

EAST GREENBUSH CENTRAL SCHOOL DISTRICT

***CODE
OF
CONDUCT***



Revised 2018

EAST GREENBUSH CENTRAL SCHOOL DISTRICT CODE OF CONDUCT

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1. INTRODUCTION

The Board of Education is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

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

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

The purpose and mission of this Code of Conduct is to promote the maximum growth of every student served in the District and to further ensure that every reasonable effort will be made to provide a safe and secure learning environment free from all forms of physical and psychological threats or acts of an injurious nature. In order to achieve these ends, it is important that the rules, and their application, be both consistent and flexible, so that all students feel they have been treated fairly, in view of the circumstances in each case.

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

No school district or individual building initiative will supersede or override any aspect of this Code of Conduct except where prescribed by law or regulations of the Commissioner of Education.

~~The last page of the Code of Conduct is a sign-off sheet for students and their parents/guardians to sign and return to your child's school. Your signature on this form acknowledges that you and your child have reviewed this document and are familiar with the content.~~

If you have any questions about this Code of Conduct, please contact your Building Principal.

2. DEFINITIONS

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

“Cyberbullying” shall mean harassment or bullying that occurs through any form of electronic communications.

“Disability” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques; (b) a record of such an impairment; or (c) a condition regarded by others as such an impairment.

“Disruptive Student”

For the purposes of this Code of Conduct, a “disruptive student” is any elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with teacher authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher’s authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher’s instructions or repeatedly violates the teacher’s rules for classroom behavior.

“Employee” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract whereby such services performed by such person involve direct student contact.

“Gender” means actual or perceived sex and shall include a person’s gender identity or expression.

“Gender expression” is the manner in which a person represents, or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.

“Gender identity” is one’s self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.

“Harassment” and **“Bullying”** shall mean the creation of a hostile environment by conduct or threats, intimidation or abuse, including cyberbullying, that (a) 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 (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying shall include, but not be limited to, those acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. For the purposes of this definition the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.

“Hazing” shall mean a form of harassment among students defined as any humiliating or dangerous activity expected of a student to join a group or be accepted by a formal or informal group, regardless of their willingness to participate. Hazing produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur. Hazing behaviors include, but are not limited to, the following general categories:

- a. Humiliation: socially offensive, isolating or uncooperative behaviors.
- b. Substance abuse: abuse of tobacco, alcohol or illegal/legal drugs.
- c. Dangerous hazing: hurtful, aggressive, destructive, and disruptive behaviors.

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

“School bus” shall mean every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

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

“School function” means any school-sponsored extra-curricular event or activity.

“Sexual orientation” means actual or perceived heterosexuality, homosexuality or bisexuality.

“Violent Student”

A violent student means a student under the age of 21 whom:

1. Commits an act of violence upon a school employee or attempts to do so.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function, or attempts to do so.
3. Possess, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

“Weapon”

Means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun (simulated or real), BB Gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, pocket knife, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death.

3. STUDENT RIGHTS AND RESPONSIBILITIES

Discipline is the positive direction of behavior toward established standards of conduct, fully understood and based on reason, judgment and the rights of others. Ideally, discipline is self-directed and self-controlled. Both the school community and parents share the responsibility for helping students develop self-discipline. Discipline is necessary to assure an orderly environment in which each person may live and learn to his/her full capabilities in harmony with others. However, when self-control falters and self-discipline fails, disciplinary measures outside the individual must be imposed to protect the rights of others.

In the East Greenbush Central School District, as in the community at large, certain rules and procedures are established to guide students through constructive growth and into mature adulthood. The rules and procedures are basically the same from kindergarten through grade 12. It is expected that the age, maturity, and developmental level of the student will be taken into account when enforcing this Code of Conduct. Parents, guardians, teachers, and others responsible for the welfare and education of students, must cooperate to interpret and enforce these rules. Therefore, it is expected that parents/guardians will make themselves available in emergencies and contact the school when they have questions and concerns. It is also expected that parents/guardians will take an active interest in their children's education by visiting the school and work for the success and improvement of the school program.

A. Student Rights

The East Greenbush Central School District is committed to safeguarding the rights given to all students under state and federal law and District policy. In addition, to promote a safe, healthy, orderly and supportive school environment, all District students have the **right** to:

1. Participate in all District activities on an equal basis regardless of race, weight, color, creed, national origin, ethnic group, religion, religious practice, gender or sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school policies, regulations and rules and, when necessary, receive an explanation of those rules from school personnel.

B. Student Responsibilities

All District students have the **responsibility** to:

1. Contribute to maintaining a safe, supportive, and orderly school environment that is conducive to learning.
2. Show respect to other persons and to property.
3. Be familiar with and abide by District policies, rules and regulations dealing with student conduct.
4. Attend school every day unless they are legally excused, and be in class on time, and prepared to learn.
5. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.

6. React to directions given by teachers, administrators and other school personnel, in a respectful, positive manner.
7. Work to develop mechanisms to manage their anger.
8. Ask questions when they do not understand.
9. Seek help in solving problems.
10. Dress appropriately for school and school functions.
11. Accept responsibility for their actions.
12. Conduct themselves as representatives of the District when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor and sportsmanship.

4. ESSENTIAL PARTNERS

Parents/Guardians

All parents/guardians are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents/guardians and the school community and collaborate with the District to optimize their child's educational opportunities.
2. Ensure their child(ren) attend school regularly, are on time and ready to participate and learn.
3. Ensure absences are legitimately excused.
4. Insist their children be dressed and groomed in a manner consistent with the student dress code.
5. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
6. Convey to their children a supportive attitude toward education and the District.
7. Build positive, constructive relationships with teachers, other parents/guardians and their children's friends and that they will treat school personnel with proper respect.
8. Help their children deal effectively with peer pressure.
9. Inform the school officials of changes in home situations that may affect student conduct or performance.
10. Provide a place for study and ensure homework assignments are completed.
11. Report to the main office and sign in at the main office identifying the purpose of their visit.

Teachers

All District teachers are expected to:

1. Maintain and demonstrate 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 or sex, to strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Be certified, qualified, competent and well-prepared to serve as positive role models.
4. Know school policies and rules and enforce them in a fair, equitable and consistent manner.
5. Maintain confidentiality in conformity with federal and state law.

6. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plans
7. Communicate as necessary with students, parents and other teachers concerning growth and achievement.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces, in conformity with the Taylor Law.
9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students.

School Counselors

1. Maintain and demonstrate 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 or sex.
2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
3. Initiate teacher/student/counselor and parent(guardian)/teacher/student/counselor conferences as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Maintain confidentiality in accordance with federal and state law.
6. Provide information to assist students with career planning.
7. Make known to students and families the resources in the community that are available to meet their needs.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces.
9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students.
11. Encourage students to participate in extracurricular programs.

Other School Personnel/All District Employees

1. Maintain and demonstrate 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 or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Be familiar with the Code of Conduct.
4. Help children understand the District's expectations for maintaining a safe, orderly environment.
5. Participate in school-wide efforts to provide adequate supervision in all school spaces.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.

7. Address personal biases that may prevent equal treatment of all students.

Principals/Administrators

1. Provide a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal/administrator and approach the principal/administrator for redress of grievances.
3. Maintain confidentiality in accordance with federal and state law.
4. Evaluate on a regular basis all instructional programs to ensure infusion of civility education in the curriculum.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Provide support in the development of the Code of Conduct, when called upon. Disseminate the Code of Conduct and anti-harassment policies.
7. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces.
9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students and staff.

Dignity Act Coordinator

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Oversee and coordinate the work of the district-wide and building-level bullying prevention committees.
3. Identify curricular resources that support infusing civility in classroom instruction and classroom management, and provide guidance to staff as to how to access and implement those resources.
4. Coordinate, with the Professional Development Committee, training in support of the bullying prevention committee.
5. Be responsible for monitoring and reporting on the effectiveness of the District's bullying prevention policy.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students and staff.
8. The District's designated Dignity Act Coordinators are:

<u>Name</u>	<u>Building</u>	<u>Contact Information</u>
<i>Jamie Gibbs</i>	Bell Top	gibbsja@egcsd.org
Tiffany Rinehimer	DPS	rinehiti@egcsd.org
Laurie Scaringela	Green Meadow	scaringela@egcsd.org

Karen Sheridan
Maria Fontaine
James Eggleston
Audra DiBacco
TBD

Genet
Red Mill
Goff
Columbia
District

sheridka@egcsd.org
fontaima@egcsd.org
egglestonja@egcsd.org
dibaccou@egcsd.org
TBD

Superintendent

1. Provide a safe, orderly and stimulating school environment, promoting effective teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Review with District administrators, on a regular basis, the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the Board of Education of educational trends relating to student discipline.
4. Maintain confidentiality in accordance with federal and state law.
5. Lead in the establishment of instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Provide leadership in the educational community by enforcing the Code of Conduct and ensuring that all cases are resolved expeditiously and equitably.
7. Participate in school-wide efforts to provide adequate supervision in all school spaces.
8. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students and staff.

Board of Education

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Develop and recommend a budget that provides programs and activities that support achievement of the goals of the Code of Conduct.
4. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, District personnel and visitors on school property and at school functions.
5. Adopt and review at least annually the District's Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.
6. Lead by example by conducting Board meetings in a professional, respectful and courteous manner.
7. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students and staff.

5. STUDENT DRESS CODE

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

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

1. Be safe, appropriate, and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments such as shorts, skirts, tops, tube tops, net tops, halter tops; spaghetti straps, plunging necklines (front and/or back) and see through garments are not appropriate. As a general guideline, dresses, shorts and skirts must be mid-thigh length.
3. Not wear pajamas, sleep or lounge wear, or articles of a similar nature unless allowed for specifically designated purposes.
4. The wearing of hoodies up on a students' head is prohibited.
5. Ensure that underwear is completely covered with outer clothing.
6. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
7. Not include the wearing of headwear in the classroom except for a medical or religious purpose.
8. Not include items that are vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
9. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
10. Not wear any clothing deemed to be gang related, including but not limited to bandanas, colors, flags, or chains, jackets or related matter, including wallets and chains.
11. Students in grades K-8 shall not carry knapsacks, backpacks, book bags, etc. during the school hours. Students in grades 9-12 are exempt.
12. Not wear accessories that promote and/or endorse sexual activities.

Each Building Principal and his/her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item, and if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

Protective Eyewear

Eye safety devices (e.g., eye goggles) shall be worn in all shops or laboratories by students whenever they are in dangerous proximity to a potential eye hazard, or directed to do so by a staff member.

Physical Education

The Superintendent or Principals may establish reasonable requirements for the wearing of clothing suitable for physical education activities, in particular that students wear only clothing that is compatible with safety and that enables the student to participate in required physical education activities. No specified brand, color, or insignia shall be required for such clothing.

6. PROHIBITED STUDENT CONDUCT

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

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on educating students so that they may grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences for their conduct.

Due to the size of the student population and the fact that students attend instruction in five elementary schools, one middle school, and one high school, this section of the code has been divided into two sections:

- Behavior Expectations for Grades K through 8
- Behavior Expectations and Discipline for Grades 9 through 12

7. BEHAVIORAL EXPECTATIONS - GRADES K-8

Behavioral Expectations

The intent of the Code of Conduct is to ensure the health and safety of each and every student, staff member, parent/guardian, and community member learning and working in our schools. We strive to achieve a positive climate for all who enter our buildings. The Code of Conduct governs **all persons on school property.**

School-wide Expectations

All persons are expected to follow:

1. Golden Rules
 - a. Treat others as you want to be treated
 - b. Be kind to yourself and others

c. Let others work and learn without being disturbed

2. Classroom Rules

These are developed annually by the teacher in conjunction with the students.

3. Cafeteria Rules

Lunchtime is a social time for students and should be enjoyed. However, there are acceptable behaviors that must be taught to young children in an attempt to make this a positive experience for all. Rules of conduct will include but not be limited to:

- a. Being courteous to other children and the monitors
- b. Practice good table manners
- c. Engage in polite and quiet conversation with your table companions
- d. Clean up your area when lunch is finished

4. Elementary Playground Rules

These are developed for the safety and enjoyment of all students involved in play. Please refer to individual school handbooks to address the needs of each building.

5. Transportation Rules

These are developed for the safety and enjoyment of all students who ride on school buses. Please refer to the transportation section at the back of this Code.

Positive Rewards

Students who choose to act appropriately and exceed expected behaviors will be recognized. Each school will develop its own method of recognition that may include: verbal praise; recognition certificates; extra computer time; lunch with the Principal; a free choice activity; or special privileges. (See individual school handbook for more information)

LEVEL I INFRACTIONS

Refers to those infractions for which the consequences may be out-of-school suspension and/or exclusion from school. All Level I infractions may result in a phone call to parent/guardian, and a letter and the opportunity for a school/parent conference.

Violation	Range of Consequences
Safety infractions including but not limited to: <ul style="list-style-type: none">• Using, possessing, selling or being under the influence of drugs or alcohol, including synthetic cannabinoids, tobacco products and electronic cigarettes• Carrying or using any object that can reasonably be considered dangerous or illegal• Falsely reporting a fire or activating a fire alarm• Making or having knowledge of a bomb threat• Possessing fireworks, smoke bombs, stink bombs, explosive devices• Hazing or forcing an act upon anyone as a	<ul style="list-style-type: none">• parent contact/conference• out-of-school suspension• administrative conference• counseling• fire department contact• police contact and/or pursuit of criminal charges• Superintendent hearing

<p>means of initiation into a group and/or as defined by law.</p> <ul style="list-style-type: none"> Any other action which may result in endangering the health, safety, and welfare of others 	
<p>Smoking on school grounds and possessing or using materials such as matches, lighter, cigarettes, vapes, electronic cigarettes, <i>all devices associated with vapes and electronic cigarettes</i>, cigar, pipe, chewing or smokeless tobacco and/or tobacco products</p>	<ul style="list-style-type: none"> in-school suspension with parent contact in-school or out-of-school suspension counseling
<p>Harassment or Bullying</p> <ul style="list-style-type: none"> any repeated spoken, unspoken or physical contact that makes a person feel uncomfortable or threatened use of derogatory statements regarding the ethnicity, disability, religion, race, gender, sexual orientation, physical condition, appearance or differences of another; and any form of sexual harassment. acts that include but are not limited to cyber bullying or sexting teasing, name-calling, and/or ridiculing others knowingly spreading rumors or any information that may create a potentially unsafe situation that interferes with the orderly mission of school intimidation and/or abuse 	<ul style="list-style-type: none"> parent contact detention in-school suspensions and/or out-of- school suspension counseling referral mediation police contact filing of a Title IX complaint Superintendent hearing <p>Note: A student who witnesses, experiences or has knowledge of harassment or bullying should report it to the Main Office, and outline the details of the incident using a confidential form.</p>
<p>Physical or Verbal Threats</p> <ul style="list-style-type: none"> hitting, threatening, fighting and/or hurting another person on school grounds spitting on another person threatening through the use of electronic media 	<ul style="list-style-type: none"> parent contact in-school suspensions and/or out-of- school suspension counseling referral mediation police contact Superintendent hearing
<p>Acts of vandalism or damaging/defacing personal or school property</p>	<ul style="list-style-type: none"> parent contact restitution/repair in-school suspension and/or out-of-school suspension counseling referral police contact Superintendent hearing

Theft or destruction of school or personal property	<ul style="list-style-type: none"> • parent contact • restitution • counseling • detention(s) • in-school suspension and/or out-of-school suspension • police contact • Superintendent hearing
Inappropriate use of the School Computer System/Networks (As outlined in the District Acceptable Use of District Computers Policy)	<ul style="list-style-type: none"> • parent contact or conference • loss of computer privileges • detention(s) • counseling referral • in-school suspension and/or out-of school suspension • police contact • Superintendent Hearing
Leaving school grounds without permission (AWOL)	<ul style="list-style-type: none"> • parent contact • in-school and/or out of school suspension(s) • police contact
Any act or conduct which is disruptive or Inappropriate to the educational setting <ul style="list-style-type: none"> - e.g. disturbing class, cursing or foul language, uncooperative attitude or disregard for safety - inappropriate public displays of affection or similar acts 	<ul style="list-style-type: none"> • parent contact • detention(s) • in-school suspension and/or out-of-school suspension • counseling referral
Insubordination (refusing to follow a request made by a staff member)	<ul style="list-style-type: none"> • parent contact • detention(s) • in-school suspension and/or out-of-school suspension

LEVEL II INFRACTIONS

This section refers to those infractions for which the consequences may be internal suspension and/or loss of privilege.

Violation	Range of Consequences
Use of electronic devices during school hours except in instances where the device is being used as an instructional tool (as directed by the teacher) <ul style="list-style-type: none"> • Electronic devices should be completely turned off (not in silent or “vibrate” mode) and out of sight during school hours. <ul style="list-style-type: none"> - e.g. No talking, texting, listening, or taking pictures or video including pictures or videos of Code of Conduct violations such as fights. • No gathering of information (pictures, 	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - device confiscation until end of day/parent pick up - parent contact - in-school detention/suspension • 2nd Offense <ul style="list-style-type: none"> - device confiscation - parent contact - detention • Additional Offenses <ul style="list-style-type: none"> - device confiscation - parent contact

<p>videotaping, etc.), viewing, and/or listening or posting information for purposes of sharing on a social media site.</p> <p>Electronic devices may be used before or after the regular school day.</p>	<ul style="list-style-type: none"> - detention - in-school suspension, - parents may be asked to pick up device - loss of privilege to bring device to school - Superintendent Hearing
<p>Distracting/Offensive Attire (displays of profanity, sexual or drug innuendos)</p> <ul style="list-style-type: none"> • clothing that creates a disruption to the mission and orderly operation of the school or presents a safety risk <ul style="list-style-type: none"> - (e.g. chains, collars or items of a similar nature) 	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - reprimand - change inappropriate clothing immediately and/or remove prohibited items. (If suitable attire is not available at school, parents/guardians will be contacted and asked to bring proper attire to the school.) - parent contact • Additional Offenses <ul style="list-style-type: none"> - parent contact - counseling referral - detention(s) - in-school suspension
<p>Possessing any item(s) that can reasonably be considered to be a deterrent to the school's educational program</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - loss of items in school - parent contact - detention • Additional Offenses <ul style="list-style-type: none"> - in-school suspension
<p>Cheating on tests, quizzes, or homework, plagiarism, forgery or copying another student's work</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - teacher decision - detention - parent contact • Additional Offenses <ul style="list-style-type: none"> - in-school suspension
<p>Truancy (absence w/o parental knowledge)</p> <p>[See Attendance Policy]</p>	<ul style="list-style-type: none"> • Any Offense <ul style="list-style-type: none"> - multiple detentions - in-school suspension - parent contact • Additional Offenses <ul style="list-style-type: none"> - in-school suspension - referral to diversionary PINS - Referral to Child Protective Services
<p>Unexcused absence from a class</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - parent contact - detention(s) • Additional Offenses <ul style="list-style-type: none"> - in-school suspension
<p>Chronic tardiness to a class or unprepared for class</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - teacher warning/conference with

	<ul style="list-style-type: none"> student • 2nd Offense <ul style="list-style-type: none"> - parent contact - detention • Additional Offenses <ul style="list-style-type: none"> - multiple detentions
Failure to stay for administrative or teacher assigned detention	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - two days of detention - parent contact • Additional Offenses <ul style="list-style-type: none"> - multiple detentions - in-school suspension - parent contact
Selling item(s) in school w/o approval	<ul style="list-style-type: none"> • parent contact • detention(s) • in-school suspension and/or out-of-school suspension • police contact
Cafeteria misbehavior: (per guidelines posted in the cafeteria)	<ul style="list-style-type: none"> • parent contact • detention(s) • in-school suspension and/or out-of-school suspension • removal from the cafeteria
Inappropriate hallway behavior <ul style="list-style-type: none"> - running, pushing, shouting, or dumping books - touching another student's locker or property - behaviors of a similar nature 	<ul style="list-style-type: none"> • parent contact • detention(s) • in-school suspension and/or out-of-school suspension

**BEHAVIORAL EXPECTATIONS
GRADES 9-12**

Behavioral Consequences

The following actions are inconsistent with the values stated in the introduction and are therefore subject to the disciplinary actions listed below. Serious or repeated violations may result in more severe consequences including a Principal’s conference. All consequences will be applied consistently and without exception.

LEVEL I INFRACTIONS

Refers to those infractions for which the consequence may be out-of-school suspension and/or exclusion from school. All level I infractions may result in a phone call to parent, a letter and the provision for a school/parent conference.

Violation	Range of Consequences
<p>Sale or distribution of drugs or alcoholic beverages</p>	<ul style="list-style-type: none"> • police contact – consideration of criminal charges • parent conference • off-site/out-of-school suspension-5 days • loss of parking privilege for the school year • Principal’s conference • Superintendent hearing • referral to school counselor • referral for PINS petition • suspension of privilege from attending future school events.
<p>Possession of a Weapon:</p> <p>“Weapon” means a firearm as defined in 18 USC S921 for purposes of the Gun-Free Schools Act. It also means any other gun, such as: air gun, pistol, revolver, shotgun, rifle, automatic gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle, knife, box cutter, cane sword, electronic dart gun, Kung Fu star, explosive device or incendiary bomb, or other device, instrument, material or substance that can reasonably cause physical injury or death. § 3214 NYS Ed. Law § 921 USC §930 USC</p>	<ul style="list-style-type: none"> • parent contact/conference • police contact – consideration of criminal charges • five day off site/out-of-school suspension • Superintendent hearing with potential of one year suspension from school. • referral for PINS petition • loss of parking privileges

<p>Violent behavior including but not limited to harassment, intimidation, threatening, bullying, threatening language, assault, battery</p> <p>“Violent Pupil” is a secondary student under the age of 21 who: (1) - commits an act of violence upon a teacher, administrator or other school employee, another student or visitor; (2) – possesses, displays, or threatens to use, a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death, while on school district property; ” §3214 NYS Ed. Law</p>	<ul style="list-style-type: none"> • parent contact • out-of-school suspension - 1-5 days • Superintendent hearing • police contact - consideration of criminal charges • referral to school counselor • referral for PINS petition • loss of parking privileges
<p>Possession, use or under the influence of drugs/alcohol, illegal substances including synthetic cannabinoids.</p>	<ul style="list-style-type: none"> • police contact– consideration of criminal charges • parent conference • loss of parking for the year • off-site/out-of-school suspension - 5 days • Principal’s conference • Superintendent hearing • referral to school counselor • referral for PINS petition • suspension of privilege from attending future school events.
<p>Possession of drug paraphernalia including but not limited to papers and pipe(s)</p>	<ul style="list-style-type: none"> • parent conference • police contact • off-site/out-of-school suspension (1-5 days) • loss of parking for the year • referral for PINS petition • referral to school counselor

<p>Possession, use or distribution of tobacco products including but not limited to cigarettes, dip and chew, cigar, pipe, electronic cigarettes, <i>all devices associated with vapes and electronic cigarettes</i>, smokeless tobacco and vapes on school grounds</p>	<ul style="list-style-type: none"> • in-school suspension • parent contact and/or conference • students are encouraged to attend smoking cessation seminar • violation will be treated as insubordinate behavior • possible community service assignment • required notification to Rensselaer County Health Department to impose fine • out-of-school suspension/PASS
<p>Possession or use of hazardous items such as smoke bombs, stink bombs, fireworks, lighters, or other items of a similar nature</p>	<ul style="list-style-type: none"> • confiscation of hazardous item • parent contact and/or conference • police contact • fire department contact • consideration of criminal charges • off site/out-of-school suspension – 1-5 days • Superintendent hearing
<p>Pulling of fire alarm, or activating door alarm</p>	<ul style="list-style-type: none"> • parent contact and/or conference • police contact • fire department contact • mandated pursuance of criminal charges • off site/out-of-school suspension - 5 days • Principal’s conference • Superintendent hearing • community service assignment • referral for PINS petition • loss of parking
<p>Unauthorized use of safety equipment, including but not limited to fire extinguisher, AED -Automated External Defibrillator</p>	<ul style="list-style-type: none"> • parent contact and/or conference • police contact • restitution for damages

	<ul style="list-style-type: none"> • off site/out-of-school suspension, in-school suspension • loss of parking privilege • Superintendent hearing
<p>Throwing food in the cafeteria Littering on school property</p>	<ul style="list-style-type: none"> • removal from cafeteria up to one year • parent contact and/or conference • off-site suspension • community service assignment
<p>Theft/destruction of school or personal property</p>	<ul style="list-style-type: none"> • parent contact and/or conference • property owner notified about potential police involvement • loss of parking, if vehicle related • off site/out of school suspension, In-school suspension • restitution for damages • community service • Superintendent hearing
<p>Misuse of technology/computer equipment (including District networks and Wi-fi use), as described in the student handbook and the District Acceptable Use of District Computers Policy</p>	<ul style="list-style-type: none"> • in-school suspension • off site/out-of-school suspension - 5 days, and/or until restitution is made • parent contact and/or conference • police contact • internet access privileges revoked • parent contact and/or conference • community service assignment • out-of-school suspension
<p>Harassment or Bullying</p> <ul style="list-style-type: none"> • any repeated spoken, unspoken or physical contact that makes a person feel uncomfortable or threatened • use of derogatory statements regarding the ethnicity, disability, religion, race, gender, sexual orientation, physical condition, appearance or differences of another; and any form of sexual harassment. • acts that include but are not limited to cyber bullying or sexting • teasing, name-calling, and/or ridiculing others • knowingly spreading rumors or any information that may create a 	<ul style="list-style-type: none"> • parent contact and/or conference • detention • in-school suspensions and/or out-of-school suspension • counseling referral • mediation • police contact • filing of a Title IX complaint • Superintendent hearing • Note: A student who witnesses, experiences or has knowledge of harassment or bullying should report it to the Main Office, and outline the details of the incident using a confidential form

<p>potentially unsafe situation that interferes with the orderly mission of school</p> <ul style="list-style-type: none"> • intimidation and/or abuse 	
Any acts of hazing	<ul style="list-style-type: none"> • parent contact and/or conference • referral to school counselor • off-site/out-of-school suspension 1-5 days • Superintendent hearing
Bullying Cyber bullying Sexting	<ul style="list-style-type: none"> • parent contact and/or conference • police contact - consideration of criminal charges • referral to school counselor • out-of-school suspension - 1-5 days • loss of parking • Superintendent hearing • referral for PINS petition • filing of Title IX complaint
Disrespectful behavior toward adults or other students in the building	<ul style="list-style-type: none"> • parent contact and/or conference • detention/in-school suspension • community service assignment • out-of-school suspension
Insubordinate/disobedient (refusing to follow any reasonable request made by a staff person)	<ul style="list-style-type: none"> • parent contact and/or conference • community service assignment • out-of-school suspension - 1-5 days
Inappropriate language or behavior including, but not limited to, obscene, profane, vulgar language and/or gestures	<ul style="list-style-type: none"> • parent contact and/or conference • detention and /or suspension • community service assignment
Inappropriate language or behavior directed at staff	<ul style="list-style-type: none"> • off-site/out-of-school suspension • apology to staff member
Unexcused class absence - (AWOL) Failure to sign in	<ul style="list-style-type: none"> • detention • parent contact and/or conference • in-school suspension with detention • referral to school counselor • referral for PINS petition • loss of cafeteria privileges • suspension of privilege from attending future school events • loss of parking privileges

	<ul style="list-style-type: none"> • out-of-school suspension
Leaving school grounds without permission (this includes drivers, passengers or walkers)	<ul style="list-style-type: none"> • parent contact and/or conference • in-school suspension • community service assignment • loss of parking for 10 days • loss of parking for remainder of school year (this applies to leaving with passengers) • loss of eligibility for parking for following year • out-of-school suspension - 1-5 days

LEVEL II INFRACTIONS

This section refers to those infractions for which the consequence may be internal suspension and/or loss of privilege. Also failure to report to internal suspension will result in external suspension for up to 5 days and a parent conference during the suspension period. Upon returning to school, the student will serve the initial consequence.

Violation	Range of Consequences
<p>Electronic devices are not to be used or displayed during the school day, except in instances where the device is used as an educational tool (as directed by the teacher). The devices include but are not limited to: smart phones, electric tablets, iPods, MP3 players, laser pens or any other items which may cause a safety concern or detract from the educational process. All devices should be turned off and not in view during all instructional periods; including guide rooms and study halls.</p> <p>No gathering of information (pictures, recordings, videotaping, etc.), viewing, and/or listening or posting information for purposes of sharing on a social media site.</p> <p>Students may use these devices during lunch; in the CHS cafeteria and courtyard.</p> <p>No use of electronics will be allowed in detention, or in the In-school suspension room.</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - immediate referral to assistant principal - confiscation until the end of the school day or parent pick up - device confiscation - parent contact and/or conference - detention and/or suspension • 2nd Offense <ul style="list-style-type: none"> - immediate referral to assistant principal - confiscation until the end of the school day - parent contact and/or conference - in-school suspension - Superintendent Hearing
Identification badges – Student failure to have on their persons the Columbia High School	<ul style="list-style-type: none"> • 1st Offense

<p>student identification badge while on school property, when requested or required. Student non-cooperation in clearly displaying their student identification badge while on school property, when requested or required. (Refusal to comply will be considered insubordination)</p>	<ul style="list-style-type: none"> -verbal warning and/or detention - possible parent contact • 2nd Offense <ul style="list-style-type: none"> -parent contact -detention and/or in-school suspension - loss of parking privileges - community service - loss of school functions - loss of use of courtyard privileges
<p>Gambling- No person, either alone or in concert with others shall engage in gambling on school property or at school functions.</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - parent contact and/or conference - confiscation of all gambling paraphernalia including but not limited to money - in-school suspension • 2nd Offense <ul style="list-style-type: none"> - parent contact and/or conference - confiscation of all gambling paraphernalia including but not limited to money - in-school suspension - referral to counselor
<p>Open containers (coffee, energy drinks, soda, hot drinks, juices, liquids) are not allowed in the halls during the school day. Open containers are allowed in the cafeteria. Bottled water is acceptable in a sealable container for use during the school day.</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - verbal warning and/or detention - parent contact • 2nd Offense <ul style="list-style-type: none"> - parent contact - detention and/or in-school suspension - loss of parking privileges - community services assignment
<p>Any disruptive behavior which interferes with the educational mission of EGCS D and program of the building.</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - detention and/or suspension • 2nd Offense <ul style="list-style-type: none"> - parent contact and/or conference - Mediation - in-school suspension with detention - community service assignment • 3rd Offense

	<ul style="list-style-type: none"> - in-school suspension with detention - parent contact and/or conference - mediation - referral to school counselor - community service assignment - loss of parking privileges - referral for PINS petition
<p>In off limits area- areas deemed by administration as off limits including but not limited to any unsupervised classrooms, locker rooms, lower parking lot, elevators, photo copy room, areas under construction and areas limited only to staff.</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - detention - loss of any unscheduled time • 2nd Offense <ul style="list-style-type: none"> - parent contact and/or conference - in-school suspension - loss of parking for 10 days • 3rd Offense <ul style="list-style-type: none"> - parent contact and/or conference - loss of parking privilege for remainder of school year - out-of-school suspension - 1-5 days
<p>Parking on school ground without a permit/reckless driving on school property</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - parent contact and/or conference - student sent home with vehicle - detention -1-5 days - warning that vehicle will be towed on next offense • 2nd Offense <ul style="list-style-type: none"> - vehicle will be towed at owner's expense - parent contact and/or conference - one day in-school suspension - loss of eligibility for parking permit - loss of future parking on school property - out-of-school suspension

<p>Student dress which interferes with the health, safety, participation and the reasonable expectation of non-interference with the educational process will not be tolerated. Hoodies are prohibited from being up (on student's head) during school day</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - referral to principal or assistant principal - parent contact and/or conference - Removal from educational setting until compliance with administrative directions are made. (Refusal to comply will be considered insubordination) • 2nd Offense <ul style="list-style-type: none"> - suspension
<p>Cheating Including, but not limited to, term papers, reports, labs, homework, tests, quizzes, and other assignments of a similar nature</p>	<ul style="list-style-type: none"> • parent contact and/or conference • academic/disciplinary consequences will be determined in consultation with teacher and administrator • a grade of zero may be assigned
<p>Plagiarism – Major offense Including, but not limited to, term papers, reports, labs, homework, tests, and quizzes and including anything downloaded from the Internet in which the original source is not given recognition for its authorship</p>	<ul style="list-style-type: none"> • parent contact and/or conference • academic/disciplinary consequences will be determined in consultation with teacher and administrator • detention • a grade of zero may be assigned
<p>Forgery/lying For example, but not limited to excuses, passes and notes</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - parent contact and/or conference - detention - loss of parking- if vehicle related for 10 days • 2nd Offense <ul style="list-style-type: none"> - loss of parking for remainder of school year - parent contact and/or conference - in-school suspension
<p>Unprepared for class</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - parent contact and/or conference • Additional Offenses <ul style="list-style-type: none"> - referral to counselor - teacher assigned detention

	<ul style="list-style-type: none"> - Parent/teacher conference - detention and/or suspension
Unexcused lateness to school and/or Guide Rooms (see student handbook for definition) (consequences addressed each semester separately for students' absences with 3 or fewer)	<ul style="list-style-type: none"> - warning - detention - parent contact and/or conference - community service assignment - loss of parking for 10 days - loss of late arrival permission - in-school suspension
Unexcused lateness to class	<ul style="list-style-type: none"> - warning - parent contact and/or conference - teacher has the right to assign detention after 3rd late to class - referral to assistant principal - detention
Truancy	<ul style="list-style-type: none"> • parent contact and/or conference • in-school suspension • loss of parking for remainder of school year • community service assignment • referral for PINS petition • referral to Child Protective Services

AWOL after school detention	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - two detentions - parent contact and/or conference • 2nd Offense <ul style="list-style-type: none"> - In-school detention • 3rd Offense <ul style="list-style-type: none"> - in-school suspension and/or out-of school suspension
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Kindergarten – Grade 12

Firearms in School

No student shall bring a firearm on any portion of the premises of a school owned or controlled by this school district. A firearm is defined, consistent with §921 of Title 18 of the United States code, as any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action or an explosive; the frame or receiver of such weapon; any firearm muffler or silencer; or any destructive device. The term does not include antique firearms.

In accordance with the Gun-Free Schools Act of 1994, any student who after a Superintendent hearing, held pursuant of Education Law §3214, is found guilty of bringing a firearm onto the premises of any school owned or controlled by this school district will be subject to a penalty of at least one year suspension from school. However, in determining an appropriate penalty, the Superintendent of Schools may modify the suspension requirement on a case-by-case basis, considering, among other things, the totality of circumstances surrounding the offense and the student’s previous record.

Alternative Instruction

Suspended students within the age of compulsory attendance as defined by Education Law S3205 will be immediately provided appropriate alternative instruction outside of the school from which the student has been suspended for the duration of the suspension.

Drug and Alcohol Policy

No student shall possess, use, transmit or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, or any alcoholic beverage or fortified wine or other intoxicating liquor, or possess, use or transmit drug paraphernalia or counterfeit drugs, or possess, use, transmit or be under the influence of any chemicals or products with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student’s mood, behavior or overall physical make-up.

This policy shall apply to all students before, during and after school hours at school, in any school building and on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or junction; or during any period of time when students are subject to the authority of school personnel.

This policy shall not apply to the authorized possession and use of prescription medication.

8. REPORTING VIOLATIONS

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

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

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

The Building Principal or his/her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of the business day the principal or his or her designee learns of the violation. The notification may be made by telephone, followed by a registered letter mailed on the same day where practicable 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.

A. Reporting Discrimination, Harassment and Bullying

The school principal is the school employee charged with receiving all reports of harassment, bullying and discrimination; however, students and parents may make an oral or written complaint of harassment, bullying or discrimination to any teacher, administrator or school employee. The District will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment and bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment and bullying.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator. The staff member/administrator to whom the report is made (or the staff member/administrator who witnesses or suspects bullying/cyber bullying behavior) shall

document and take appropriate action to address the immediacy of the situation and shall promptly report in accordance with the following paragraphs.

Upon receipt of a complaint (even an anonymous complaint), or if a District official otherwise learns of any occurrence of possible conduct prohibited by this policy, the school employee shall promptly and orally notify the school principal no later than one day after such school employee witnesses or receives the complaint or learns of such conduct. Such school employee shall also file a written report with the school principal no later than two school days after making such oral report.

After receipt of a complaint, the school principal shall lead or supervise a thorough investigation of the alleged harassing, bullying and/or retaliatory conduct. The principal or the principal's designee shall ensure that such investigation is completed promptly and in accordance with the terms of District policy. All complaints shall be treated as confidential and private to the extent possible within legal constraints.

Based upon the results of this investigation, if the District determines that a District official, employee, volunteer, vendor, visitor and/or student has violated the District's Code of Conduct, immediate corrective action will be taken as warranted, it will take prompt action reasonably calculated to end the violation, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such violation was directed.

All complaints of alleged harassing, bullying and/or retaliatory conduct shall be:

1. Promptly investigated in accordance with the terms of district policy.
2. Forwarded to the school building's Dignity Act Coordinator for monitoring.
3. Treated as confidential and private to the extent possible within legal constraints.

9. DISCIPLINARY PENALTIES, PROCEDURES, REFERRALS AND REMEDIAL RESPONSES

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 self-discipline.

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

1. The student's age.
2. The nature of the offense and the circumstances which led to the offense.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others, as appropriate.
6. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

10. TEACHER DISCIPLINARY REMOVAL OF DISRUPTIVE STUDENTS

A teacher may remove a student from the classroom for disciplinary and non-disciplinary reasons. Non-disciplinary removal would include a visit to the principal's office, guidance or counselor's office to discuss inappropriate behavior or a "time-out" to enable a student to regain control or composure. Disciplinary removal will constitute any removal of a disruptive student from the classroom in excess of one school day. A student removed from a classroom for disciplinary reasons shall be placed in an alternative classroom where educational programming shall be provided. A teacher may remove a disruptive student (6 –12) from his/her classroom for up to two (2) days. In K-5, a student can be removed for a time period not to exceed 60 minutes. In the event a teacher wishes to remove a student from the classroom the student shall be afforded procedural due process as follows:

1. The teacher must inform the student that s/he is going to be removed from the classroom.
2. The teacher must specifically explain to the student why s/he is to be removed.
3. The teacher must give the student an opportunity to explain or respond.
4. The teacher may then decide to remove the student from the classroom.

A teacher may remove a student who poses a danger or ongoing threat of disruption from his/her classroom immediately. In the event of such removal, the following procedures must be followed within 24 hours of the removal:*

1. The teacher must explain to the student why s/he was removed from the classroom.
2. The teacher must give the student the opportunity to provide an explanation of the incident(s) that led to the removal.

When a teacher removes a student from the classroom, the teacher must appropriately notify the Building Principal. The student must be sent to the principal's office or an alternative classroom specifically designated for the purpose of receiving students who have been removed from the class. The teacher must complete the district prescribed student removal form and provide it to the principal of the school as soon as possible but no later than the end of the school day.

As soon as possible and no later than 24 hours after the removal, the Principal must provide telephonic and written notification to the student's parents or guardian of the removal and the circumstances that led to the removal. The notice must inform the parents of their right to request an informal meeting with the Principal to discuss the reasons for the removal. Written notice must be by personal delivery, express mail, or some other means to reasonably ensure parental notification within 24 hours. If requested by the parents, the informal meeting must be held within 48 hours of the removal.*

If the parents agree, the meeting may be held at another mutually convenient time. The Principal may require the teacher who removed the student from the classroom to be present at the informal conference with the parents.

A Principal or designee may overturn a teacher's removal of a student from the classroom upon a finding that:

1. the charges against the student are not supported by substantial evidence;
2. the removal is in violation of the law or the district's policies, regulations or procedures;
or
3. the conduct warrants suspension from school pursuant to a superintendent's hearing (Education Law S3214) and such suspension will be imposed.

Such determination may be made at any time from the Principal's receipt of the student removal form to the close of the business day following the 48-hour period for the informal conference.

A disruptive student removed from the classroom by a teacher shall be provided continued educational programming and activities until allowed back into the classroom.

The district shall prescribe forms upon which each teacher shall maintain a record of all cases of removal of a student from his/her classroom and upon which each principal shall maintain a record of each removal of a student from a classroom in the school for which s/he is responsible.

No teacher may remove a student with a disability from a classroom without first consulting with the Principal or the chair of the committee on special education to ensure that such removal will not constitute a change in placement.

* Note: If the 24-hour or 48-hour period does not end on a school day, it shall be extended to a corresponding time on the next school day.

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 Principals.

Any staff member may recommend to the Superintendent or the Principal that a student be suspended. All staff members must immediately report and refer a violent student to the Principal or the Superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension. The Superintendent or Principal upon receiving a recommendation or referral for suspension, or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

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

Building Principals have the legal authority to suspend a student for a period of up to five (5) days. 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), he or she 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 witnesses under such procedures as the Principal may establish.

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

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

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

If a suspension of a student for more than five (5) days is being considered, the Principal shall make such recommendation to the Superintendent. When the Superintendent 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 findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within thirty (30) 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 of Education within 30 days of the decision.

The Board may condition a student's early return from a suspension on the student's voluntary participation in counseling or specialized classes, such as anger management or dispute resolution. The Board retains discretion in offering this opportunity. If and when the student and/or parent/guardian agree to this option, the terms and conditions shall be specified in writing.

Minimum Periods of Suspension

1. Students who bring or possess a weapon on school property

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:

1. The student's age.
2. The student's grade in school.
3. The student's prior disciplinary record.
4. The Superintendent's belief that other forms of discipline may be more effective.
5. Input from parents, teachers and/or others.
6. Other extenuating circumstances.

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

2. Students who commit violent acts other than bringing or possessing a weapon on school property

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 parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the

minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum 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.

3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere 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 or 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 parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum 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.

Referrals

1. Counseling

The School Counselor shall handle all referrals of students to counseling.

2. PINS Petitions

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

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

3. Juvenile Delinquents and Juvenile Offenders

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

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

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

Remedial Responses

Students who violate this Code may also be subject to remedial action as the facts may warrant, including any of the measures listed below:

- a. peer support groups; corrective instruction or other relevant learning or service experience.
- b. supportive intervention.
- c. behavioral assessment or evaluation.
- d. behavioral management plans, with benchmarks that are closely monitored.
- e. student counseling and parent conferences

Beyond these individual-focused remedial responses, school wide or environmental remediation may also be utilized. These strategies include:

- a. school and community surveys or other strategies for determining the conditions contributing to the relevant behavior.
- b. adoption of research-based prevention programs.
- c. modification of schedules.
- d. adjustment in hallway traffic and other student routes of travel.
- e. targeted use of monitors.
- f. staff professional development.
- g. parent conferences.
- h. involvement of parent-teacher organizations.
- i. peer support groups.

11. 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. The Board of Education expects students, administrators, teachers and parents to make every effort to maintain student academic progress in the event of removal or suspension, and support student re-entry to the classroom at the conclusion of the disciplinary action.

12. DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities who violate the district's student code of conduct, and/or to temporarily remove a student with disabilities from his or her current placement because maintaining the student in that placement is substantially likely to result in injury to the student or to others. The Board also recognizes that students with disabilities deemed eligible for special education services under the IDEA and Article 89 of New York's Education Law enjoy certain procedural protections that school authorities must observe when they decide to suspend or remove them. Under certain conditions those protections extend, as well, to students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for discipline purposes.

Therefore, the Board is committed to ensuring that the district follows suspension and removal procedures that are consistent with those protections. The code of conduct for students is intended to afford students with disabilities and students presumed to have a disability for discipline purposes the express rights they enjoy under applicable law and regulations.

Definitions

For purposes of this portion of the code of conduct, and consistent with applicable law and regulations, the following definitions will apply:

1. *Behavioral intervention plan (BIP)* means a plan that is based on the results of a functional behavioral assessment and that, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior.
2. *Controlled substance* means a drug or other substance abuse identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c)).
3. *Disciplinary change in placement* means a suspension or removal from a student's current educational placement that is either:
 - a. For more than 10 consecutive school days; or
 - b. For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another.
4. *Illegal drug* means a controlled substance, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional, or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of federal law.
5. *Interim alternative educational setting (IAES)* means a temporary educational placement, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. An IAES must allow a student to continue to receive educational services that enable him or her to continue to participate in the general curriculum and progress toward meeting the goals set out in the student's individualized education program; as well as to receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.
6. *Manifestation review* means a review of the relationship between the student's disability and the behavior subject to disciplinary action required when the disciplinary action

results in a disciplinary change of placement, and conducted in accordance with requirements set forth later in this policy.

7. *Manifestation team* means a district representative knowledgeable about the student and the interpretation of information about child behavior, the parent, and relevant members of the committee on special education as determined by the parent and the district.
8. *Removal* means a removal of a student with a disability for disciplinary reasons from his or her current educational placement, other than a suspension; and a change in the placement of a student with a disability to an IAES.
9. *School day* means any day, including a partial day that students are in attendance at school for instructional purposes.
10. *Serious bodily injury* means bodily injury which involves a substantial risk of death, extreme physical pain, protracted obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
11. *Student presumed to have a disability for discipline purposes* means a student who, under the conditions set forth later in this policy, the district is deemed to have had knowledge was a student with a disability before the behavior that precipitated the disciplinary action.
12. *Suspension* means a suspension pursuant to §3214 of New York's Education Law.
13. *Weapon* means the same as the term "dangerous weapon" under 18 USC §930(g)(2) 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 a pocket knife with a blade of less than two and one-half inches in length.

Authority of School Personnel to Suspend or Remove Students with Disabilities

The Board, District Superintendent, Superintendent of Schools or a Building Principal with authority to suspend students under the Education Law 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.

The Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed ten consecutive school days inclusive of any period in which the student has been suspended or removed for the same behavior pursuant to the above paragraph, if the Superintendent determines that the student's behavior warrants the suspension. The Superintendent also 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 the suspensions do not constitute a disciplinary change of placement.

In addition, the Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for a period in excess of ten consecutive school days if the manifestation team determines that the student's behavior was not a manifestation of the

student's disability. In such an instance, the Superintendent may discipline the student in the same manner and for the same duration as a non-disabled student.

Furthermore, the Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability to an IAES to be determined by the committee on special education for a period of up to 45 school days if the student either:

1. Carries or possesses a weapon to or at school, on school premises or to a school function, or
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the district's jurisdiction, or
3. Has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the district's jurisdiction.

The Superintendent may order the placement of a student with a disability to an IAES under such circumstances, whether or not the student's behavior is a manifestation of the student's disability. However, the committee on special education will determine the IAES.

Procedures for the Suspension or Removal of Students with Disabilities by School Personnel

1. In cases involving the suspension or removal of a student with a disability for a period of five consecutive school days or less, the student's parents or persons in parental relation to the student will be notified of the suspension and given an opportunity for an informal conference in accordance with the same procedures that apply to such short term suspensions of non-disabled students.
2. The suspension of students with disabilities for a period in excess of five school days will be subject to the same due process procedures applicable to non-disabled students, except that the student disciplinary hearing conducted by the Superintendent or a designated hearing officer shall be bifurcated into a guilt phase and a penalty phase. Upon a finding of guilt, the Superintendent or the designated hearing officer will await notification of the determination by the manifestation team as to whether the student's behavior was a manifestation of his or her disability. The penalty phase of the hearing may proceed after receipt of that notification. If the manifestation team determined that the behavior was not a manifestation of the student's disability, the student may be disciplined in the same manner as a non-disabled student, except that he or she will continue to receive services as set forth below. However, if the behavior was deemed a manifestation of the student's disability, the hearing will be dismissed, unless the behavior involved concerned weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, in which case the student may still be placed in an IAES.

Limitation on Authority of School Personnel to Suspend or Remove Students with Disabilities

The imposition of a suspension or removal by authorized school personnel may not result in a disciplinary change of placement of a student with a disability that is based on a pattern of suspensions or removals as set forth above in the *Definitions* section of this policy, unless:

1. The manifestation team determines that the student's behavior was not a manifestation of the student's disability, or
2. The student is removed to an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury as set forth above.

School personnel will consider any unique circumstances on a case-by-case basis when determining whether a disciplinary change in placement is appropriate for a student with a disability who violates the district's code of conduct.

In addition, school personnel may not suspend or remove a disability in excess of the amount of time that a non-disabled student would be suspended for the same behavior.

Parental Notification of a Disciplinary Change of Placement

The district will provide the parents of a student with a disability notice of any decision to make a removal that constitutes a disciplinary change of placement because of a violation of the student code of conduct. Such notice will be accompanied by a copy of the procedural safeguards notice.

Authority of an Impartial Hearing Officer to Remove a Student with a Disability

An impartial hearing officer may order the placement of a student with a disability to an IAES for up to 45 school days at a time if he or she determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others. This authority applies whether or not the student's behavior is a manifestation of the student's disability.

Manifestation Review

A review of the relationship between a student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the student's disability will be made by the manifestation team immediately, if possible, but in no case later than 10 school days after a decision is made by:

1. The Superintendent to change the placement of a student to an IAES;
2. An impartial hearing officer to place a student in an IAES; or
3. The Board, the Superintendent, or Building Principal to impose a suspension that constitutes a disciplinary change in placement.

The manifestation team must determine that the student's conduct was a manifestation of the student's disability if it concludes that the conduct in question was either:

1. Caused by or had a direct or substantial relationship to the student's disability, or
2. The direct result of the district's failure to implement the student's individualized education program.

The manifestation team must base its determination on a review of all relevant information in the student's file including the student's individualized education program, any teacher observations, and any relevant information provided by the parents.

If the manifestation team determines that the student's conduct is a manifestation of the student's disability, the district will:

1. Have the committee on special education conduct a functional behavioral assessment of the student and implement a behavioral intervention plan, unless the district had already done so prior to the behavior that resulted in the disciplinary change of placement occurred. However, if the student already has a behavioral intervention plan, the CSE will review the plan and its implementation, and modify it as necessary to address the behavior.
2. Return the student to the placement from which he or she was removed, unless the change in placement was to an IAES for conduct involving weapons, illegal drugs or controlled substances or the infliction of serious bodily injury, or the parents and the district agree to a change in placement as part of the modification of the behavioral intervention plan.

If the manifestation team determines that the conduct in question was the direct result of the district's failure to implement the student's individualized education program, the district will take immediate steps to remedy those deficiencies.

Services for Students with Disabilities during Periods of Suspension or Removal

Students with disabilities who are suspended or removed from their current educational setting in accordance with the provisions of this policy and applicable law and regulation will continue to receive services as follows:

1. During suspensions or removals of up to 10 school days in a school year that do not constitute a disciplinary change in placement, the district will provide alternative instruction to students with disabilities of compulsory attendance age on the same basis as non-disabled students. Students with disabilities who are not of compulsory attendance age will receive services during such periods of suspension or removal only to the same extent as non-disabled students of the same age would if similarly suspended.
2. During subsequent suspensions or removals of up to 10 school days that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, the district will provide students with disabilities services necessary to enable them to continue to participate in the general education curriculum and to progress toward meeting the goals set out in their respective individualized education program. School personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed to comply with this requirement.

In addition, during such periods of suspension or removal the district will also provide students with disabilities services necessary for them to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

3. During suspensions or removals in excess of 10 school days in a school year that constitute a disciplinary change in placement, including placement in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, the district will provide students with disabilities services necessary

to enable them to continue to participate in the general curriculum, to progress toward meeting the goals set out in their respective individualized education program, and to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so it does not recur.

In such an instance, the committee on special education will determine the appropriate services to be provided.

Students Presumed to Have a Disability for Discipline Purposes

The parent of a student who is facing disciplinary action but who was not identified as a student with a disability at the time of misconduct has the right to invoke any of the protections set forth in this policy in accordance with applicable law and regulations, if the district is deemed to have had knowledge that the student was a student with a disability before the behavior precipitating disciplinary action occurred and the student is therefore a student presumed to have a disability for discipline purposes.

If it is claimed that the district had such knowledge, it will be the responsibility of the Superintendent, Building Principal or other authorized school official imposing the suspension or removal in question for determining whether the student is a student presumed to have a disability for discipline purposes. The district will be deemed to have had such knowledge if:

1. The student's parent expressed concern in writing to supervisory or administrative personnel, or to a teacher of the student that the student is in need of special education. Such expression may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
2. The student's parent has requested an evaluation of the student; or
3. A teacher of the student or other school personnel has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the district's director of special education or other supervisory personnel.

Nonetheless, a student will not be considered a student presumed to have a disability for discipline purposes if notwithstanding the district's receipt of information supporting a claim that it had knowledge the student has a disability,

1. The student's parent has not allowed an evaluation of the student; or
2. The student's parent has refused services; or
3. The District conducted an evaluation of the student and determined that the student is not a student with a disability.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if the district receives a request for an individual evaluation while the student is subjected to a disciplinary removal, the district will conduct an expedited evaluation of the student in accordance with applicable law and regulations. Until the expedited evaluation is completed, the student shall remain in the educational placement determined by the district which can include suspension.

Expedited Due Process Hearings

The district will arrange for an expedited due process hearing upon receipt of or filing of a due process complaint notice for such a hearing by:

1. The district 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;
2. The district during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings;
3. The student's parent regarding a determination that the student's behavior was not a manifestation of the student's disability; or
4. The student's parent relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

The District will arrange for, and an impartial hearing officer will conduct, an expedited due process hearing in accordance with the procedures established in Commissioner's regulations. Those procedures include but are not limited to convening a resolution meeting, and initiating and completing the hearing within the timelines specified in those regulations.

When an expedited due process hearing has been requested because of a disciplinary change in placement, a manifestation determination, or because the District believes that maintaining the student in the current placement is likely to result in injury to the student or others, the student will remain in the IAES pending the decision of the impartial hearing officer or until the expiration of the period of removal, whichever occurs first unless the student's parent and the district agree otherwise.

Referral to Law Enforcement and Judicial Authorities

Consistent with its authority under applicable law and regulations, the district will report a crime committed by a student with a disability to appropriate law enforcement and judicial authorities. In such an instance, The Superintendent will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration to the appropriate authorities to whom the crime is reported, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

Cross-ref: 5500, Student Records

Ref: Individuals with Disabilities Education Act, 20 USC §1415(k);
34 CFR § 300.530 *et seq.*
N.Y. Education Law § 3214(g)
8 NYCRR Part 201

13. 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 force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. 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.

14. VISITORS TO THE SCHOOL AND COMMUNITY MEMBERS

The Board recognizes that the success of the school program depends, in part, on support by the larger community. The Board wishes to foster a positive climate where members of the community have the opportunity to observe the hard work and accomplishments of the students, teachers, and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The Building Principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must enter through the designated single point of entry and report to the office of the principal upon arrival at the school. Visitors may be requested to present photo identification, will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building.
3. Visitors attending school functions that are open to the public after regular school hours, such as parent-teacher organization meetings or public gatherings are not required to register.
4. Parents or citizens who wish to observe a classroom or school activity while school is in session are required to arrange such visits in advance with the classroom teacher(s) and Building Principal, so that class disruption is kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the Principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.
8. All visitors must refrain from using alcohol, illegal drugs and tobacco products on school grounds.

Cross-ref: 1240, Visitors to the Schools

15. PUBLIC CONDUCT ON SCHOOL PROPERTY

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

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

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

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, offer, manufacture, distribute or exchange alcoholic beverages, controlled or illegal substances, or any synthetic versions (whether or not specifically illegal or labeled for human consumption), including synthetic cannabinoids, or be under the influence of either on school property or at a school function.
10. Smoke a cigarette, cigar, pipe, electronic cigarette, or use chewing or smokeless tobacco.
11. 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.
12. Loiter on or about school property.
13. Gamble on school property or at school functions.

14. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
15. Willfully incite others to commit any of the acts prohibited by this code.
16. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

B. Penalties

Persons who violate this Code shall be subject to the following penalties:

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements of Education Law and Regulations of the Commissioner of Education.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law § 3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law § 75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law § 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The Principal or his/her designee shall be responsible for enforcing the conduct required by this Code. When the Principal or his 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 designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the Principal or designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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

Cross-ref: 1500.1, Code of Conduct on School Property

16. DISSEMINATION AND REVIEW

A. Dissemination of Code of Conduct

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

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

The Board will sponsor an in-service education program for all District staff members to ensure the effective implementation of the Code of Conduct to promote a safe and supportive school climate while discouraging, among other things, harassment, bullying and discrimination against students by students and/or school employees and to include safe and supportive school climate concepts in the curriculum and classroom management. In-service education programs shall also include training on the social patterns of harassment, bullying and discrimination, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, the identification and mitigation of harassment, bullying and discrimination, and strategies for effectively addressing problems of exclusion, bias and aggression in educational settings. 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. On-going professional development will be included in the District's professional development plan, as needed.

B. Review of Code of Conduct

The Board will also review this Code every year, including the aforementioned committee's recommendations and update it as necessary. In conducting the review, the Board will consider how effective the Code's provisions have been and whether the Code has been applied fairly and consistently.

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

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

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

EAST GREENBUSH CENTRAL SCHOOL DISTRICT
TRANSPORTATION CODE OF CONDUCT

A. Expectations for Students Using School Transportation

The safety of all students is our primary concern. Each student has an individual responsibility to help ensure the safety of all students on the bus by following the rules. All of the prohibited behaviors described in the Code of Conduct apply to the privilege of riding school buses to and from school and school activities.

B. Philosophy

1. Every time a student violates a bus rule, it raises the chance the driver is distracted.
2. Every time the driver is distracted, it raises the chance of an accident happening.

Therefore, every time a student violates a bus rule directly, it raises the chance of their bus being in an accident.

C. School Bus Video Camera Monitoring

In accordance with Board policy, the District uses video cameras to monitor student behavior in school vehicles when such vehicles are being used to transport students to or from school, extracurricular activities, or other programs or activities student participation in which is sponsored by the District. The intended use of the recordings obtained shall be as evidence in matters of student discipline. This stated intent shall not, however, be understood to preclude the District's use of any such recording for any other purpose that the Board or the Superintendent shall deem appropriate. Please note that these cameras are capable of recording sound as well as video and all those riding in school vehicles with such cameras are deemed to have consented to such recordings.

D. School Bus Transportation Procedures

School buses will load and unload only at designated loading zones. School bus drivers are responsible for the safety of all students riding their buses. Bus drivers are instructed to pick up and deliver students ONLY to their assigned school bus stops and school.

The school bus driver has full authority and responsibility for maintaining the order and discipline needed to assure the safe operation of the bus. Those riding the bus have an obligation to obey the posted rules and bus driver's instructions.

To assure the safety of all passengers, the following student responsibilities will be strictly enforced:

1. Students should be outside waiting at the bus stop 5 minutes before their scheduled pick up time. Students should not wait inside their house for the bus. This includes waiting in the garage, on the front porch, standing in the front door, etc.
 - Students should behave in an orderly manner at the bus stop. Students should

- stay 15 feet away from where the bus will stop, and should approach the bus only after the door has opened.
- When exiting the bus, students should look both ways before stepping off the last step.
 - When crossing the road, students should always wait for the driver's signal and remember to look both ways. If the student hears the horn, he /she should go back.
2. Students should remain seated while the bus is moving. Keep head, hands and feet (the entire body) inside the bus. When a student is assigned a seat, the student is to sit in it even if there is a sub driver. If damage is done to a seat while assigned, the students sitting in that seat will be responsible for payment of vandalism costs for repairs.
 3. Students are to keep books, body parts, backpacks, etc. out of the aisles at all times. Objects too large to be held on laps or placed between the student's legs, so as to not interfere with other students' space assigned to the same seat, will not be allowed on the school bus. Other arrangements must be made to transport these items.
 4. Talk must be kept at a conversational level. Loud talking or use of a cell phone is distracting to the driver and constitutes a safety hazard.
 5. Profane, foul, and disrespectful language or gestures shall be cause for disciplinary action.
 6. Possession or use of tobacco, alcohol, electronic cigarettes or other illegal drugs, weapons, or pornographic material is prohibited.
 - Eating or drinking on the bus poses a choking hazard and is prohibited.
 - Skateboards, scooter, etc. are not allowed at school and not allowed on the school buses.
 7. Fighting on the bus is prohibited, and all students involved will be suspended from the buses (both am and pm buses and fieldtrip buses) and/or from school. A written warning of said suspension is not required.
 8. Students are under the supervision of the school until they are at their own bus stop. Students are to maintain the same good manners and good discipline on the school bus as they are required at school. The school bus is considered to be an extension of the classroom.
 9. Parents are encouraged to assist with maintaining order at the bus stop prior to the bus arriving to pick up students.
 10. Students should wear seatbelts properly.

E. Violations

Discipline for bus misconduct will be handled with an age appropriate, progressive plan of discipline that may include any of the consequences listed in the disciplinary action plan. In addition to these consequences, bus conduct will also be subject to bus contracts, assigned seating, and short-term and long-term removal of bus riding privileges. Automatic suspension of bus riding privileges can be implemented for the following offenses: fighting, inappropriate language, bullying, or other behavior deemed inappropriate by the Code of Conduct. It is the responsibility of the parent to provide transportation for the student if bus privileges are suspended.