



BROCKPORT CENTRAL
SCHOOL DISTRICT

CODE OF CONDUCT

2023 - 2024



ALPHABETIC LISTING
OF DETAILED PROCEDURES

District Mission Statement

“We engage and empower each student to achieve excellence as a learner and a citizen”

The District is committed to providing students with a learning environment where all students can be successful, and all students are valued and respected for their individual qualities and characteristics.

Our vision is aspirational: “We aspire to be a leading, innovative, high-performing school district that graduates each student prepared for college or a career.”

The District has identified its core beliefs, which will help us to achieve our mission and vision:

Students First: Our students are our first priority.

Character: We value integrity, diversity, and respect for all.

High Expectations: We believe all students can learn and hold high expectations for ourselves and our students.

Teaching & Learning: Effective teaching and a rigorous curriculum are the foundation for high quality learning.

Work Ethic: We work hard and take pride in all that we do.

Health & Safety: We all have an obligation to promote a healthy, safe, and secure environment.

Community: Student, family and community engagement is critical for our success.

Equal Opportunity Statement

The Brockport Central School District offers employment and educational opportunities, including career and technical educational opportunities, without regard to age, color, disability, ethnicity, marital status, national origin, race, religion, sex, gender identity and expression, sexual orientation, veteran status or other status protected by law.

Inquiries regarding compliance with Section 504 may be addressed to Ms. Lynn Carragher, Assistant to the Superintendent for Inclusive Education, 40 Allen Street, Brockport, NY, 14420. Telephone: (585) 637-1856.

Inquiries regarding compliance with Title IX, or any other basis prohibited by state or federal non-discrimination laws, may be addressed to Ms. Jerilee Gulino, Assistant Superintendent for Human Resources,

Compliance Procedures

Alternate formats: Whenever possible, this handbook may be translated as needed or an interpreter made available upon request. This document can also be reproduced in large print.

Electronic access: This document can be viewed at the BCSD website www.bcs1.org

Compliance: This plan meets the requirements of the Project SAVE legislation (Education Law section 2801) and section 100.2(l) of the New York State Commissioner of Education Regulations.

Original: May 2002

Board Approved: June 20, 2023

Dear Brockport students, parents/guardians and essential partners,

Each year the Brockport Central School District reviews its Code of Conduct to verify we are in compliance with federal, state and local regulations. This document has been updated for the 2023-24 academic year to reflect required changes and incorporates feedback from the Brockport Board of Education, staff, students and families.

The goal of the Code of Conduct is to guide individuals toward an understanding of the District's standards and procedures to ensure the safety of students, school personnel, parents and visitors to our campus. While this document identifies consequences for unacceptable behavior, it also highlights a student's rights and responsibilities to help create a supportive and positive learning environment.

I encourage you to review the Code of Conduct with your child to better understand school rules and requirements. Please contact us if you have any questions, concerns or feedback.

We look forward to working with you and your child. Together we can create a safe and secure environment where each student can learn and grow.

Sincerely,



Sean C. Bruno
Superintendent of Schools



Brockport Central School District Central Office Team

Sean C. Bruno

Superintendent of Schools
(585) 637-1810
sean.bruno@bcs1.org

Lynn Carragher

Assistant Superintendent for Inclusive Education and
Instruction
(585) 637-1856
lynn.carragher@bcs1.org

Jerilee Gulino

Assistant Superintendent for Human Resources
(585) 637- 1915
jerilee.gulino@bcs1.org

Ryan Lanigan

Assistant Superintendent for Instruction
(585) 637-1818
ryan.lanigan@bcs1.org

Darrin Winkley

Assistant Superintendent for Business
(585) 637-1820
darrin.winkley@bcs1.org

Jill Reichhart

Director of Finance/District Treasurer
(585) 637-1820
jill.reichhart@bcs1.org

Principals and Assistant Principals

GINTHER ELEMENTARY SCHOOL

Randall Yu, Principal

Kelly Keenan, Assistant Principal

(585) 637-1830

randall.yu@bcs1.org

kelly.keenan@bcs1.org

BARCLAY ELEMENTARY SCHOOL

Scott Morrison, Principal

Alana Roberts, Assistant Principal

(585) 637-1840

scott.morrison@bcs1.org

alana.roberts@bcs1.org

FRED W. HILL SCHOOL

Tina Colby, Principal

Michael Bourne, Assistant Principal

(585) 637-1850

tina.colby@bcs1.org

michael.bourne@bcs1.org

OLIVER MIDDLE SCHOOL

Jerrod Roberts, Principal

Michelle Guerrieri, Assistant Principal

Matthew Hennard, Assistant Principal

(585) 637-1860

jerrod.roberts@bcs1.org

michelle.guerrieri@bcs1.org

Matthew.hennard@bcs1.org

BROCKPORT HIGH SCHOOL

Michael Pincelli, Principal

Orlando Benzan, Assistant Principal

Lauren Combo, Assistant Principal

David Iacchetta, Assistant Principal

(585) 637-1870

michael.pincelli@bcs1.org

orlando.benzan@bcs1.org

lauren.combo@bcs1.org

david.iacchetta@bcs1.org

Coordinators, Directors and Supervisors

Rachel Kluth, Ed. D.

Executive Director of Operations
(585) 637-1806

rachel.kluth@bcs1.org

Brandon Broughton

Director of Learning and Staff Development
(585) 637-1818

brandon.broughton@bcs1.org

Todd Hagreen

Director of Athletics, Physical Education & Health
(585) 637-1836

todd.hagreen@bcs1.org

Christian Hansen

Director of Facilities
(585) 637-1887

christian.hansen@bcs1.org

Jeffery Phillips

Director of Security
(585) 637-1987

jeffrey.phillips@bcs1.org

Paulette Reddick

Coordinator of Inclusive Education
(585) 637-1856

paulette.reddick@bcs1.org

Anthony Smith

Director of Technology
(585) 637-1890

anthony.smith@bcs1.org

Stacey Snyder

Director of Food Services
(585) 637-1846

stacey.snyder@bcs1.org

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Computer Networks and Student Devices

Reference: Board Policy 7300 (Student Use of Personal Technology)

STUDENTS HAVE THE RIGHT TO use designated computer resources owned by the Brockport Central School District for educational purposes. Students may use electronic devices as long as they do not interfere with instruction or other school activities and are otherwise in accordance with Board Policies and school rules.

New technologies are shifting the ways that information may be accessed, communicated and transferred. Those changes also offer the opportunity to enhance instruction and student learning.

Along with access to devices and the Internet comes the availability of materials that may not be considered appropriate in the classroom. Brockport Central School District uses an Internet filtering program to protect students from accessing materials that may not be considered appropriate in the classroom. Ultimately, school staff, parents and guardians of minors are responsible for setting and conveying the standards for students to follow when using media and information sources.

If the Internet is used by the teacher for direct classroom instruction and is under the teacher's control, the Acceptable Use Policy (AUP) is not necessary. Students using the Internet independently of the teacher must have an AUP on file.

Rules and Responsibilities

STUDENTS ARE RESPONSIBLE FOR good behavior on school computer networks just as they are in a classroom or school hallway. General school rules for behavior and communications apply as outlined in the building student handbooks and the District Code of Conduct.

Internet access is provided for students to conduct research and communicate with others in relation to school work. Access to network services is given to students who agree to act in a considerate and responsible manner. Parent permission is required. Access is a privilege, not a right. Therefore, based upon the acceptable use guidelines outlined in this document, the District may deny access at any time and revoke or suspend specific user access based on violations of the rules and standards contained in this policy. The use of network resources must be in support of the academic expectations of Brockport Central Schools. Use of other organizations' networks or computing resources must comply with rules appropriate for that network.

Transmission of any material in violation of U.S. or state regulations including copyrighted, threatening, or obscene materials is prohibited. Use for commercial activities by for-profit organizations, product promotion, political lobbying, or illegal activities is strictly prohibited.

The user is required to abide by the following network rules of etiquette. The user will:

- a) Engage in positive digital citizenship.
- b) Be respectful and polite and will not write or send abusive messages.
- c) Use appropriate language (swearing, use of vulgarities or any other inappropriate language is prohibited).
- d) Not transmit obscene materials or receive offensive messages or pictures from any source.
- e) Not reveal the personal address or phone number of themselves or others.
- f) Not communicate any credit card number, bank account number or any other financial information.
- g) Not assume that all electronic messages are private. People who operate the system do have access to all mail. Inappropriate messages can result in suspension of privileges.
- h) Not send messages inflammatory or derogatory toward any race, religion, culture, ethnic group, gender, sexual orientation or other protected characteristics.
- i) Not tamper with or copy school-owned software or load personal software onto school-owned computers.
- j) Not download non-educational software from the Internet.
- k) Not use the network in a way that would disrupt the use of the network by other users.
- l) Not commit acts of vandalism. Any malicious attempt to harm or destroy data of another user will not be tolerated. Any questionable action will result in the cancellation of user privileges.
- m) Not use school computers for unauthorized purposes.
- n) Confine printing to school-related materials.
- o) Not post personal web pages as part of the District's web site. All web pages for classes or extracurricular groups must be approved and in compliance with Board Policy #3180 District Web Site/Web Pages.
- p) Not share their passwords or utilize another user's password.
- q) Not damage hardware or permanently alter the physical appearance of district issued devices.

Other Personal Electronic Devices

Personal electronic devices (including but not limited to, cell/smart phones, tablets and personal computers) can greatly enhance an individual's safety, productivity, learning or entertainment. It is the responsibility of the user to use electronic devices in a responsible manner that does not disrupt the rights of others or in any way infringe upon the educational environment.

Dignity for All Students Act

Reference: Board Policy 7500

YOU HAVE THE RIGHT TO learn in a safe, inclusive, environment free of emotional, physical or cyber bullying, harassment or bias.

YOU HAVE A RESPONSIBILITY TO contribute to an inclusive school environment that is conducive for learning and is a place that feels safe and respectful for all. If it is safe to intervene as a helpful bystander (“upstander”) and/or report instances of bullying, harassment, hazing, etc. use the Bullying Reporting Form.

The Board of Education is committed to providing an educational and working environment that promotes respect, dignity and equality. The Board of Education recognizes that learning environments that are safe and supportive can increase student attendance and improve academic achievement. A student’s ability to learn and achieve high academic standards, and a school’s ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting and intimidation. These behaviors interfere with the mission of the District to educate its students and disrupt the operation of the schools. Such behavior affects not only the students who are the targets, but also those individuals who participate in and witness such acts.

Therefore, in accordance with the Dignity for All Students Act, Education Law, Article 2, the District will strive to create an environment free of harassment, bullying and discrimination and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District’s educational mission.

The District condemns and prohibits all forms of harassment, bullying and discrimination of students, including such conduct based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or other protected category by school employees or students on school property and at school-sponsored activities and events that take place at locations off school property. All administrators, faculty, staff, parents/caregivers, families, volunteers and students are expected to not tolerate harassment, hazing and bullying and to model behavior that is respectful and civil.

In addition, any act of harassment, bullying and/or discrimination outside of school sponsored events, which can reasonably be expected to materially and substantially disrupt the educational process may be subject to discipline. Off campus misconduct that endangers the health and safety of students or staff within the school, or can reasonably be expected to

impact the educational process is also prohibited and will be addressed by the District. Examples of such misconduct include, but are not limited to cyberbullying.

Cyberbullying is defined as the creation of a hostile environment by conduct or by threats, intimidation or abuse through any form of electronic communication, 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;
- b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety;
- 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.

Therefore, discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds which can reasonably be expected to materially and substantially interfere with the requirements of appropriate conduct and order in the operation of the school or impinge on the rights of other students may be subject to disciplinary consequences.

Dignity Act Coordinator

At least one employee at every school shall be designated as the Dignity Act Coordinator. All Dignity Act Coordinators will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity or expression), sex and other protected status. The Board of Education shall appoint all Dignity Act Coordinators and share the names and contact information with all school personnel, students and parents/ persons in parental relation.

If a Dignity Act Coordinator vacates their position, another school employee shall immediately be designated for an interim appointment as Coordinator, pending approval from the Board of Education, within thirty days of the date the position was vacated. In the event a Coordinator is unable to perform the duties of the position for an extended period of time, another school employee shall immediately be designated for an interim appointment as Coordinator, pending return of the previous Coordinator to the position.

Dignity Act Coordinators

District-wide

Ryan Lanigan, Assistant Superintendent for Instruction

(585) 637-1931

ryan.lanigan@bcs1.org

District-wide (assistant)

Jerilee Gulino, Assistant Superintendent for Human Resources

(585) 637-1813

jerilee.gulino@bcs1.org

Ginther School

Kelly Keenan, Assistant Principal

(585) 637-1830

kelly.keenan@bcs1.org

Barclay School

Alana Roberts, Assistant Principal

(585) 637-1840

alana.roberts@bcs1.org

Fred W. Hill School

Michael Bourne, Assistant Principal

(585) 637-1850

michael.bourne@bcs1.org

Oliver Middle School

Michelle Guerrieri, Assistant Principal

(585) 637-1865

michelle.guerrieri@bcs1.org

Brockport High School

David Iacchetta, Assistant Principal

(585) 637-1877

david.iacchetta@bcs1.org

Training

Training will be provided each school year for all District employees in conjunction with existing professional development training to raise staff awareness and sensitivity of harassment and discrimination directed at students that are committed by students or school employees on school property or at a school function. Training will include ways to promote a supportive school environment that is free from harassment, bullying and discrimination, emphasize positive relationships and demonstrate prevention and intervention techniques to assist employees in recognizing and responding to harassment, bullying and discrimination, as well as verifying the safety of the victims.

Instruction in Pre-Kindergarten through Grade 12 shall include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. Such component shall include instruction of safe, responsible use of the Internet and electronic communications. For the purposes of this policy, “tolerance,” “respect for others” and “dignity” shall include awareness and sensitivity to harassment, bullying, discrimination and civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders, sexes and otherwise.

Rules against harassment, bullying and discrimination will be included in the Code of Conduct, publicized district-wide and disseminated to all staff and parents. An age-appropriate summary shall be distributed to all students at a school assembly at the beginning of each school year.

Reports and Investigations of Harassment, Bullying and Discrimination

Although it can be difficult to come forward when faced with bullying, hazing or harassment, the District cannot effectively address inappropriate behaviors if incidents are not reported. Students who have been bullied, parents/caregivers whose children have been bullied or other students or staff members who observe bullying behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the guidelines and training provided. The District will investigate complaints of harassment and discrimination, either formal or informal, and take prompt corrective measures, as necessary. Complaints will be investigated in accordance with applicable policies and regulations. If, after an appropriate investigation, the District finds that this policy has been violated, corrective action will be taken in accordance with district policies and regulations, the Code of Conduct and all appropriate federal or state laws.

The District will annually report verified material incidents of discrimination and harassment to the State Education Department as part of the School Safety and Educational Climate (SSEC) Reporting System.

Disciplinary Consequences and Remediation While the primary focus of this policy is prevention, acts of bullying, harassment or hazing may still occur and must be addressed. These acts may be student to student, and/or staff to student. (DASA does not protect staff to staff interactions.) After completing an investigation into acts of bullying, harassment or hazing, appropriate disciplinary action may be taken by the administration in accordance with the

District's Code of Conduct. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Consequences for a student who commits an act of bullying, harassment and/or hazing shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student and the student's disciplinary history. All discipline will be consistent with the District's Code of Conduct.

Prohibition of Retaliatory Behavior

All complainants and those who participate in the investigation of a complaint in accordance with state law and district policies, who have acted reasonably and good faith, have the right to be free from retaliation of any kind.

The Board prohibits any retaliatory behavior directed at complainants, victims, witnesses and/or any other individuals who participated in the investigation of a complaint of discrimination or harassment.

Dissemination, Monitoring, Review and Reporting

The policy shall be posted on the District's website. The District has adopted a reporting form that may be used to report any complaints regarding bullying, harassment or hazing under this policy. This form is accessible on the District's website and will be incorporated in the District's administrative regulations.

Each year, as part of the annual review of the Code of Conduct, this policy will be reviewed to assess its effectiveness and compliance with state and federal law. If changes are needed, revisions will be recommended to the Board for its consideration and approval.

The District will annually report all verified material incidents of discrimination and harassment to the State Education Department as part of the uniform School Safety and Educational Climate (SSEC) data report.



Discipline Code

The following items are examples of violations of the discipline code for student behavior and will be addressed with disciplinary consequences and possible civil or criminal sanctions. The number in the parenthesis after certain items corresponds to the New York State Education Department's School and Safety Educational Climate (SSEC).

1. **Insubordination** (*examples include, but are not limited to*):

- 1.01 Failing to comply with lawful directions of a teacher, administrator or other school/district employee
- 1.02 Failure to comply with any school or district rule, regulation or policy
- 1.03 Being tardy to class without permission
- 1.04 Failure to attend class
- 1.05 Tardy to school
- 1.06 Leaving class without permission
- 1.07 Leaving school or school grounds without permission
- 1.08 Inappropriate attire/failure to comply with dress code
- 1.09 Failure to comply with Personal Electronic Device requirements

2. **Disorderly Conduct** (*examples include, but are not limited to*):

- 2.01 Inappropriate Language
- 2.02 Disturbing any lawful assembly or meeting
- 2.03 Misuse of Internet and other technologies as defined by Computer Network for Education Policy (or Violation of the Acceptable Use Policy)
- 2.03a Misuse of personal devices include the unlawful photographing and recording of students and staff or using/distributing another person's image without permission
- 2.04 Any willful and unsanctioned act that disrupts the normal operation of the school community
- 2.05 Destruction of Property
- 2.06 Vandalism
- 2.07 Forgery/Plagiarism
- 2.08 Cheating
- 2.09 Theft
- 2.10 Gambling
- 2.11 Lying to a staff member or school official
- 2.12 Any conduct violating federal, state or local law, rule or regulation, or district policy including, but not limited to, the District's policy on maintenance and enforcement of public order on school property
- 2.13 Public Space Misbehavior (including but not limited to accessing school property for a purpose other than its intended purpose)
- 2.14 Using a non-threatening item in a threatening posture to simulate a violent action

3. Endangering Health, Welfare, Safety or Morals of Self/Others (*examples include, but are not limited to*):

- 3.01a Creating a hazardous or physically offensive condition (e.g., horse play, rough housing) without injury
- 3.01b Creating a hazardous or physically offensive condition (e.g., horse play, rough housing) that results in physical injury
- 3.02a Altercation – Verbal
- 3.02b Altercation – Physical
- 3.03a Threats/Extortion – Excluding Cyberbullying (5a)
- 3.03b Threats/Extortion – Including Cyberbullying (5b)
- 3.04 Inciting other students to intimidate or to act with physical violence upon any other person
- 3.05 Promoting violence through verbal or electronic means
- 3.06 Selling, distributing, using or possessing tobacco, vaping e-cigarettes or a look-alike device
- 3.07 Selling, distributing, using or possessing alcohol (9)
- 3.08 Selling, distributing, using or possessing drugs including related paraphernalia, or of substances they believe to be or portray to be drugs, or substances that “act like” or mimic being under the influence of drugs or the inappropriate use, distribution or sale of prescription drugs (8)
- 3.09a All forms of verbal harassment/bullying including using profane, vulgar or abusive language against cultural, religious and ethnic groups and including that which promote homophobia, sexism or racism - Excluding Cyberbullying (5a) (DASA)
- 3.09b All forms of verbal harassment/bullying including using profane, vulgar or abusive language against cultural, religious and ethnic groups and including that which promote homophobia, sexism or racism - Cyberbullying (5b) (DASA)
- 3.10a All forms of physical harassment/bullying against cultural, religious and ethnic groups, and including that which promote homophobia, sexism or racism – excluding Cyberbullying (5a) (DASA)
- 3.10b All forms of physical harassment/bullying against cultural, religious and ethnic groups and including that which promote homophobia, sexism or racism – Cyberbullying (5b) (DASA)
- 3.11a Verbal Sexual Harassment – excluding Cyberbullying (5a) (DASA)
- 3.11b Verbal Sexual Harassment – Cyberbullying (5b) (DASA)
- 3.12 Physical Sexual Harassment (5a) (DASA)
- 3.13 Selling, distributing, possessing or accessing obscene materials
- 3.14 Unsafe driving
- 3.15 Bomb threat, even if later determined to be a hoax (6)
- 3.16 False alarm (7)
- 3.17 Hazing
- 3.18 Arson – The act of deliberately setting fire to property
- 3.19 Gang-related activity, including soliciting others for gang membership
- 3.20 Using hate speech through verbal, written or electronic means
- 3.21 Knowingly and intentionally damages or destroys the personal property of a teacher, administrator or other district employee
- 3.22 Knowingly and intentionally damages or destroys school property (based upon the severity of the damage)

4. Violent Behaviors (School Violence Index)

- 4.01a Assault with physical injury (3a)
- 4.01b Assault with serious physical injury (3b)
- 4.02a Sexual Offenses – Forced (2a)
- 4.02b Sexual Offenses – Other (2b)
- 4.03a Selling, distributing, using or possessing weapons, destructive devices or other dangerous instruments; routine security checks (4a)
- 4.03b Selling, distributing, using or possessing weapons, destructive devices or other dangerous instruments; weapons possessed under other circumstances (4b)

Discipline Procedures

The Superintendent and/or designee, including all building administrators and directors, are responsible for identifying student behavior in conflict with the responsibilities of the Student Conduct Code. To safeguard the health, welfare and safety of all students, administrators will take measures that *may* include:

- Investigation of the incident(s) or infraction(s)
- Determine responsibility level(s)
- Restorative Practices; Assist students in repairing relationships and/or making amends for their behavior
- Apply appropriate disciplinary measures

These measures may also include receiving counseling/advising, participation in 1-1 mediation or group mediation, reading assignment and reflective paper on a relevant topic, making a verbal or written apology, entering into a behavioral agreement, providing community service to the school, cleaning up or restitution for damages. These consequences increase the student's awareness of their personal responsibility and develop empathy for the affected person(s). Restorative practice measures often require agreement of the offender and/or the harmed person(s) and may be used alongside traditional disciplinary measures when the student is amenable to participating in this process.



Teachers may also impose certain forms of disciplinary action and restorative practice, including the removal of a student causing substantial disruption from their classroom. Principals may impose all of these forms of disciplinary action, except for suspension from Commencement, long-term suspension (more than five days) and permanent suspension from school.

Except in extreme situations, the Principal, Assistant Principal or teacher may require that a student in violation of their responsibilities attend a conference before disciplinary action is decided. A conference intended for the purpose of considering suspension may also be held. Depending upon the nature of the offense, other persons involved, including parents, may be asked to attend the conference. In general, teachers and principals will keep parents advised of discipline problems with their children before they reach a serious stage.

A consequence is the result or direct effect of an action. There is a range of consequences that administrators and teachers may utilize as a result of a student's action. The range of disciplinary consequences include, but is not limited to:

- Verbal or written warnings
- Reprimand
- Verbal or written notification to parent/guardian
- Time-out or cool-off room in accordance with policy and legal requirements
- Detention, staying after school, lunch detention
- Loss of privileges, such as losing recess and/or intramurals
- Cleaning up
- Payment of damages and/or repairing damages
- Removal or ban from:
 - Classroom
 - Other privileges, including, but not limited to, computer network use
 - Co-curricular, social or extracurricular activities
 - Athletic participation
- **Suspension, to include:**
 - In-school suspension
 - Short-term Out of School Suspension (up to 5 full days) with alternative instruction
 - Long-term suspension from school (more than 5 full school days) with alternative instruction
 - Short-term, long-term or expulsion from transportation
 - Permanent suspension (expulsion) from school
- **In addition to the above listed consequences, additional administrative action may include a referral to:**
 - PINS (Person in Need of Supervision) proceeding, for repeated, incorrigible behavior
 - Law Enforcement
 - Presentment Agency or other Social Services
 - Mental Health, Drug and/or Alcohol Counseling

STANDARDIZED CONSEQUENCES

Violations may warrant more than the minimum consequences stated here. Project SAVE legislation requires that each district state the absolute minimum of consequences for violent behaviors and then “build” from that baseline. Standardized consequences for elementary students will be adjusted by the principal as developmentally appropriate to the age of the child.

Disruptive acts: minimum one full school day of out-of-school suspension for a student who engages in behavior including but not limited to the following:

- Damages or destroys the personal property of a teacher, administrator, other district employee, or any person
- Damages or destroys school property (based upon the severity of the damage).
- An act that is substantially disruptive to the educational process, such that managing the disruption interferes with or diminishes the authority of school personnel.

Violent acts: minimum five full school days out-of-school suspension for a student who engages in behavior including but not limited to the following :

- Commits an act of violence against another student or any person lawfully or unlawfully on district property and/or district sponsored activities (based upon the severity of the injury).
- Possesses or displays a gun, knife, explosive or incendiary bomb or other dangerous weapon
- Threatens to use, as a weapon, any instrument that appears capable of causing physical injury or death

The Superintendent and/or designee must refer any student under the age of sixteen who has brought a weapon to school to the Presentment Agency (County Attorney’s Office) for a juvenile delinquency proceeding. The Superintendent or designee must refer any student 16 years of age or older, or a student 14 or 15 years of age who qualified for juvenile offender status, who has brought a weapon to school, to appropriate law enforcement.

For additional information, see the Procedures for Discipline of Students with Disabilities section.

Alcohol and Other Drug Violations

Violations of policy regarding alcohol, drugs, drug paraphernalia and/or prescription drugs generally may carry the following consequences:

- Suspension from school for five days
- Suspension from extra-curricular activities including athletics for 14 days
- Notification of parent/guardian
- Notification of law enforcement
- Superintendent’s Hearing

The District will assist students involved with alcohol or other substances in choosing healthier and more productive behaviors and will provide information about third-party service providers to help students with substance abuse problems.

Dress Code

Student Dress Code for All Students K-12

The responsibility for the dress and appearance of students shall rest with the individual and parent/guardian. While dress is a matter of personal choice, teachers, administrators, and District personnel must model and reinforce student understanding of appropriate dress.



An individual's dress and appearance should be safe, appropriate, and not interfere with the education process (e.g., wearing sneakers for Physical Education class and not wearing open-toed shoes on the playground, etc.). Note: Some classes may require wearing appropriate protective gear, protective clothing, and removal of jewelry for safety purposes.

Students must **not** wear items:

- perceived to be obscene, vulgar, libelous, or offensive to others because of race, color, religion, creed, national origin, gender, gender expression, gender identity, sexual orientation, body image, disability, or other protected category;
- that promote or endorse weapons, alcohol, tobacco, smoking, legal or illegal drugs or substances violence or violent acts, or the use of the aforementioned;
- that expose body parts or undergarments;
- on their heads (grades K-5), except for medical, religious, or cultural purposes;
- that cover their face, except for medical, religious or cultural purposes; and
- that are a tripping hazard.

This does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that a student shall not be prevented from attending school, riding a bus, attending a school function on or off District property, so long as their dress and appearance meet the requirements.



Drug, Alcohol and Tobacco Use

Reference: Board Policy 7320 (Alcohol, Tobacco, Drugs and Other Substances)

STUDENTS HAVE THE RIGHT TO a safe and drug-free school environment.

STUDENTS HAVE A RESPONSIBILITY to contribute to a safe environment and give their best effort without compromising either by using alcohol or drugs. Students also have a responsibility to think about the impact of substances that they put in their body and to be aware of the impact.

No student shall use, possess, sell or distribute alcohol and/or other substances on school grounds, at school-sponsored events or on a bus. No student shall use or possess drug paraphernalia or be under the influence of drugs or alcohol on school grounds or at school-sponsored events.

The term “alcohol and/or other substances” includes, but is not limited to, alcohol, nicotine, inhalants, vaping, marijuana, other illegal drugs, look-alikes and any of the substances commonly referred to as “designer drugs.” The inappropriate use, possession, sale or distribution of prescription and over-the-counter drugs is also prohibited.

Students who violate this policy will be suspended immediately from school in accordance with Education Law and Code of Conduct.

What happens when students are suspected of using (or being under the influence of) alcohol or other substances?

During the school day, the student is sent to an administrator’s office and for the health, welfare and safety of the student and others, the following actions *may* include:

- An administrator speaks with and assesses the student
- Reasonable suspicion search of person(s) and belongings including vehicle(s)
- The school nurse speaks with and assesses the student
- Parents/guardians are notified
- Local law enforcement is contacted
- Local emergency personnel are contacted

If it is determined the student has consumed alcohol, drugs or other impermissible substances, when parents/guardians are notified, they must pick up the student. It may be determined by medical personnel that transport by ambulance or law enforcement may be necessary.

At school events or on school grounds after school hours, an administrator attending the event will determine if alcohol, drugs or other impermissible substance use is involved. If so, the administrator notifies the parent/guardian and local law enforcement if deemed necessary.

What if the person involved with alcohol or drugs is not a student?

All people are prohibited from school grounds or school-sponsored events if they exhibit behavior, conduct or personal characteristics that indicate they used or consumed alcohol and/or other impermissible substances or if they sell, distribute or possess alcohol and/or other impermissible substances.

Does the District offer any help to those involved with alcohol or substance use?

The District will assist students and staff involved with alcohol or other substances. The District offers the following supports for students including but not limited to, Genesee Valley Mental Health Services, Social Workers, Delphi Prevention Counselor, and the Brockport Mental Health Team. This program for students brings together school, community, family and the youth in a working partnership. They offer assistance to students currently experiencing problems or those at risk for problems. The SAP is designed to help students succeed in the school setting and break down barriers to learning, allowing students to successfully complete their education.

What about prescription and over-the-counter medicine?

Prescription and over the counter medications that need to be administered during school hours must be accompanied by written authorization from parent/guardian and the child's attending physician. Parents or caregivers must deliver the medication to the nurse's office.

Medication cannot be sent in with a child.

You are encouraged to contact your child's school nurse with any questions.

Alcohol and other drug violations:

Violations of policy regarding alcohol, drugs, drug paraphernalia, "look alike" drugs and/or prescription drugs generally carry the following consequences:

- Suspension from school for a minimum of five days
- Notification of parent/guardian
- May include notification of law enforcement

Tobacco Use

The Brockport Central School District is a tobacco-free environment. The District recognizes its responsibility to promote the health, welfare and safety of students, staff and others on school property and at school sponsored activities.

No person is permitted to use, possess, sell, or distribute tobacco products (including but not limited to cigarettes, e-cigarettes, cigars, any smoking device, vaping, pipes, bidis, clove cigarettes, dip, chew, snus, snuff and any other spit or smoking tobacco product) in any way, at any time,

including non-school hours, on District property, grounds or in District vehicles. In addition, no student shall use, possess, sell or distribute tobacco products at school sponsored events.

Tobacco advertising is not allowed on school property, grounds, at any school sponsored off-campus event or in any school sponsored publications.

Students and/or staff found in violation of this policy may be given the opportunity to participate in tobacco prevention and cessation programs.

Signs communicating this policy are prominently posted and properly maintained in all building entrances, grounds and vehicles. The Brockport Central School District annually notifies students, parents/guardians and staff of the tobacco-free policy.



Educational Records

Reference: Board Policy 7240 (Student Records: Access and Challenge)

1. General

The District maintains certain records on each of its students. In general, these records contain progress reports, attendance records, grades, intelligence quotient assessment results, tests, achievement scores, medical records, athletic records, disciplinary records and other forms of academic evaluation of students by educators. Psychological and psychiatric reports are confidential and are kept in separate files.

FERPA and provisions in the No Child Left Behind Act (NCLB) give the 18-year-old student and both parents/guardians of younger students (unless prohibited by state law, court order or binding legal agreement) the right to:

- Inspect and review any and all official records, files and other data directly related to the student
- Receive a list of individuals having access to these records
- Ask for an explanation of any item in the records
- Ask for an amendment to any record on the grounds that it is inaccurate, misleading or in violation of the privacy of the student and provide the basis for such belief
- Obtain a hearing if the school determines not to make the amendment
- The District may disclose education records without prior consent in other circumstances permitted by FERPA and NCLB

2. Disclosure

Records of each student are kept confidential with certain exceptions including, but not limited to, under court orders, for health and safety emergencies under the law and when certain persons need to know for the furtherance of the student's education, such as a meeting of the Committee on Special Education.

However, the District may release, without prior consent, "directory information" for each student, which includes the student's:

- name, address, telephone number
- date and place of birth, age
- school currently attending
- grade level
- participation in officially recognized activities and sports
- weight, if the student is a member of an athletic team
- height, if the student is a member of an athletic team
- dates of attendance
- degrees and awards received
- most recent previous educational institution attended

Under FERPA and the NCLB regulations regarding information disclosed to military recruiters, opportunity shall be given annually for parents/guardians or eligible students to notify the school principal that some or all of this information is not to be released without prior consent. This letter is mailed to families in August of each year.

Parents/guardians or students objecting to the release of some or all of this information without prior consent must "opt-out." They may opt-out by annually notifying the building principal in writing by the last school day of September, identifying the types of directory information to be withheld from release. The annual notification must be received by the building principal by close of business on September 30, unless September 30 falls on a weekend or holiday, in which case the deadline will be extended to the close of business of the next school day.

Equal Educational Opportunity Rights

All students shall have equal educational opportunities regardless of actual or perceived race, gender, color, creed, religion, national origin, age, disability, economic status, sexual orientation, gender identity and expression, marital status and/or other legally protected classification, status or characteristic. The District will allow access to activities as is required by local, state or federal law, except as otherwise provided by law or regulation. This District policy follows the requirements of Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, the Dignity for All Students Act and other applicable laws.

Essential Partners

Essential partners shall be role models of respectful behavior as they interact with all students. The roles of essential partners are further elaborated in this section.

A. Teachers shall:

1. maintain appropriate student behavior and a climate of mutual respect and dignity in their classrooms and throughout their schools at all times. Classrooms and schools should be so managed that at all times the objectives of training for self-discipline, individual responsibility and favorable climate for learning will be realized;
2. contact and involve the parents/guardians as soon as possible in the resolution of a problem;
3. detain students after school for a conference and assistance when appropriate. Such a detention may be scheduled for the day following the infraction so that the teacher can inform the parents/guardians and arrangements can be made for transportation;
4. know school policies and rules and enforce them in a fair and consistent manner;
5. exhaust all possibilities and resources available to them for a solution when a discipline problem occurs. This means that, in most cases, there will be at least one or more private conferences between the teacher, the student and the parents/guardians to attempt to resolve the problem. If this is unsuccessful, teachers need to seek further assistance from the administration and/or counseling staff of the school;
6. provide instructional materials for suspended students upon request and for students with an approved medical excuse from classes; and
7. work with students to understand their behavior and to reinforce appropriate behavior.

B. Counselors, Psychologists, Social Workers and Mental Health Staff shall:

1. work with teachers and administrators to involve the parents/guardians in the resolution of a problem;
2. work as part of a multidisciplinary team with parents/guardians and students to develop Response to Intervention Plans designed to help students to be more successful in school;
3. provide short-term individual and group counseling and/or make appropriate referrals to outside agencies;
4. work with teachers, administrators, other staff members, parents/guardians and students to attempt to elicit the root cause of inappropriate behavior and collaboratively develop plans to address both the symptoms and root causes of discipline problems; and
5. facilitate parent conferences.

C. Athletic Coaches shall:

1. maintain appropriate student behavior and a climate of mutual respect and dignity on and off the field and throughout their schools at all times. Athletics should be so managed that at all times the objectives of training for self-discipline, individual responsibility and favorable climate for learning will be realized;
2. contact and involve the parents/guardians as soon as possible in the resolution of a problem;
3. know school policies and rules and enforce them in a fair and consistent manner;
4. exhaust possibilities and resources available to them for a solution when a discipline problem occurs. This means that, in most cases, there will be at least one or more private conferences between, the student and the parents/guardians to attempt to resolve the problem. If this is unsuccessful, athletic coaches need to seek further assistance from the Director of Athletics and/or administration; and
5. work with students to understand their behavior and to reinforce appropriate behavior.



D. Administrators shall:

1. promote a safe, orderly and stimulating school environment, supporting active teaching and learning;
2. enforce the laws, policies, this Code of Conduct and regulations to verify appropriate student behavior and a conducive educational climate;
3. contact and involve parents/guardians in the resolution of a problem related to their child;
4. facilitate parent conferences;
5. work with students to improve their behavior and, when appropriate, refer them to the appropriate support personnel for additional assistance; and
6. work with teachers, counselors, other staff members, parents/guardians and students to attempt to elicit the root cause of inappropriate behavior and collaboratively develop plans to address both the symptoms and root causes of discipline problems.

E. Other School Staff shall:

1. interact with all students in alignment with the District's Core Beliefs (see inside front cover);
2. uphold the Code of Conduct;
3. report violations to school authorities; and
4. act as role models for students at all times, on or off school property.

F. Parents/Guardians shall:

1. confer and collaborate with district personnel in working toward solutions to problems;
2. know the District Code of Conduct and expect compliance from their children; and
3. seek out-of-school help (medical, counseling and parenting) when necessary.

Visitors to the Schools

All visitors are required to report to the main office upon arrival at school and state their business. Visitations to classrooms for any purpose require permission in advance from the building principal. The building principal may deny requests to visit if the purpose of the visit is deemed inappropriate, disruptive or interferes with staff or student supervision.

Student visitors from other schools, unless they have a specific reason and prior approval of the Superintendent or designee, are not permitted to enter school buildings. New students accompanied by parents/guardians and escorted by staff are always welcome.

Visits to school buildings are to be in accordance with Board policy and this Code of Conduct. A violation of the visitation policy and/or the Code of Conduct will be prosecuted pursuant to New York State law.

Electronic Visitor Management System

The District utilizes an electronic visitor management system (EVMS) in order to verify the safety and welfare of its students, staff and guests. When any visitor, including parents and volunteers, wishes to enter any school building during school hours, a valid state or government issued photo ID, such as a valid driver's license, must be presented. Prior to entry permission, the EVMS will check visitors against known sexual offender databases. After scanning the visitor's ID, the EVMS will print a visitor's badge that must be worn throughout the duration of the visit. Visitors must return this badge at the end of their visit so that they may be checked out of the building in a timely fashion. Visitors who refuse to produce IDs or fail the check of sexual offender databases, may be asked either to wait in the school building lobby or to leave school premises.

Public Conduct at School Functions on or off 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, parents/guardians and/or 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 required to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall;

1. intentionally injure any person or threaten to do so;
2. intentionally damage or destroy district property or the personal property of a teacher, administrator other district employee or any person lawfully on school property, including graffiti or arson;
3. disrupt the orderly conduct of classes, school programs or other school activities;
4. distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others or are disruptive to the school program;
5. intimidate, harass or discriminate against any person on the basis of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, age, gender, sex or otherwise;
6. enter any portion of the school premises without authorization via a secured entrance/exit or remain in any building or facility after it is normally closed;
7. obstruct the free movement of any person in any place to which this code applies;
8. violate the traffic laws, parking regulations or other restrictions on vehicles;
9. possess, consume, sell, distribute or exchange alcoholic substances (including powdered alcohol), controlled or illegal substances or related paraphernalia or be under the influence of either an alcoholic or illegal substance on school property or at a school function. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, heroin, amphetamines, steroids, look-alike drugs, synthetic marijuana and all substances that produce a marijuana-like high including herbal incense and bath salts and any substances commonly referred to as "designer drugs;"
10. smoke cigarettes, cigars, e-cigarettes, vaporizers or use other forms of 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 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 district officials performing their duties;
15. willfully incite others to commit any of the acts prohibited by this code; or
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 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. Depending on the facts and circumstances, the individual may also be temporarily prohibited from accessing district property.
- 2. Students:** they shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
- 3. Tenured faculty members:** they shall be subject to disciplinary action as the facts may warrant, in accordance with Education Law §3020-a or any other legal rights that they may have.
- 4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75:** they shall be subject to immediate ejection and to disciplinary action as the facts may warrant, in accordance with Civil Service Law §75 or any other legal rights that they may have.
- 5. Staff members other than those described in subdivisions 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 building principal and/or designee shall generally be responsible for enforcing the conduct required by this Code. When the building principal or designee sees an individual engaged in prohibited conduct which, in their 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. In accordance with the Dignity for All Students Act, the District will take necessary steps to address matters related to discrimination and/or harassment of students.

Should you have questions/concerns related to suspected discrimination and/or harassment of students or wish to make a report, please contact the respective principal who serves as the Dignity Act Coordinator for that building or the District-wide Dignity Act Coordinator. The District may 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.

Grievance Procedures for Students

Students have a right to dispute the actions of a staff member or of the District in regard to their individual rights. The District intends to resolve the matter at the earliest possible stage while verifying that the rights and integrity of all concerned are protected.

Any questions or concerns regarding individual right violations should follow the Board of Education Policy by contacting a DASA Coordinator or a Building or District Administrator.

Definitions

Grievance: A claim by any student based on any event affecting his or her rights including equal opportunity rights, which will be handled according to this procedure. (Claims of harassment will be handled by the Harassment Reporting and Response Procedures.)

Student Advocate: Any adult of the student's choice who agrees to see that the student's rights are protected throughout the grievance process. Students may have an advocate present at all steps of the grievance procedure. (The Superintendent's Hearing process follows a different procedure.)

Parents/Guardians: Either or both parents, legal guardian(s) or person(s) in parental relation to the aggrieved student.

The aggrieved student has the right to:

- State the grievance orally and/or in writing;
- Be notified of the progress of the case at each step of the way;
- Ask questions of witnesses who present testimony at the hearing;
- Be furnished copies of official records that may be kept of the proceedings.

Time Limits

A student must start a grievance within 10 school days of the time they know of, or should have known of, the act or condition that is the subject of the grievance. A student may start a grievance at Step 1, either individually or by asking for assistance from an advocate of the student's choice.

Grievance Procedure Steps

Step 1:

The aggrieved student (with an advocate, if desired) should discuss the situation with the staff member involved. If the student is not satisfied with the response, they may move to Step 2 within two school days of this meeting.

Step 2:

The student should discuss the matter with their school counselor or the assistant principal or principal. The counselor or administrator will respond to this discussion within two school days unless all parties have agreed upon a specific request for more time. If the student is not satisfied with this response, the student may move to Step 3 within five school days of receipt of the decision.

Step 3:

The student should file a written appeal with the principal. This must include the student's name, a statement of the particular problem, the identity of the people involved, the time, place and circumstances of the events or conditions that led to the grievance and a statement of the action the student wants in order to correct the situation.

Within five school days of receipt of this written appeal, the principal or representative will hold a conference with the student and others involved. Within two school days of the conclusion of this conference the principal will provide a decision in writing to the student. If the student is not satisfied with this response, they may move to Step 4 within five school days of receipt of the decision.

Step 4:

The student should file a written appeal with the Superintendent or designee. This written appeal should follow the same form as for Step 3. The Superintendent will consider the written appeal, the record of the matter created in the prior steps and any other information required at the Superintendent's discretion and shall render a written determination to the student within 10 school days. The Superintendent's decision (except in cases of suspension from school and cases of Equal Opportunity grievances) is final.

Step 5:

In cases regarding equal education opportunity, if the student still feels aggrieved, they may carry the appeal in writing to the Board within 30 school days.



Gun-Free and Weapons-Free Schools

Reference: Board Policy 7360 (Weapons in School and the Gun-Free Schools Act)

No student may bring in or possess any "firearm" or "weapon" on district property, on a school bus or district vehicle, in district buildings, or at district sponsored activities or settings under the control or supervision of the District, regardless of location. Any student who has been found guilty of bringing in or possessing a firearm or weapon in violation of this policy will be disciplined in a manner consistent with state and federal law and the District's Code of Conduct. Such discipline may include a mandatory suspension for a period of not less than one calendar year for a student who is determined to have violated the Federal Gun-Free Schools Act and its implementing provisions in the New York State Education Law, provided that the Superintendent may modify the suspension requirement on a case-by-case basis.

Students who violate this policy will be referred by the Superintendent to either a presentment agency (the agency or authority responsible for presenting a juvenile delinquency proceeding) or to appropriate law enforcement officials as dictated by law.

For the purposes of this policy, the term "weapon" will be as defined in 18 USC 930(g)(2). For the purposes of this policy, the term "firearm" will be as defined in 18 USC 921(a).

This policy does not diminish the authority of the Board of Education to offer courses in instruction in the safe use of firearms pursuant to Education Law Section 809-a.

Weapons and the Superintendent's Actions

Reference: Board Policy 7360 (Weapons in School and the Gun-Free Schools Act)

Pursuant to the Federal Gun-Free Schools Act of 1994, any student found guilty at a Superintendent's Hearing of bringing a firearm onto school property or of having a firearm in their possession on school property, will be subject to at least a one-year suspension from school, subject to review on a case-by-case basis by the Superintendent.

The Superintendent or designee must refer any student under the age of sixteen who has brought a weapon to school to the Presentment Agency (County Attorney's Office) for a juvenile delinquency proceeding. The Superintendent or designee must refer any student sixteen years of age or older, or a student fourteen or fifteen years of age who qualified for juvenile offender status, who has brought a weapon to school, to appropriate law enforcement officials.

Out of School Suspension (Short-Term)

Reference: Board Policy 7314 (Suspension of Students)

The Superintendent and principals (or in the absence of a principal, acting principals) have the authority to order a suspension of students from school for up to five days. In doing so, they must give the student oral or written notice of the charges against him or her and give the student an opportunity to present their side of the case. However, students whose presence poses a danger to persons or property may be immediately removed from the school.

When the Superintendent or the principal (the "suspending authority") proposes to suspend a student for five school days or less, the suspending authority shall provide the student with **notice** of the charged misconduct. If the student denies the misconduct, the suspending authority shall provide an **explanation** of the basis for the suspension.

When suspension of a student for a period of five school days or less is proposed, administration shall also immediately notify the parent/guardian in writing that the student may be suspended from school. Written notice shall be provided by personal delivery, express mail delivery or equivalent means reasonably calculated to assure receipt of such notice within twenty-four hours of the decision to propose suspension at the last known address or addresses of the parent(s)/guardian. Where possible, notification shall also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parent/guardian.

The notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the student and the parent/person in parental relation of their right to request an immediate informal conference with the principal in accordance with the provisions of Education Law Section 3214(3)(b). Both the notice and the informal conference shall be in the dominant language or mode of communication used by the parents/persons in parental relation. At the informal conference, the student and/or parent/person in parental relation shall be authorized to present the student's version of the event and to ask questions of the complaining witnesses.

The notice and opportunity for informal conference shall take place **prior to** suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practical.

When a student has been suspended and is of compulsory attendance age, immediate steps shall be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.

Teachers shall immediately report or refer a violent student to the principal or Superintendent for a violation of the District's Code of Conduct. The principal or designee may require a restorative conversation meeting with the student prior to reinstatement following out-of-school suspension.

Out of School Suspension (Long-Term) and Expulsion

Reference: Board Policy 7314 (Suspension of Students)

The Superintendent has the authority to suspend a student from school for more than five days. Principals may recommend such disciplinary action to the Superintendent by submitting a written history of the case and the reasons for the recommendation.

No student may be suspended from school for more than five days unless the student and their parents/guardians have been afforded the opportunity for a fair hearing, upon reasonable notice, where the student has the right to be represented by counsel, to present witnesses and other evidence on their behalf and to question adverse witnesses. Long-term school suspension hearings will be conducted in accordance with the provisions of the New York State Education Law, Section 3214(3), and the notice of such hearings should advise the student of the rights afforded him or her pursuant to this law.

The hearing ordinarily must take place within the initial five-day suspension period. If the hearing cannot reasonably occur during the initial five-day suspension period, then the hearing can occur at a later date, if the parent/guardian writes a letter agreeing for their child to remain out of school until the hearing can be scheduled at a mutually agreeable time. The principal or assistant principal is considered the “investigating officer” for the hearing. This is an impartial hearing that entitles each student to due process.

Individuals who testify are to be administered an oath requiring them to acknowledge that they must tell the truth, under penalty of perjury and/or further school disciplinary consequences. Testimony of the “facts of the case” is taken and recorded on an audio recording device.

There are two phases to a hearing. The first phase determines, based upon the evidence, whether the behavior actually occurred. The second phase determines the consequences, if actual guilt is determined. At this point in the hearing (consequence phase), the student’s previous disciplinary records are entered and the student and others have the opportunity to speak on the student’s behalf.

If the student is a special education student, a manifestation determination hearing (see “Discipline and Students with Disabilities”) takes place between the two phases.

After the hearing, the hearing officer makes a recommendation to the Superintendent. The Superintendent reviews the facts and renders a final written determination. The family will be contacted by phone and will receive written notice of the Superintendent’s determination.

Infractions of the drug-free and weapons-free policies warrant an immediate five days out-of-school suspension and referral to a Superintendent's Hearing. Any other referrals to the Superintendent for disciplinary action must be preceded by a five-day out-of-school suspension.

Following the hearing, the Superintendent will determine the length of the school suspension, if any, and if the Superintendent determines that the facts and circumstances justify such action, the student may be expelled (permanently suspended).

When the school suspension is based, in whole or in part, upon the student's possession of any firearm, rifle, shotgun, dagger, dangerous knife, dirk, razor, stiletto or any of the instruments specified in Penal Law Section 265.01(1), the hearing officer or Superintendent will be allowed to consider the weapon as evidence, notwithstanding a determination by a court that the recovery of the weapon was the result of an unlawful search or seizure.

A student suspended from school for more than five consecutive school days may be reinstated by the Superintendent or the Superintendent's designee after the stipulations and consequences resulting from the Superintendent's Hearing have been met and documented. The principal or designee may require a restorative meeting with the student prior to reinstatement following out-of-school suspension.

When a student has been suspended and is of compulsory attendance age, or if the student has an individualized education program or a Section 504 Plan, immediate steps shall be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.

Search, Seizure and Student Privacy Rights

Reference: Board Policy 7330 (Searches, Interrogations and Investigations)

Searches must be reasonable in scope and a level of intrusiveness commensurate with the seriousness of the infraction of school rules or violation of the law for which evidence is sought.

A student, their belongings, and/or vehicle may be searched and prohibited items seized on district grounds, a school bus or at a District sponsored event by an authorized district official only with reasonable suspicion that the student has engaged in, or is engaging in, activity which is in violation of the law and/or Code of Conduct.

Students' Rights and Responsibilities

Administrators, teachers and staff of the Brockport Central School District support our students in becoming successful citizens. We acknowledge your right as a learner to an education and recognize your responsibility to respectfully contribute to our school community and global society.

Rights

- You have the **right** to have established rules and policies available and clearly explained to you and to have these applied in a fair and consistent manner.
- You have the **right** to identify and express your gender identity freely without fear of being harassed, bullied, excluded or treated in a biased fashion.
- You have the **right** to expect all students and staff to be vocal advocates should they witness you not being treated respectfully or safely.
- You have the **right** to attend school.
- You have the **right** to have an enriching and appropriately challenging educational experience that recognizes and supports your individual learning needs, personality and talents.
- You have the **right** to learn in a safe, inclusive environment free of bullying (emotional, physical, cyber bullying, harassment or bias).
- You have the **right** to attend sanctioned school sponsored activities or events.
- You have the **right** to dress according to your own individual sense of style and personality (in accordance with the established Student Dress Code).
- You have the **right** to be taught by highly committed, communicative and caring professional educators and to have objectives and expectations clearly explained for all aspects of the school's curriculum including, but not limited to, grading policies and assignment due dates.
- You have the **right** to have your personal identity respected including your family culture, language and values.
- You have the **right** to seek and expect guidance and support for your academic and emotional needs.

Responsibilities

- You have a **responsibility** to learn about issues of difference and commit to fostering an inclusive school culture.
- You have the **responsibility** to treat others in a respectful and inclusive manner.
- You have a **responsibility** to speak-up and act when you see or are aware of injustice or inappropriate behavior toward others or the school.
- You have a **responsibility** to attend school unless you are legally excused and to be in class on time, fully prepared to engage as an active learner.
- You have a **responsibility** to be familiar with and abide by all District policies, rules and regulations dealing with student conduct expectations.
- You have a **responsibility** to give your best effort in all your academic and co-curricular pursuits and strive toward the highest level of achievement.

- You have a **responsibility** to develop the skills that allow you to appropriately advocate for your learning needs.
- You have the **responsibility** to solicit help in mediating and solving problems.
- You have a **responsibility** to dress appropriately for school and related functions (in accordance with the established Student Dress Code).
- You have the **responsibility** to conduct yourself as a respectful representative of the Brockport Central School District when attending and participating in any school-sponsored activity or event and to do so to the highest standard of decorum.
- You have a **responsibility** to contribute to ensuring the school environment is conducive for learning and is a place that feels safe and respectful for all.



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.

Authority of School Personnel to Suspend or Remove Students with Disabilities

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

- a) A student with a disability means a student who falls within one of the classifications set forth in the Individuals with Disabilities Education Act (IDEA) and Section 200.1 (zz) of the Commissioner of Education regulations, and who, because of such classification, needs special education or related services. This also includes students who qualify as a student with a disability pursuant to Section 504 of the Rehabilitation Act, and who, because of such qualification, need a Section 504 Plan.
- b) A suspension means a suspension pursuant to NYS ED Law s/s 3214.
- c) A removal means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself/herself or to others.
- d) An IAES means a temporary educational placement for a period of forty-five (45) school days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. Although in another setting, the student is to continue to receive those services and modifications, including those described on the student's current individualized education program (IEP) that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designated to prevent the behavior from recurring.

The Board of Education, 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 and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior, except when such short-term suspension will result in a change in placement as identified below.

The Superintendent may suspend a student with a disability up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (1) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior. Such suspension cannot be determined to result in a change in placement as identified below. Students with disabilities who are suspended for more than five consecutive schools days pursuant to a finding of guilt at a Superintendent's hearing shall be entitled to a manifestation determination review ("MDR") at the second phase of that hearing. Should a manifestation be found at that MDR, the student is entitled to return to school immediately, even if the student has not served the full period of suspension.

The Superintendent or Principal may order additional suspensions of not more than five consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.

When a student with a disability is found guilty at a long-term suspension hearing and the misconduct is determined to be a manifestation of the student's disability by the MDR team, the Superintendent may order the placement of a student with a disability in an IAES to be determined by the CSE for the same amount of time that a student without a disability would be subject to discipline, but not more than forty-five (45) days, if the student inflicts serious bodily injury, carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the same of a controlled substance while at school or a school function.

1. "Serious bodily injury" means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
2. "Weapon" means the same as "dangerous weapon" under 18 U.S.C. § 930(g)(w) which include "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 ½ inches in length."
3. "Controlled substance" means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
4. "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act of any other federal law.

Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his/her current educational placement poses a risk of harm to the student or others. Placement in an IAES by an impartial hearing officer would require the District to first initiate an impartial due process hearing. Placement in an IAES for an impartial hearing officer does not require student disciplinary proceedings.

Change of Placement Rule

A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:

1. for more than 10 consecutive school days; or

2. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the nature of the conduct/behavior that resulted in suspension or removal, the length of each suspension or removal, the total amount of time the student is removed and/or the proximity of the suspensions or removals to one another.

School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal (as described above, based on the nature of the conduct/behavior for each suspension/removal, the length of each suspension/removal, the total amount of time the student is removed, and the proximity of the suspensions or removals to one another) unless a manifestation determination review is first conducted and no manifestation is found according to the procedures below.

However, the District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the MDR has determined that the behavior was not a manifestation of the student's disability. Students whose behavior was determined to be a manifestation of their disability may be placed in an IAES by the Superintendent according to the requirements provided above when their behavior involves serious bodily injury, weapons, illegal drugs, or controlled substances. Students may also be placed in an IAES by an impartial hearing officer as a result of an impartial due process hearing according to the procedures provided above when the student's current educational placement poses a risk of harm to the student or others.

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

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.

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 divided into three phases: a guilt phase, a manifestation determination 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 their 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.

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 plan, 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. 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 plan and its implementation will be reviewed and modified 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 will continue to receive services as follows:

1. During suspensions or removals, the district will provide alternative instruction to students with disabilities on the same basis as non-disabled students.
2. 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. When necessary, the Committee on Special Education or Section 504 Team will convene to determine the appropriate services to be provided during a suspension or removal.

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

An expedited due process hearing shall be conducted in the manner specified by the Regulations of the Commissioner of Education incorporated into this policy, if:

1. The District requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his/her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his/her current educational placement during such proceedings.
2. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - a. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the District agree otherwise.
3. The District shall arrange for the expedited due process hearing according to the following time period, unless the parent and the District mutually agree in writing to waive the resolution meeting or agree to use mediation:

- a. A resolution meeting shall occur within seven (7) days of receiving notice of the due process complaint.
- b. The expedited due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within fifteen (15) days of receipt of the due process complaint.
- c. The expedited due process hearing shall occur within twenty (20) school days of the date the complaint requesting the hearing is filed.
- d. The impartial hearing officer shall make a determination within ten (10) school days after the hearing.

No extension to an expedited impartial hearing timeline may be granted.

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).

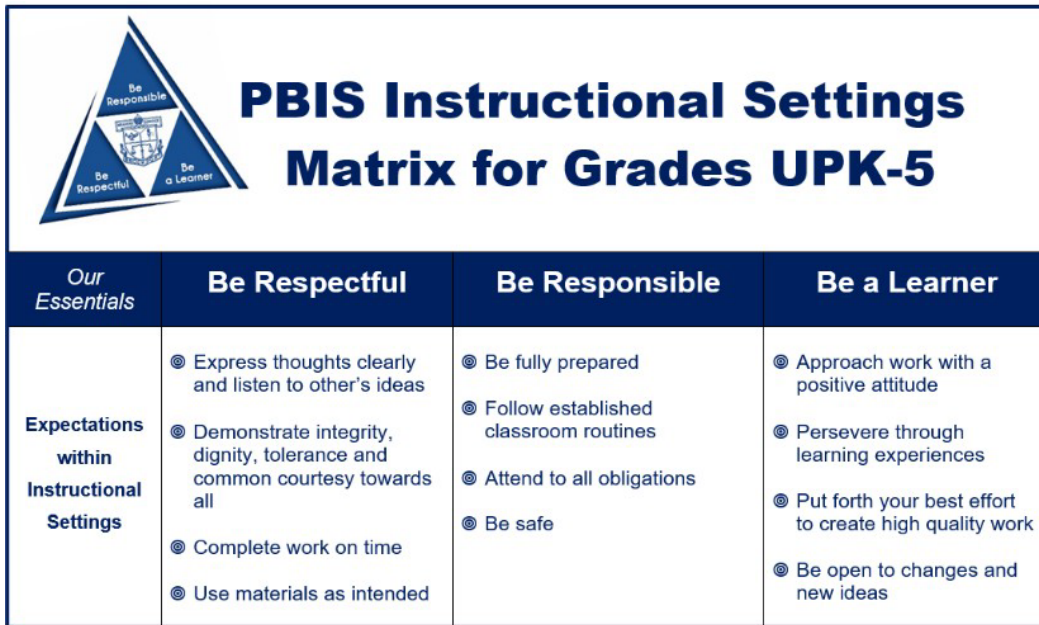


Supporting a Positive School Climate

Students learn in a safe and healthy school community. Brockport Central School District proactively promotes a caring culture and nurturing environment for all teachers, staff and students through Positive Behavioral Interventions and Supports (PBIS). One of our core beliefs is “Student and academic success. We also believe student, family and community engagement is critical for our success. In response, we cultivate school, family and community partnerships to encourage student social-emotional health and academic achievement.

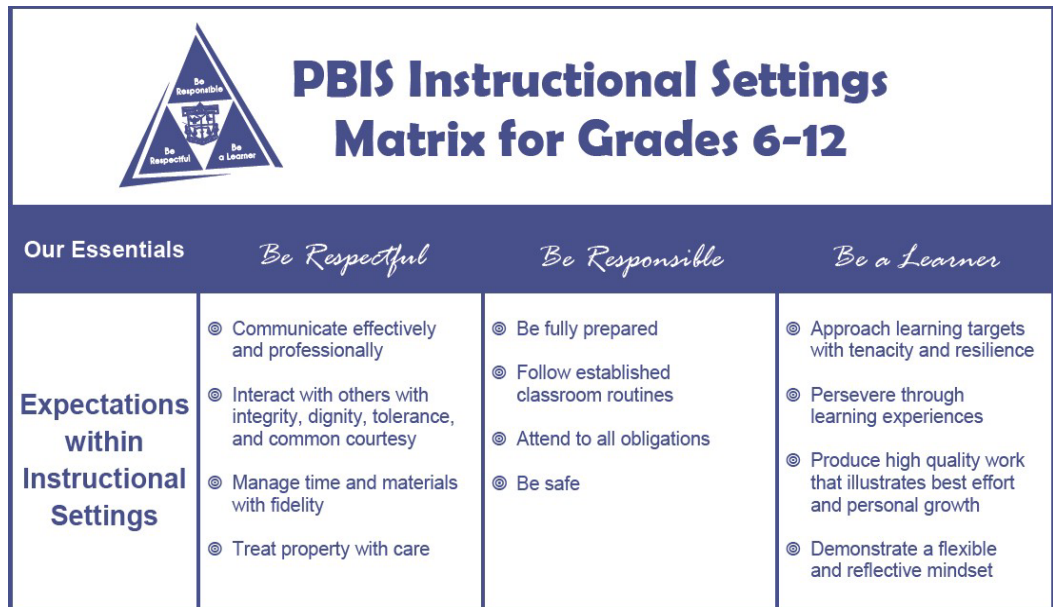
The Brockport Central School District PBIS Expectations across UPK-12 schools are:

- Be Respectful
- Be Responsible
- Be a Learner



PBIS Instructional Settings Matrix for Grades UPK-5

<i>Our Essentials</i>	Be Respectful	Be Responsible	Be a Learner
Expectations within Instructional Settings	<ul style="list-style-type: none"> Ⓞ Express thoughts clearly and listen to other's ideas Ⓞ Demonstrate integrity, dignity, tolerance and common courtesy towards all Ⓞ Complete work on time Ⓞ Use materials as intended 	<ul style="list-style-type: none"> Ⓞ Be fully prepared Ⓞ Follow established classroom routines Ⓞ Attend to all obligations Ⓞ Be safe 	<ul style="list-style-type: none"> Ⓞ Approach work with a positive attitude Ⓞ Persevere through learning experiences Ⓞ Put forth your best effort to create high quality work Ⓞ Be open to changes and new ideas



PBIS Instructional Settings Matrix for Grades 6-12

<i>Our Essentials</i>	<i>Be Respectful</i>	<i>Be Responsible</i>	<i>Be a Learner</i>
Expectations within Instructional Settings	<ul style="list-style-type: none"> Ⓞ Communicate effectively and professionally Ⓞ Interact with others with integrity, dignity, tolerance, and common courtesy Ⓞ Manage time and materials with fidelity Ⓞ Treat property with care 	<ul style="list-style-type: none"> Ⓞ Be fully prepared Ⓞ Follow established classroom routines Ⓞ Attend to all obligations Ⓞ Be safe 	<ul style="list-style-type: none"> Ⓞ Approach learning targets with tenacity and resilience Ⓞ Persevere through learning experiences Ⓞ Produce high quality work that illustrates best effort and personal growth Ⓞ Demonstrate a flexible and reflective mindset

Each school building has established a matrix of rules and routines for student behavior, based on our three universal requirements. These matrixes can be found in classrooms, common areas and on school buses as visual reminders of our collective behavior requirements for all adults and students.

We have a collective responsibility to keep each other safe and well. If at any time you feel the need to report an incident that you believe compromises the health, welfare, safety or morals of one or more of our students or staff members, please contact the Brockport Central Safety Tip Line at www.bcs1.org/safety-tipline or 1 (877) 453-0006.

Pillars: As part of the PBIS framework, there are six pillars that are focused on character traits of our students that we want to emphasize and encourage. They are:

- Perseverance
- Communication
- Collaboration
- Thinkers
- Citizenship
- Self-Direction

Types of Restorative Practices/Approaches:

District Goal:

To develop a community environment and build relationships within a community to repair harm when problems or conflict occurs.

Restorative Practices uses a three-step approach

1. **Repair:** focus on the incident that caused/causes harm and implement justice that requires repairing that harm;
2. **Encounter:** the best way to determine how to do that is to have the parties decide together;
3. **Transformation:** this can cause fundamental changes in people, relationships and community.



Community Circles

A Community Building Circle, also known as a Peace Circle, is a structured process of communication that brings people together and helps participants connect with a mindful appreciation that honors the uniqueness of all those involved. Relationship building is the primary focus through sharing of personal stories and is the foundation of all Community Building Circles.



Student Supports

- Peer Meditation
- Preventative and Post-Conflict Resolution
- Pro-Social Skills (friendship skills, social awareness, relationship-building, communication)
- Academic Behavior Skills (study/organization skills, self-management, responsible decision making)
- Problem-Solving Skills (conflict resolution, positive coping skills)

Transportation

Reference: Board Policy 7340 (Bus Rules and Regulations)

The Brockport School Community secures safe, skilled bus drivers and bus monitors who are responsible for safely transporting students to and from school/school-sponsored events and for enforcing school bus expectations. School bus safety rules have been developed by the Brockport Central School District's Transportation Department to provide for your child's safety when on the bus.

STUDENTS HAVE THE RIGHT TO safe transportation to and from school.

STUDENTS HAVE A RESPONSIBILITY TO follow the transportation rules and requirements that are in place for your safety and well-being while on the bus.

Any incident occurring on the school bus will be addressed through a coordination between the Department of Transportation and school administration. Head Bus Driver / Trips and Discipline can be reached at (585) 637-1882 regarding student behavior on the bus.

School Bus Conduct: Suspension

If disciplinary actions taken by the driver and Safety Coordinator are unsuccessful, it may be necessary to suspend a student's riding privileges, dependent upon the severity of the infraction. Examples of infractions include:

- weapons (gun, knife, bat, etc.)
- possession and/or use of drugs and/or alcohol
- fighting
- harassment (physical, verbal, sexual)
- inappropriate language (foul, vulgar, swearing)
- endangering self or others



Some general guidelines are as follows:

- Repeated misbehavior and disregard for safe-riding rules and regulations, students may be suspended one to three days at the discretion of the Safety Coordinator.
- Students who continue to misbehave and display unacceptable behavior, despite a previous suspension, may be suspended up to five days.
- Chronic misbehavior and continued disregard for safe riding rules and regulations, despite previous suspensions, may lead to a longer suspension and result in a Superintendent's Hearing.
- Suspension may be imposed by the Director of Transportation or their designee at any step, dependent upon the severity of the infraction.

Appendix I: Definitions (The following terms shall be defined as set forth below, except as otherwise defined by law or regulation.)

Board: The Board of Education oversees and manages the community's public school system. It consists of seven trustees who are elected by the community.

Bullying: Bullying is any gesture or written, verbal, electronic, social, graphic, or physical act that is perceived as being dehumanizing, intimidating, hostile, humiliating, threatening or otherwise likely to evoke fear of physical harm or emotional distress. There are four types of bullying: physical, verbal, psychological and cyberbullying. Bullying may be motivated by (i) bias or prejudice based upon any actual or perceived characteristic, such as race, color, religion, religious practice, ancestry, national origin, weight, ethnic group, socio-economic status, gender, sexual orientation, gender identity or expression; (ii) a mental, physical, or sensory disability or impairment; or (iii) by any other distinguishing characteristic, or is based upon association with another person who has or is perceived to have any distinguishing characteristic.

Conflicts: Disagreements naturally occur during the course of everyday social interactions. This type of interaction is a normal part of social awareness and development and will be addressed accordingly.

Delphi Partnership: The Delphi school-based counseling program addresses students who may be "at risk" for substance abuse within the context of the school environment. Delphi counselors provide assessments, individual counseling, group counseling, evidence-based programs, and referrals at no cost.

Dignity for All Students Act (DASA): New York State's anti-bullying law. DASA states that all children have the right to attend school in a safe, welcoming and caring environment.

Dignity for All Students Act (DASA) Coordinator: At least one employee at each school is designated as the Dignity for All Students Act Coordinator. They are thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex. Education Law, Article 2. See <http://www.p12.nysed.gov/dignityact>

Discrimination: Discrimination is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to others, to an individual or group of people because of the group, class or category to which that person belongs (as enumerated in the Definitions section under harassment, below).

Disruptive Behavior: An act that is substantially disruptive to the educational process, such that managing the disruption interrupts the educational process and/or an insubordinate action that interferes with or diminishes the authority of school personnel.

Family Educational Rights and Privacy Act (FERPA): A federal law that affords parents/guardians the right to have access to their children's education records, the right to seek to have the records amended and the right to have some control over the disclosure of personally identifiable information from the education records.

Harassment: Harassment is the creation of a hostile environment by conduct or by threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional, or physical well-being, or conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety.

Harassing behavior may be based on any characteristic including, but not limited to, a person's actual or perceived:

- race
- color
- weight
- national origin
- ethnic group
- socio-economic status
- religion
- religious practice
- disability
- sex
- sexual orientation, or
- gender (including gender identity and expression*).

*Gender identity is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth. Gender expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

Hate Speech: Engaging in conduct that endangers the safety, physical or mental health or welfare of others. Making a slur or statement about any individual or identifiable group of individuals which demeans them because of their race, sex, disability status, age, religion or other protected status and/or which has the foreseeable effect of exposing such persons or group of persons to threats, shame, humiliation, persecution or ostracism. Whether spoken, written, in notebooks, on walls, or on a computer or mobile device, etc., incidents of this type are unprotected speech and will not be tolerated.

Hazing: Hazing is an induction, initiation or membership process involving harassment which 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.

In-School Suspension (ISS): Is the temporary removal of a student from the classroom(s) to a designated area in the school building where that student will receive a substantially equivalent, alternative education.

Intervention: Intervention by adults and students is an important step in preventing escalation and resolving issues at the earliest stages. Intervention will emphasize education and skill-building. Successful intervention may involve remediation.

Remedial responses to bullying, hazing, and harassment include measures designed to correct the problem behavior, prevent future occurrences of such behavior and to protect the target of such behavior. Remediation may be targeted to the individual(s) involved in the bullying behavior or may include environmental approaches which are targeted to the building or District as a whole.

In addition, interventions will focus upon the safety of the target. Staff is expected, when aware of bullying, hazing and/or harassment, to either refer the student to designated resources for assistance or to intervene in accordance with this policy and regulation.

Out of School Suspension (OSS): The removal of a student from the school building for one or more days. The Principal may impose OSS for serious infractions of the rules of conduct for periods not to exceed five school days. Through a Superintendent's Hearing, the Superintendent may impose OSS for serious infractions of the rules of conduct for periods that can exceed five school days. The District will offer alternative instruction to students.

Parent/Guardian: A family member or members and/or the person(s) identified in parental relationship as defined by Educational Law, Section 3212, generally, the primary caregiver(s) of our students.

Pillars: As part of the PBIS framework, there are six pillars that are focused on character traits of our students that we want to emphasize and encourage. They are: Perseverance, Communication, Collaboration, Thinkers, Citizenship and Self-Direction.

Positive Behavior Interventions and Supports (PBIS): A proactive approach to establishing the behavioral supports and social culture that are needed for all students in a school to achieve social, emotional and academic success.

Prevention: The school setting provides an opportunity to teach children and emphasize among staff, that cooperation with and respect for others is a key value. A district-wide effort geared toward prevention is designed to not only avoid incidents of bullying, but to help students build more supportive relationships with one another by integrating the bullying prevention program into classroom instruction. Prevention includes the following:

- Training of staff
- Comprehensive school-wide educational component, including character education
- Appropriate supervision of students
- Clear and consistent expectations of behavior
- Use of appropriate interventions when inappropriate or prohibited conduct occurs

Response to Intervention (RTI): A process used by educators to help students who are struggling with a skill or lesson; every teacher will use behavior and academic interventions (a set of teaching procedures) with any student to help them succeed in the classroom/community.

Restorative Practices: Promotes inclusiveness, relationship-building and problem-solving, through such restorative methods as circles for teaching and conflict resolution for conferences that bring victims, offenders and their supporters together to address wrongdoing.

Social and Emotional Learning (SEL): A process through which children and adults understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships and make responsible decisions.

Student Assistance Program (SAP): A K-12 school-based, evidence-informed framework for prevention, early intervention, referral and support for students with needs that may prevent them from fully benefiting from their educational experience.

Student Removal: The act of a teacher to remove a student from the classroom who engages in a disruptive or violent act in accordance with both the statutory requirements of the District's Code of Conduct. In such cases, the student will be escorted to the designated area and be provided educational programming and activities. Teachers will also immediately report and refer instances of a violent act to the school Principal or Superintendent for violation of the Student Code of Conduct. The administration must then comply with the reporting requirements.

Substantially Disruptive Behavior: An act that is substantially disruptive to the educational process, such that managing the disruption interrupts the educational process and/or an insubordinate action that interferes with or diminishes the authority of school personnel.

Superintendent: The Chief Executive Officer of Schools or the Superintendent's designee.

Superintendent's Hearing: A hearing by which the Superintendent may suspend a student for longer than five school days. Parents/guardians who disagree with the Superintendent's decision may appeal to the Board of Education, which will make a decision based on the record of the Superintendent's Hearing. (Please see Superintendent's Hearing Appeal Process, Appendix IV.)

Support Staff: School psychologists, school social workers, school counselors, school nurses, occupational therapists, physical therapists, speech therapists, teaching assistants and teaching aides are all classified as support staff.

Upstander: An upstander is someone willing to stand up and act in defense of others. Further, it identifies people who take helpful steps to help others in instances of bullying, discrimination, harassment or other injustices. Depending on the situation, they help themselves or others by expressing opposition to the bullying and/or by providing emotional support to the target and/or by getting help for the target.



Violent Act or Behavior: An action that significantly damages any property, involves possession or use of a weapon or dangerous implement, and/or involves a display or threat made with what appears to be a weapon or dangerous implement capable of causing physical injury or death, or otherwise meets the definition of violent pupil under New York Education Law Section 3214.

Appendix II: Frequently Asked Questions

Q: A Code of Conduct violation was committed against my child. When I asked the principal what the consequences were for the student who violated the Code of Conduct, the principal told me that they weren't allowed to share this information. Why?

A: While it can be frustrating not to know the outcome of a disciplinary incident where your son or daughter was a victim, the school district is bound by FERPA (Family Educational Rights and Privacy Act) to only share information with families about their own children. This ensures privacy as individual student school records can only be shared with that individual student's family.

Q: What is the Dignity for All Students Act (DASA)?

A: New York State's Dignity for All Students Act seeks to provide the State's public elementary and secondary school students with a safe and supportive environment free from discrimination, intimidation, taunting, harassment and bullying on school property, a school bus and/or at a school function. The Dignity Act was signed into law on September 13, 2010 and took effect on July 1, 2012. For more information about the Dignity for All Students Act see page 10 of the Code of Conduct.

Q: What happens if my child and I do not attend the Superintendent's Hearing?

A: If a parent/guardian and/or student choose not to attend the Superintendent's Hearing, the hearing will proceed as scheduled.

Q: What is a hearing officer?

A: A hearing officer is a designated person hired by the District who conducts the hearing. The hearing officer's report is advisory only and the Superintendent may accept or reject all or any part of it.

Q: If I move in or out of the District, do the discipline records follow?

A: Yes, the District is required to forward all records, including discipline.

Q: Will my child's discipline record keep them out of accelerated classes?

A: Decisions for classes are based on grades, student motivation, teacher recommendation and not discipline.

Q: Do police have the rights to enter a school?

A: Yes; if a crime has been committed, if police have a warrant for an arrest or if police were invited.

Q: Do schools have to read students the "Miranda Rights" before questioning a student?

A: No



Appendix III: School Safety and Educational Climate (SSEC) Glossary

(nysed.gov) The following definitions apply, unless otherwise prohibited by law.

VIOLENT OR DISRUPTIVE INCIDENT RELATED TERMS [\(1\)](#)

Violent or disruptive incident: an incident that occurs on school property of the school district, board of cooperative educational services, charter school or county vocational education and extension board, and falls under one of these categories:

1. Homicide: Any intentional violent conduct that results in the death of another person.

2. Sexual Offenses

2a. Forcible Sex Offenses: Sex offenses involving forcible compulsion and completed or attempted sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact, with or without a weapon including, but not limited to, penetration with a foreign object, rape and sodomy; or resulting from forcibly touching or grabbing another student on a part of the body that is generally regarded as private, such as buttocks, breast and/or genitalia.

2b. Other Sex Offenses: Other non-consensual sex offenses involving inappropriate sexual contact, including, but not limited to, touching another student on a part of the body that is generally regarded as private, which includes, but is not limited to, the buttocks, breasts, and genitalia, removing another student's clothing to reveal underwear or private body parts, or brushing or rubbing against another person in a sexual manner. Other sex offenses shall also include, but is not limited to, conduct that may be consensual or involve a child who is incapable of consent by reason of disability or because they are under 17 years of age, provided that such term shall not include consensual sexual conduct involving only students, and/or non-students 18 years of age or under, unless at least one the individuals participating in the conduct is at least four years older than the youngest individual participating in this conduct.

3. Assault: Engaging in behavior intentionally or recklessly that causes physical injury to another person, with or without a weapon, in violation of school district code of conduct and falls under one of these categories:

3a. Physical Injury: Means impairment of physical condition or substantial pain and includes, but is not limited to, black eyes, welts, abrasions, bruises, cuts not requiring stitches, swelling and headaches not related to a concussion.

3b. Serious Physical Injury: Means physical injury which creates a substantial risk of death or which causes death or serious and protracted disfigurement or protracted impairment of health or protracted loss or impairment of the function of any bodily organ and requires hospitalization or treatment in an emergency medical care facility outside of school including, but not limited to, a bullet wound, fractured or broken bones or teeth, concussions, cuts requiring stitches and any other injury involving risk of death or disfigurement.

4. Weapons Possession: Possession of one or more weapons, except possession in a classroom or laboratory as part of an instructional program or in a school-related activity under the supervision of some teacher or other school personnel as authorized by school officials and falls under one of these categories:

4a. Routine Security Checks: Possession of one or more weapons (see list below) secured through routine security checks.

Weapons: means one or more of the following dangerous instruments:

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| <ul style="list-style-type: none">i. firearm, including, but not limited to, a rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, air gun, spring gun, BB gun or paint ball gun;ii. a switchblade knife, gravity knife, pilum ballistic knife, cane sword, dagger, stiletto, dirk, razor, box cutter, metal knuckle knife, utility knife or any other dangerous knife;iii. a billy club, blackjack, bludgeon, chukka stick or metal knuckles;iv. a sandbag or sandclub;v. a sling shot or slung shot; | <ul style="list-style-type: none">vi. a martial arts instrument including, but not limited to, a kung fu star, ninja star, nun-chuck or shirken;vii. an explosive including, but not limited to, a firecracker or other fireworks;viii. a deadly or dangerous chemical including, but not limited to, a strong acid or base, mace or pepper spray;ix. an imitation gun that cannot be easily distinguished from a real gun;x. loaded or blank cartridges or other ammunition; orxi. any other deadly or potentially dangerous object that is used with the intent to inflict injury or death. |
|--|--|

4b. Weapons possessed under other circumstances: Possession of one or more weapons at a school function or on school property which are not discovered through a routine security check including, but not limited to, weapons found in possession of a student or within a locker.

5a. Material Incident of Discrimination, Harassment and Bullying (excluding Cyberbullying):

A single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. [\(2\)](#) In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, as defined in Commissioner's regulation §100.2(kk)(1)(viii). Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. Commissioner's regulation 100.2(kk)(1)(viii) provides

that harassment or bullying means the creation of a hostile environment by conduct or by threats, intimidation or abuse that either: (a) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or (b) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety. Such definition shall include acts of harassment or bullying that occur on school property, at a school function, or off school property where such act 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. For the purposes of this definition, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.(3)

Bullying is defined as a form of unwanted, aggressive behavior that involves a real or perceived power imbalance and that is repeated, or has the potential to be repeated, over time.(4)

**Please note the following “elements of bullying” do not solely determine whether an incident is material.*

- i. **Imbalance of power:** An imbalance of power involves the use of physical strength, popularity or access to embarrassing information to hurt or control another person.
- ii. **Repetition:** Bullying typically repeated, occurring more than once or having the potential to occur more than once.
- iii. **Intent to Harm:** The person bullying has the goal to cause harm. Bullying is not accidental.

Discrimination not specifically defined in the Dignity Act. However, it would include any form of discrimination against students prohibited by state or federal law such as, the denial of equal treatment, admission, and/or access to programs, facilities, and services based on the person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity) or sex. It should be noted that Educational Law §3201 and 3201-a prohibits discrimination in the form of denial of admission into or exclusion from any public school on the basis of race, creed, color, national origin and sex.

5b. Material Incident of Discrimination, Harassment, and Bullying (Cyberbullying): is defined as harassment or bullying that occurs through any form of electronic communication (Ed. Law §11[8]) including, but not limited to, cell phones, computers, and tablets, or other communication tools, including social media sites, text messages, chat rooms and websites.(See definition of harassment or bullying as defined in 5a. and Commissioner’s regulation 100.2(kk)(1)(viii))

6. Bomb Threat: A telephoned, written or electronic message that a bomb, explosive, or chemical or biological weapon has been or will be placed on school property.

7. False Alarm: Causing a fire alarm or other disaster alarm to be activated knowing there is no danger, or through false reporting of a fire or disaster.

8. Use, Possession or Sale of Drugs: Illegally using, possessing, or being under the influence of a controlled substance or marijuana, on school property or at a school function, including having such substance on a person in a locker, vehicle or other personal space; selling or distributing a controlled substance or marijuana, on school property; finding a controlled substance or marijuana, on school property that is not in the possession of any person; provided that nothing herein shall be construed to apply to the lawful administration of a prescription drug on school property.

9. Use, Possession or Sale of Alcohol: Illegally using, possessing or being under the influence of alcohol on school property or at a school function. This includes possessing alcohol on a person, in a locker, a vehicle or other personal space; selling or distributing alcohol on school property or at a school function; and finding alcohol on school property that is not in the possession of any person.

BIAS-RELATED TERMS [\(5\)](#)

1. Biased-related conduct: Behavior that is motivated by a target/victim's race, color, creed, national origin, gender (including gender identity), sexual orientation, age, marital or partnership status, family status, disability, alienage or citizenship status.

2. Race: The groups to which individuals belong, identify with, or belong in the eyes of the community. This includes traits historically associated with race, including, but not limited to, hair texture and protective hairstyles. Protective hairstyles shall include, but not be limited to, such hairstyles as braids, locks and twists. (Education Law §11[9] and [10]).

3. Ethnic Group (Ethnicity): An affiliation with a particular group, country or area of origin (distinct from citizenship or country of legal nationality), race, color, language, religion, customs of dress or eating, tribe or various combinations of these characteristics.

4. National origin: is an individual's country of birth, country of origin, or the country of origin of an individual's family or spouse.

5. Color: Complexion tint or skin pigmentation. Color discrimination can occur within the same racial or ethnic group.

6. Religion: Religious or spiritual belief of preference, regardless of whether this belief is represented by an organized group or affiliation having religious or spiritual tenets.

7. Religious Practices: Religious observances or practices that may include attending worship services, praying, wearing garb or symbols, displaying religious objects, adhering to certain dietary rules, proselytizing or other forms of religious expression and/or refraining from certain activities.

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

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

10. Sex: is the biological and physiological characteristics that define men and women.

11. Other: Can include, but is not limited to, physical characteristics age, socio-economic status, health condition, housing, domestic relationships, social/academic status, etc.

OTHER RELATED TERMS

1. Gang-Related: When an incident involves one or more than one offender, known to be a member of an organized group, or gang, which is characterized by turf concerns, symbols, special dress and/or colors that engage students in delinquent or illegal activity.

2. Group-Related: An incident is group-related if it is several individuals that assemble for the purpose of engaging in or contributing to actions that occur during the incident.

3. School Property: Shall mean 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. (Education Law §11(1) and Vehicle and Traffic Law §142, 8 NYCRR 100.2(kk)(1)(i))

4. School Function: Means a school-sponsored or school-authorized extracurricular event or activity, regardless of where such activity takes place, including any event or activity that may take place in another state. (Education Law §11(2), 8 NYCRR 100.2(kk)(1)(ii))

5. School Bus: Means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, teachers, and other person acting in a supervisory capacity, to or from school or school activities (Education Law §11(1) and Vehicle and Traffic Law §142).

6. Target: Refers to a person who has been mistreated and/or injured, or the individual affected by the incident. The target can be identified as a student, staff or other.

7. Victim: See the definition of target.

8. Other: Refers to a target or offender who is unknown, or neither a student nor a staff member.

9. Offender: Refers to a person who has mistreated and/or injured another person or the individual who caused an incident. The offender can be identified as a student, staff (such as teacher or other school staff) or other (such as school safety officer, student intruder, visitor, unknown).

10. Disciplinary or Referral Action: For purposes of reporting, a consequence [\(7\)](#) assigned based on the violation of the school's code of conduct and reported under one of the following:

- **Counseling or Treatment Programs:** For purposes of reporting, referrals to counseling or treatment programs are formal multi-session interventions, provided by certified or licensed professionals, aimed at reducing risk factors linked to the identified problem area(s) (i.e. drug/alcohol rehabilitation programs, anger management programs, etc.)
- **Teacher Removal:** is the removal of a disruptive pupil from the teacher's classroom pursuant to the provisions of Education Law §3214(3-a).
- **In-School Suspension:** is a removal from instruction and/or activities in the same setting as class/age peers as a disciplinary purpose, but remains under the direct supervision of school personnel.
- **Out-of-School Suspension:** a student is suspended from attending classes or being on school property. The student must receive his/her instruction during the period of suspension, in an alternate setting, separate from the school which his/her class/age peers attend.
- **Involuntary transfer to an Alternative Placement:** is the removal from instruction within the same school building as class/age peers as a disciplinary measure, and assignment to an alternate setting to receive instructional services. This could also include alternate (i.e. condensed) hours.
- **Community Service:** when a school/district determines work that is assigned without pay to help a community.
- **Juvenile Justice or Criminal Justice System:** when the school is aware that a student, under the supervision of juvenile justice of the criminal justice system, engages in an incident that may rise to the level of a criminal offense, the school reports the incident to the juvenile justice system for intervention.
- **Law Enforcement:** when a student engages in an incident that occurs on school grounds, during school-related events, or while on school transportation, and the incident may rise to the level of a criminal offense, the school reports the incident to any law enforcement agency or official, according to law enforcement procedures.

11. School-related arrests: Refers to an arrest of a student for any activity conducted on school grounds, during off-campus school activities (including while taking school transportation), or due to a referral to law enforcement by any school official.[\(8\)](#)

12. Sexting: is described as the sending, receiving or forwarding of sexually suggestive nude or nearly nude photos through text messages or email.[\(9\)](#)

13. Controlled substance: [According to Title 21 United States Code \(USC\) Controlled Substances Act, Subchapter 1, Part A, §802 \(6\)](#), "The term "controlled substance" means a drug or other substance, or immediate precursor, included in schedule I, II, III, IV, or V of [part B of this subchapter](#). The term does not include distilled spirits, wine, malt beverages or tobacco, as those terms are defined or used in subtitle E of the Internal Revenue Code of 1986."

Appendix IV: Suspension and Appeal Process

Students may appeal short-term and long-term suspensions.

Any appeal of a short-term suspension must be submitted to the Superintendent within (10) business days, absent extraordinary circumstances.

Any appeal of a long-term suspension is first made to the Board of Education and then to the Commissioner of Education. The following steps are to be followed relative to this process:

- I. The student or parent/guardian must submit a letter to the Brockport Central School District Clerk indicating their desire to appeal the determination and the basis for the appeal within 30 days of receipt of the Superintendent's decision.
- II. A copy of the letter is made by the District Clerk for review by the Superintendent of Schools and the original is kept in the District Clerk's files.
- III. The Superintendent of Schools (in concert with designee) reviews the suspension documentation (hearing notes, witness statements, etc.) and notifies the Board of Education President about the appeal.
- IV. The Superintendent of Schools and District Clerk determine the earliest regularly scheduled Board meeting to hold the appeal and the parent/guardian is notified via phone, email and/or mail. This meeting will be held in Executive Session.
- V. "Request for Appeal Letter" is sent to the entire Board of Education along with the date of the appeal meeting.
- VI. The Board of Education goes into Executive Session and the Superintendent and/or designee will outline aspects of the suspension and review the appeal letter and any other documents. The Board of Education makes a final decision to either uphold the suspension, overturn it or modify it.
- VII. After the determination is made, the Board of Education will return to public session and a public vote is held relative to the matter. After the vote, a letter will be sent notifying the parent/guardian of the decision with a copy sent to the school principal and the file.

Appendix V: References

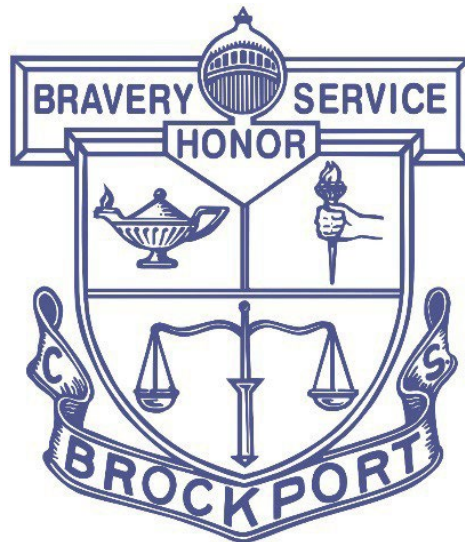
New York State Education Department:

[100.2 General School Requirements | New York State Education Department \(nysed.gov\)](https://www.nysed.gov/100.2-General-School-Requirements)

Brockport Central School District

40 Allen Street

Brockport, New York 14420-2296



Board of Education Members

Jeffrey Harradine, President

Robert Lewis, Vice President

Terry Ann Carbone

David Howlett

Kathy Robertson

David Stroup

Michael Turbeville

District Clerk

Deb Moyer

The Board of Education acknowledges its responsibility to protect the educational climate of the District and to promote responsible student behavior. Accordingly, the Board delegates to the Superintendent of Schools the responsibility for assuring that the components regarding school conduct and discipline are established, maintained in keeping with this policy, reviewed annually and updated as needed through collaboration among staff. Specific components may vary as appropriate to student age, building levels and educational needs. In the event of a conflict between the Code of Conduct and any Board of Education Policy, the Board of Education Policy shall control.