel.
- Attending school on a daily basis consistent with the school year calendar, unless legally excused.
- Being in an assigned location, on time, prepared, and leaving the assigned location, or the school building, only with staff knowledge and permission.
- Following instructional and /or safety directions given by teachers, administrators and other school personnel.
- Working with teachers (counselors and parents) through role playing, modeling and practice to develop stronger pro-social skills (i.e. Dealing with Anger, Recognizing the Feelings of Others, Recognizing Your Own Feelings, Dealing with Frustration, Identifying a Problem, Problem Solving Skills, Making a Good Decision, etc).
- Knowing when to ask for help, and doing it.
- Making a good faith effort to attempt to settle disagreements with respectable words, listening to others' perspectives, in the spirit of keeping an open mind and co-existing with respect, even when conflicts can not be resolved.
- Remaining drug and alcohol free for the duration of their time as members of the school community.
- Conducting themselves in a safe, respectable, responsible manner.
- Respecting and adhering to acceptable use guidelines for electronic devices, internet safety, and social media use.

ESSENTIAL PARTNERS

EXPECTATIONS FOR PARENTS

- Recognize that the education of their children is a joint responsibility of the parents or guardians and school community, and to the best of their ability, send their child to school ready to participate and learn (necessary supplies, rested, nourished). Ensure that children attend school regularly, and on time. Ensure absences are excused.
- Teach and model to their children respect and dignity for themselves, and other students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act. This includes reporting incidents that violate this climate that are witnessed or otherwise brought to a parent/guardian's attention to the building administrator and /or Dignity Act Coordinator in a timely manner.
- Know the school rules, and help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
- Model for their child a supportive attitude toward education and the school community as a

whole.

- Build collaborative relationships with teachers, other parents and their children's friends.
- Work with our schools to maintain open and respectful communication.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Provide a place for study and ensure homework assignments are completed.
- Teach and model acceptable use of electronic devices, internet safety, and social media.
- Insist that their child be dressed and groomed in a manner that demonstrates the respectful, safe, responsible values of the Genesee Valley BOCES. Please refer to the [dress code section](#) of this code of conduct for further explanation.
 - Be safe, appropriate and not disrupt or interfere with the educational process. Not include items that could pose a safety risk to others or themselves, or interfere with accomplishing their assignments
 - Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back), see-through garments, excessively short skirts and short-shorts are not appropriate or permitted.
 - Ensure that underwear is completely covered with outer clothing.
 - Include footwear at all times, which may include specific requirements due to the nature of the student's programming.
 - Not include items that are vulgar, obscene and libelous or that denigrate others because of race, color, religion, creed, national origin, gender, sexual orientation or disability.
 - **Not include items that may be perceived as representing gang affiliation, or promotion of a drug culture, drug or alcohol advertising, or sexual explicitness.**
 - *Specific expectations regarding dress may vary per program. Please refer to materials provided by the program administrator for more detail.*

EXPECTATIONS FOR TEACHERS AND STAFF

- Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn. Report incidents that violate this climate that are witnessed or otherwise brought to a teacher's attention to the building administrator and /or Dignity Act Coordinator in a timely manner.
- Confront issues of harassment, bullying and/or discrimination, and any situation that threatens the emotional or physical health or safety of any students, school employees, or any person who is on school property, or at a school function, or off school property where such acts create or would foreseeably create a risk of substantial disruption with the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The term "threats, intimidation or abuse" shall include verbal and nonverbal actions.
- Demonstrate interest in teaching, knowledge of current instructional methods, and concern for student achievement and come to work prepared each day to provide the educational environment students need to learn and thrive.
- Define, supervise, teach, model, and support appropriate student behaviors to create positive school environments.
- Communicate regularly and in an on-going manner with students, parents, administrators, and other teachers about student growth, achievement, behavior and/or concerns.
 - Course objectives and requirements.
 - Marking/grading procedures.
 - Expectations for students.
 - Classroom management/intervention plan
- Know school policies and rules, and enforce them in a fair and consistent manner.

- Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- Teach, model, and adhere to acceptable use for electronic devices, internet safety, and social media policies and regulations. Report incidents of misuse or abuse of technology to the appropriate supervisor.

EXPECTATIONS FOR SCHOOL COUNSELORS

- Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn. Report incidents that violate this climate that are witnessed or otherwise brought to a teacher's attention to the building administrator and /or Dignity Act Coordinator in a timely manner.
- Teach and support students how to constructively manage and respond to incidents of conflict, harassment, bullying and/or discrimination including reporting such incidents, to school officials.
- Assist students in coping with emerging personal, social and emotional problems.
- Initiate and appropriately document teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
- Regularly review with the students their educational progress, career plans and graduation requirements.
- Provide information to assist students with career planning, obtaining mental health or drug treatment services outside of school, or connecting students or families with county support services when deemed appropriate or necessary.
- Encourage students to benefit from the curriculum and extracurricular programs.

EXPECTATIONS FOR OTHER SCHOOL STAFF

- Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn. Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
- Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
- Set a good example for students and other staff by demonstrating dependability, integrity and other standards of ethical conduct.
- Assist in promoting a safe, orderly and stimulating school environment.
- Maintain confidentiality about all personal information and educational records concerning students and their families.

EXPECTATIONS FOR PRINCIPALS, ASST. PRINCIPALS, SUPERVISORS, COORDINATORS

- Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
- Confront issues of harassment, bullying and/or discrimination, in any situation that threatens the

emotional or physical health or safety of any students, school employees or any person who is on school property or at a school function or off school property where such acts create or would foreseeably create a risk of substantial disruption with the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The term “threats, intimidation or abuse” shall include verbal and nonverbal actions.

- Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
- Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to their attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC).
- Ensure that students and staff have the opportunity to communicate regularly with the Administration and approach them for redress of grievances.
- Evaluate on a regular basis the effective safety, behavioral and school management issues related to all instructional programs.
- Support the development of and student participation in appropriate extracurricular activities.
- Be responsible for enforcing the Code of Conduct, ensuring that all cases are resolved promptly and fairly and, when necessary, appropriately documenting actions.
- Responding swiftly, fairly and efficiently to acts of any kind that threaten the safety and well being of students, staff, administration or any immediate member of the school community or their property.
- Accommodate differences among staff and students (fair versus same) allowing for variations in style, approach, output and final performance.
- Teach, model, and adhere to acceptable use for electronic devices, internet safety, and social media policies and regulations. Follow up on any incidents of misuse or abuse of technology.

EXPECTATIONS FOR THE DISTRICT SUPERINTENDENT AND ASST. SUPERINTENDENT

- Promote a safe, orderly, respectful and stimulating school environment, free from intimidation, discrimination and harassment, 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 School Board about educational trends, including student discipline.
- Provide appropriate training and resources to implement positive behavior interventions and supports at each school.
- Work with District administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
- Address all areas of school-related safety concerns.

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

- Lead by example by conducting Board meetings in a professional, respectful and courteous manner.

EXPECTATIONS FOR OTHER ESSENTIAL SCHOOL COMMUNITY PARTNERS

- Recognize that the education and safety of children is the joint responsibility of the school community, public community, and community agencies.

STUDENT USE OF ELECTRONIC COMMUNICATION DEVICES

Students are permitted to have and use personal technology devices in the classroom at times, and to the extent, teachers and administrators deem acceptable. Students are expected to act thoughtfully and responsibly when using technology resources, either personal or BOCES-owned, and may not use those resources to invade the privacy of others, engage in harassment, bullying, or discrimination, gain access to or transmit inappropriate materials, disrupt the learning environment and otherwise violate applicable law or BOCES policies.

Teachers and all other district personnel should exemplify and reinforce acceptable student behavior (including possession/use of electronic devices) and help students develop an understanding of appropriate conduct in the school setting.

STUDENT DRESS CODE

The responsibility for the dress and appearance of students rests with individual students and their parents. Student clothing, grooming and appearance must comply with health and safety standards and must not interfere with or distract from the educational process or infringe upon the rights of others. Specifically, clothing should not be overly brief or revealing and undergarments should be covered; appropriate footwear should be worn at all times; clothing should not be perceived as being associated with gang or other unlawful behavior; and clothing should be appropriate for the student's course of instruction. The administration may take action in instances where individual dress does not meet these stated requirements.

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.

ATTENDANCE

All students must attend classes on a regular basis and participate in the classroom programs, activities, and discussions. Students who are absent from class, late for class, or leave class early must provide appropriate notification and/or excuses to the Attendance Office or such other appropriate personnel. Consequences for unexcused student absences, tardiness and/or early departures may include, but are not limited to, in-school suspension, detention and/or denial of course credit. As necessary, efforts will be made to address a student's school attendance problem, which may include involvement of the students' parents or family court.

DISTANT AND VIRTUAL LEARNING

There are extenuating circumstances that may prohibit students from attending school in the actual school building. Situations like this could include mandatory extended closures due to public health emergencies or natural hazards prohibiting long term school attendance. Furthermore, extenuating circumstances may apply when a student is assigned to an extended out of school placement for reasons including, but not limited to, medical, legal, or disciplinary sanctions, and/or distant/virtual learning is determined by the student's district to be the best means of receiving instruction based on the student's personal situation. Under these extenuating circumstances, students would be expected to engage in distance/virtual learning to the best of their ability. In all cases, students and family would be expected to make their best effort to support the engagement in instruction, complete assignments and assessments, and communicate with their instructor regularly and within the time frames determined by the instructional team. When at all possible, and within reason, Genesee Valley BOCES, or the district, will provide the technology, if needed, in order for students to access online/virtual instruction. When using district technology, and whenever the student is engaging in online/virtual activities, students and teachers are expected to adhere to the district's electronic use policy, maintain professionalism, and respect the same expectations put forth in the code of conduct, in regards to dress, language and behavior. In cases where online/virtual instruction is not feasible, alternate instructional materials will be provided, but the same expectations to engage, complete and communicate with the instructor remains in effect. We understand that distant/virtual learning is not ideal for all students and programs, but when circumstances are in effect leaving no other options, it is the responsibility of the students, parents/guardians, teachers, and administration to approach the situation with grit and embrace the challenges with a positive outlook, and seek support when needed.

STUDENT DRIVING

Student Driving to and Parking at school is a privilege, not a right. Students who abuse this privilege will not be allowed to park on school property. Students must visibly display the appropriate parking permit at all times while on school property during the school day. Unauthorized and improperly parked vehicles could result in being ticketed.

RULES AND REACTIONS

PROHIBITED STUDENT CONDUCT

Our approach to managing student behavior emphasizes teaching students to behave in ways that contribute to academic achievement, school success and post-secondary success. Our intent is to support a school environment where students and school staff are responsible and respectful. We also emphasize the need for school staff to promote appropriate behaviors by teaching, modeling, reinforcing, and monitoring appropriate behaviors. We recognize that effective school discipline is anchored to meaningful, corrective instruction and guidance that offers students an opportunity to learn from their mistakes, make amends, and contribute to the school community. Ongoing monitoring and documentation of student management data is essential to record and adjust disciplinary practices in a fair and non-discriminatory manner.

Genesee Valley BOCES upholds expectations for conduct on school property and at school functions based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. The Board of Education recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible reactions to unacceptable conduct, and to ensure that when disciplinary action is necessary, it is administered promptly and fairly. Choices have consequences and there are times when accepting consequences for those choices is part of learning how conduct impacts the expected school culture. When possible, students are expected to make restitution, but there are times when disciplinary consequences are required to promote and uphold the principles mentioned above. Consequences may include suspension from school or

removal from a program when engagement in conduct that is disorderly, insubordinate, disruptive, violent, endangers the safety, morals, health or welfare of others, engage in misconduct on the school bus, or engage in academic misconduct including work/internship sites.

1. ENGAGE IN CONDUCT THAT IS DISORDERLY

Examples of disorderly conduct include, but are not limited to:

- A. Engaging in any act which disrupts the normal operation of the school community, running in hallways, making unreasonable noise, and using language or gestures that are profane, lewd, vulgar, abusive, intimidating, or that incite others.
- B. Obstructing vehicular or pedestrian traffic.
- C. Trespassing. Students are not permitted in any area of the school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
- D. Misusing computer/electronic communications devices, including any unauthorized or inappropriate use of computers, software, or Internet/intranet account; accessing inappropriate websites; evading the District's content filter; using an outside wireless network; or any other violation of the District Acceptable Use Policy.
- E. Unauthorized use of personal electronic devices/equipment (i.e., cell phones, MP3 devices, cameras, and other personal electronic devices deemed inappropriate by the administration).
- F. Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system is prohibited.

2. ENGAGE IN CONDUCT THAT IS INSUBORDINATE

Examples of insubordinate conduct include, but are not limited to:

- A. Failing to comply with the reasonable directions of teachers, school administrators or other District employees or otherwise demonstrating disrespect.
- B. Lateness for, missing or leaving school or assigned area without permission.
- C. Intentionally avoiding disciplinary sanctions.

3. ENGAGE IN CONDUCT THAT IS DISRUPTIVE

Examples of disruptive conduct include, but are not limited to:

- A. Failing to comply with the reasonable directions of teachers, District administrators or other District employees or otherwise demonstrating disrespect.
- B. Endangering the health and safety of other students or staff or interfering with classes or District activities by means of inappropriate appearance or behavior as per District Code of Conduct.

4. ENGAGED IN CONDUCT THAT IS VIOLENT

Examples of violent conduct include, but are not limited to:

- A. Committing, threatening or attempting an act of violence (such as hitting, kicking, punching, or scratching) upon a teacher, administrator or other District employee.
- B. Committing, threatening or attempting an act of violence (such as hitting, kicking,

- punching, or scratching) upon another student or any other person
- C. lawfully on school property.
- D. Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to
- E. fear for his or her physical well-being.
- F. Possessing a weapon (see definition). Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on
- G. District property or at a District function.
- H. Displaying what appears to be a weapon.
- I. Threatening to use any weapon(s).
- J. Using weapon(s).
- K. Intentionally damaging or destroying District property, the personal property of a student, teacher, volunteer, contractor, vendor, administrator, other
- L. District employee or any person lawfully on District property, or at a District
- M. function including but not limited to graffiti or arson.
- N. Communication by any means, including oral, written or electronic (such as through the Internet, email or texting) off school property, where the content of such communication (a) can reasonably be interpreted as a threat to commit an act of violence on school property; or, (b) results in material or substantial disruption to the educational environment.

5. ENGAGE IN ANY CONDUCT THAT ENDANGERS THE SAFETY, MORALS, HEALTH OR WELFARE OF OTHERS

Examples of such conduct include, but are not limited to:

- A. Violation of rules governing the operation of motor vehicles on district property and violations of vehicle and traffic law on district property.
- B. Lying, deceiving or giving false information to school personnel.
- C. Stealing District property or the property of other students, school personnel or any other person lawfully on school property or while attending a school function.
- D. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them. This can include posting or publishing video, audio recordings or pictures (written material, cell phones, Internet, YouTube, etc.).
- E. Discrimination, based on a person's actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, or disability as a basis for treating another in a negative manner on school property or at a school function.
- F. Harassment, the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender or sex.
- G. Bullying is a form of harassment that consists of inappropriate persistent behavior including threats or intimidation of others, treating others cruelly, terrorizing, coercing, or habitual put-downs and/or badgering others.

- H. "Internet bullying" (also referred to as "cyberbullying") including the use of instant messaging, email, websites, chat rooms, text messaging, or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees.
- I. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
- J. Use or possession of drugs or alcohol. Being under the influence of, possessing, consuming, selling, attempting to sell, distributing, or exchanging alcohol or any type of drug or drug delivery device. Defining drugs and devices to include, but not limited to, the following: tobacco, tobacco products, prescription drugs, illegal drugs, controlled substances, synthetic or designer drugs, or any drug delivery systems such as cigarettes, e-cigarettes (vapes) or any e-cigarette/vape hardware including but not limited to the battery, tank, heating element, accessories or the vape juice, or any device or paraphernalia that could be used to store, conceal, inject, inhale, or consume any type of prescription drug, illegal drug, controlled substance, or synthetic or designer drug or substance.
- K. Displaying signs of gang affiliation or engaging in gang-related behaviors that are observed to increase the level of conflict or violent behavior.
- L. Hazing is a form of harassment which involves committing an act against a student or coercing a student into committing an act that creates a risk of emotional, physical or psychological harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The fact that the victim may consent to the act does not excuse the behavior or lessen the offense.
- M. Selling, using, possessing or distributing obscene or pornographic material including "sexting" as defined as sending, receiving or forwarding of sexually suggestive nude or nearly nude photos through text messages or email.
- N. Using vulgar or abusive language, cursing or swearing.
- O. Gambling and gaming.
- P. Inappropriate touching and/or indecent exposure.
- Q. Initiating or reporting warning of fire or other catastrophe without valid cause, misusing 911, or inappropriately discharging a fire extinguisher.
- R. Violating gender privacy when using school restroom facilities.

6. Engage in Misconduct While on a School Bus

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

7. Engage in Any Form of Academic Misconduct

Examples of academic misconduct include, but are not limited to:

1. Plagiarism
2. Cheating
3. Altering records
4. Accessing other users email accounts or network storage accounts and/or attempting to

read, delete, copy, modify, and interfere with the transferring and receiving of electronic communications.

5. Violation of the District Acceptable Use Policy for technology.
6. Assisting another student in any of the above actions.

REPORTING VIOLATIONS

All students are expected to promptly report violations of the code of conduct. For example, any student observing a student possessing a weapon, alcohol, or illegal substance on school property or at a school function or having knowledge of or being victimized by harassment, bullying or hazing shall report this information immediately to the Dignity for all Students Coordinator (DAC), a teacher, the building principal, the principal's designee, or the superintendent. Reports may be made verbally or in writing, preferably in writing. The reporting form utilized in connection with Board Policy 5180 may be used to report alleged violations of Board Policy 6215/5185 "Dignity for all Students," or – at the complainant's option – any other reporting format is invited. The 5180 reporting form may be obtained from the DAC.

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

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

School officials may contact a law enforcement agency and may assist in prosecuting the offender. Any and all confiscated chemicals and/or paraphernalia will be handed over to the law enforcement agency. If law enforcement is not needed, any and all evidence will become possession of the school district and will not be returned to the student and/or parents/guardians.

The building principal or his or her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or his or her designee learns of the violation. Parental notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

DISCIPLINARY CONSEQUENCES, PROCEDURES, AND REFERRALS

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

Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

- (a) The student's age.
- (b) The nature of the offense and the circumstances which led to the offense.
- (c) The student's prior disciplinary record.
- (d) The effectiveness of other forms of discipline.
- (e) Information from parents, teachers, and/or others, as appropriate.
- (f) Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

A. Consequences

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

- Oral warning - any member of the district staff.
- Written warning - counselors, teachers, principal, superintendent.
- Written notification to parent - counselors, teachers, principal, superintendent.
- Detention - teachers, principal, superintendent.
- Suspension from transportation - director of transportation, principal, superintendent.
- Suspension from athletic participation - coaches, principal, superintendent.
- Suspension from social or extra-curricular activities - activity director, principal, superintendent.
- Suspension of other privileges - principal, superintendent.
- In-school suspension - principal, superintendent.
- Removal from classroom by teacher - teachers, principal.
- Short-term (five days or less) suspension from school - principal, superintendent, Board of Education.
- Long-term (more than five days) suspension from school - superintendent, Board of Education.
- Permanent suspension from school - superintendent, Board of Education.

B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

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

1) DETENTION

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

appropriate. Detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

2) SUSPENSION FROM TRANSPORTATION

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent, or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

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

3) SUSPENSION FROM ATHLETIC PARTICIPATION, EXTRA-CURRICULAR ACTIVITIES & OTHER PRIVILEGES

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.

4) IN-SCHOOL SUSPENSION

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension." The in-school suspension teacher will be a certified teacher.

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parents will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

5) TEACHER DISCIPLINARY REMOVAL FROM SCHOOL

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an alternate location, classroom or in an administrator's office; (2) sending a student into the hallway briefly; (3) sending a student to the principal's office for the remainder of the class time only; (4) sending a student to a guidance

counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the education process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A teacher may remove a disruptive student for one class period.

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

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

The teacher must complete a district-established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to submit the removal form. Behavior referrals are submitted online via the student management system.

Within 24-hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24-hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

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

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

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

suspension will be imposed.

The principal or his or her designee may over turn 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.

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

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

6) SUSPENSION FROM SCHOOL

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

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

Any staff member may recommend to the superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the code of conduct. All recommendations and referral shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The superintendent or principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

A. Short-Term (five days or less) Suspension from School

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within

24-hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

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

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

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

B. Long-Term (more than five days) Suspension from School

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

The superintendent shall personally hear and determine the 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 tape recording shall be deemed a satisfactory record. The hearing officer shall make finding of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.

An appeal of the decision of the superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within ten business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole, or in part,

the decision of the superintendent. Final decisions of the Board may be appealed to the Commissioner within thirty days of the decision.

C. Permanent Suspension

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

7) MINIMUM PERIODS OF SUSPENSION

A. Students Who Bring a Weapon to School

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

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

B. Students Who Commit Violent Acts Other Than Bringing a Weapon to School

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

C. Students Who are Repeatedly Substantially Disruptive of the Educational Process or Repeatedly and Substantially Interferes with the Teacher's Authority Over the Classroom

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least five days. For purposes of this code of conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by

teacher(s) pursuant to Education Law §3214(3-a) and this code on four or more occasions during a semester, or three on more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

8) REFERRALS

A. Counseling

The Guidance Office, Social Worker, or Teacher shall handle all referrals of students to counseling.

B. PINS Petitions

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

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

C. Juvenile Delinquents and Juvenile Offenders

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

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

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

ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student. If a student has in-school suspension, a certified teacher is required to provide instruction. The student's teacher must provide classroom work and materials the first day of out-of-school suspension.

DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing, or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state laws and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities

For Purposes of This Section of the Code of Conduct, the Following Definitions Apply: A "suspension" means a suspension pursuant to Education Law §3214. A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

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

1. School Personnel May Order the Suspension or Removal of a Student with a Disability from His or Her Current Educational Placement as Follows:

- a. The Board, the district (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting, or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior
- b. The superintendent may order the placement of a student with a disability into an IAES, another setting, or suspension for up to ten consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
- c. The superintendent may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- d. The superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than forty-five days, if the student carries or possesses

a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or illegal substances or sells or solicits the sale of a controlled substance while at school or a school function.

- e. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to forty-five days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

- (1) "Weapon" means the same as "dangerous weapon" under 18 V.S.C. §930(g)(w) which includes "a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except... [for] a pocket knife with a blade of less than 2½ inches in length."
- (2) "Controlled substance" means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
- (3) "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
- (4) "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."

2. Change of Placement Rule

- A. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - for more than ten consecutive school days; or
 - for a period of ten consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than ten school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
- B. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.
- C. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

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

- A. The district's Committee on Special Education shall:
 - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than ten school days in a school year or imposing a suspension or

- F. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs, or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
- G. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
- H. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
- I. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than ten consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
- J. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

4. Expedited Due Process Hearings

An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:

- 1. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearing where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
- 2. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs, illegal substances, or controlled substances, or on grounds of dangerousness, or regarding a determination of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
 - If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

An expedited due process hearing shall be completed within fifteen business days of receipt of

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

5. Referral to Law Enforcement and Judicial Authorities

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

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

CORPORAL PUNISHMENT

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

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

- b) Protect oneself, another student, teacher, or any person from physical injury.
- c) Protect the property of the school or others.
- d) Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers, and duties, if that student has refused to refrain from further disruptive acts.

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

STUDENT SEARCHES AND INTERROGATIONS

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

In addition, the Board authorizes the superintendent, building principals, other administrative personnel, and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search. Board policy R-6245-1 authorizes use of hand held metal detectors by authorized school personnel to supplement student searches.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered

reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code 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.

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

Group metal detector searches may also be employed as provided in administrative regulation 6245.

1. Student Lockers, Desks, and Other School Storage Places

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

2. Personal Searches

Strip searches are reserved for an extraordinary circumstance in which there is probable cause to believe that a strip search is required to reduce the risk of injury in a potentially dangerous situation. Strip searches are not a frequent or regular occurrence. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may contact the local police authorities to conduct.

3. 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 item(s) were found).
10. Disposition of items found.
11. Time, manner, and results of parental notification.

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

until the items are 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.

4. Police Involvement in Searches and Interrogations of Students

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

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

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

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

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

5. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

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

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if not he or she were removed from school before a court order can reasonably be

obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

VISITORS TO THE SCHOOLS

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

- e) Anyone who is not a regular staff member or student of the school will be considered a visitor.
- f) All visitors to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds.
- g) Visitors attending school functions that are open to the public, such as Open Houses or public gatherings, are not required to register.
- h) Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s) and building principal or designee, so that class disruption is kept to a minimum.
- i) Teachers are expected to not take class time to discuss individual matters with visitors.
- j) 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.
- k) All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

PUBLIC CONDUCT ON SCHOOL PROPERTY

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

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

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

1. Prohibited Conduct

No person, either alone or with others, shall:

- a. Intentionally injure any person or threaten to do so.
- b. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee, or any person lawfully on school property, including graffiti or arson.
- c. Disrupt the orderly conduct of classes, school programs, or other school activities.
- d. Distribute or wear materials on school grounds or at school functions that are obscene,

advocate illegal actions, appear libelous, obstruct the rights of others, or are disruptive to the school program.

- e. Discriminate, which includes the use of race, color, creed, national origin, religion, gender, marital status, sexual orientation, or disability as a basis for treating another in a negative manner. 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 well-being; 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, 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. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature. Harassment may also include holding another up to private or public ridicule, especially when based on race, color, creed, national origin, marital status, religion, gender, sexual orientation or disability
- f. Intimidation or extortion, which includes engaging in actions or statements that put an individual in fear of bodily harm.
- g. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
- h. Obstruct the free movement of any person in any place to which this code applies.
- i. Violate the traffic laws, parking regulations or other restrictions on vehicles.
- j. Possess, consume, sell, distribute or exchange alcoholic beverages, tobacco products, illegal substances, controlled substances, or be under the influence of either on school property or at a school function.
- k. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
- l. Loiter on or about school property.
- m. Gamble on school property or at school functions.
- n. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
- o. Willfully incite others to commit any of the acts prohibited by this code.
- p. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function. (ex. Drug Free School Act)
- q. Refuse to leave any building, facility, or vehicle after being required to do so by an authorized administrative officer or other authorized agent of the BOCES.
- r. Enter upon and/or remain in any building, facility, or vehicle or upon any grounds or premises for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others.

2. Penalties

Persons who violate this code shall be subjected to the following penalties:

- a. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection by local law enforcement.
- b. Students. They shall be subjected to disciplinary action as the facts may warrant, in accordance with Section VIII of this Code of Conduct.
- c. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.

- d. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Services Law §75 or any other legal rights that they may have.
- e. Staff members other than those described in subdivisions four and five. They shall be subject to warning, reprimand, suspension, or dismissal as the facts may warrant in accordance with any legal rights they may have.

3. Enforcement

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

When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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

DISSEMINATION AND REVIEW

Dissemination of Code of Conduct

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

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

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

The Board of Education, via a committee of representative stakeholders, will review this Code of

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

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

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

The District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website, if available. The District shall file a copy of its Code of Conduct and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.