



CONNETQUOT DISTRICT CODE OF CONDUCT

REVISED: August 8, 2023

5300: CODE OF CONDUCT

Subsection 5300.01 INTRODUCTION

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

- **ensuring each student is healthy, safe, engaged, supported, and challenged;**
- **helping students develop self-discipline and social and emotional growth; and**
- **guiding students in improvement and corrections of inappropriate, unacceptable and unsafe behaviors.**

The District has a long-standing set of expectations for conduct for students and all essential partners. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

Student discipline and support policies and practices will be implemented in a manner which is caring and equitable, respectful and based on trust among administration, staff, students and families and holds all individuals accountable.

The Board recognizes the need to clearly define its expectations for acceptable conduct while on school property, engaged in a school function or off school property, for instances of *harassment, including cyberbullying. The Board further recognizes the need to identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly. To this end, the Board adopts this Code of Conduct.

*The Dignity for All Students Act (DASA) requires the District to prohibit harassing actions that occur on or off school property and have potential to create substantial disruption in school. (*See attached which is updated annually at the reorganizational meeting designating DASA Coordinators for the current school year.*)

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

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Revision Date: August 23, 2005, September 10, 2013, July 1, 2015;
September 25, 2019, August 2022, August 2023
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July 1, 2014; July 12, 2016; June 13, 2017; July 3, 2018,

Subsection 5300.05 DEFINITIONS

For purposes of this code, the following definitions apply:

“Alcohol” means any alcoholic beverage and/or product containing ethanol, including powdered alcohol.

“Behavior” is the way in which one acts or conducts oneself, especially towards others. It is expected that students, staff, and visitors will conduct themselves in such a way that is in line with this Code of Conduct.

“Board” refers to the Connetquot Central School District Board of Education unless otherwise specified.

“Bullying”, under the amended Dignity for All Students Act, has the same meaning as harassment (see below). The accompanying regulation provides more guidance regarding the definition and characteristics of bullying to help the school community recognize the behavior.

“Controlled Substance” means a drug or other substance identified in certain provisions of the Federal Controlled Substance Act specified in both federal and state law and regulations applicable to this policy.

“Cyberbullying” is defined as harassment (see below) through any form of electronic communication.

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

“Discrimination” is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all 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 Student” means a pre-school, elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher’s authority occurs when a student demonstrates a persistent unwillingness to comply with teacher’s instructions or repeatedly violates the teacher’s classroom behavior rules.

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

through contract, whereby such services performed by such person involve direct student contact (Education Law §§11[4] and 1125[3]).

“Fabrication” the unauthorized falsification or invention of any information in a work submitted for evaluation, including the use of a purchased term/research paper or work generated by any artificial intelligence application, when not specifically directed to use by a teacher

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

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

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

Harassment. Harassment has been defined in various ways in federal and state law and regulation. The Board recognizes that these definitions are important standards, but the Board’s goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that (a) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; (b) reasonably causes or would reasonably be expected to cause a student to fear for their 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. The harassing behavior may be based on any characteristic, including but not limited to a person’s actual or perceived:

- Race (including traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as but not limited to braids, locks, and twists),
- color,
- weight,
- national origin,
- ethnic group,
- religion,
- religious practice,
- disability,
- sex,
- sexual orientation, or
- gender (including gender identity and expression).

~~“Harassment” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that (a) has or would have the effects 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 their 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 or substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:~~

- ~~• Race (including traits historically associated with race, including, but not limited to, hair texture and protective hairstyles such as but not limited to braids, locks, and twists),~~
- ~~• color,~~
- ~~• weight,~~
- ~~• national origin,~~
- ~~• ethnic group,~~
- ~~• religion,~~
- ~~• religious practice,~~
- ~~• disability,~~
- ~~• sex,~~
- ~~• sexual orientation, or~~
- ~~• gender (including gender identity and expression).~~

For the purpose of this definition the term “threats, intimidation or abuse” includes verbal and non-verbal actions.

In order to streamline the wording of this policy and regulation the term bullying will be used throughout to encompass harassment, intimidation, cyberbullying and hazing behaviors.

~~“Illegal Substance” includes but are is not limited to inhalants, marijuana (including all forms of cannabis such as THC), cocaine, LSD, PCP, Amphetamines, Heroin, Steroids, and any substance commonly referred to as “designer drugs.”~~
~~” means controlled substance(s) except for those legally possessed or used under the supervision of a licensed health care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.~~

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

“Plagiarism” representing the work(s) or ideas(s) of another, not necessarily those of a student, including the work of artificial intelligence applications when not specifically directed to use by teachers, as one's own through the deliberate omission of acknowledgement or reference.

“Protective hairstyles” includes, but is not limited to, such hairstyles as braids, locks, and twists.

“Race” includes traits historically associated with race, including but not limited to hair texture and protective hair styles.

“Relationships” are the way in which two or more people regard and behave toward each other.

“Responsibility” is accountability for one’s actions, choices and decision making.

“Respect” is an act of treating everyone in the school community with dignity. This is demonstrated by: treating others with kindness and care, being polite and using manners, expressing thoughts in opinions in ways that are polite and courteous, using a polite tone of voice and body language, listening to others who are speaking to you, keeping one’s hands to one’s self and not violating others’ personal space.

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

“School Function” means any school-sponsored ~~extra-curricular~~ event or activity, on or off school property, including but not limited to field trips.—

“School Property” means in or within any building, ~~office~~, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school or District office, or in or on a school bus or vehicle, including but not limited to as defined in Vehicle and Traffic Law § 142.

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

“Smoking” means the burning of a lighted cigar, cigarette, pipe, or any other matter or substance, including but not limited to electronic cigarette and/ or (e-cigarette, vaping devices, and/or THC devices,) ~~and/or vaporizers~~, intended for inhalation.

“Suspend” means to remove temporarily from a school privilege, classroom instruction and activities and/or functions.

“Tobacco” includes chewing tobacco, snuff, and/or any other similar substance.

“Violent student” means a student under the age of 21 who:

1. Commits an act of violence upon a school employee.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function.
3. Possess, while on school property or at a school function, a weapon such as a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death.

4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

~~“Violent Student” means a student under the age of 21 whom:~~

- ~~• commits an act of violence upon a school employee, or attempts to do so, or threatens violence~~
- ~~• commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function, or attempts to do so, or threatens violence~~
- ~~• possesses, while on school property or at a school function, a weapon~~
- ~~• displays, while on school property or at a school function, what appears to be a weapon~~
- ~~• threatens, while on school property or at a school function, to use a weapon~~
- ~~• knowingly and intentionally damages or destroys property of any school employee, student or any other person lawfully on school property or at a school function~~
- ~~• knowingly and intentionally damages or destroys school district property~~
- ~~• threatens violence against someone or property~~

“Weapon” means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. For the purposes of this policy, it also means any other gun, BB gun, pistol, revolver, shotgun, ~~gravity knife~~ (including but not limited to switch blade, pocket knife, gravity knife, metal knuckle knife), brass knuckles, sling shot, ~~metal knuckle knife~~, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, air rifle, paintball gun, laser pointer, pepper spray or other noxious spray, explosive or incendiary bomb, or any other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death or any other objects defined under New York State penal code.

Ref: Education Law §§2801; 3214
18 USC §921

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**Subsection 5300.10
STUDENT RIGHTS AND RESPONSIBILITIES**

The Board of Education’s goal is to provide an environment in which a student’s rights and freedoms are respected. The Board therefore assures district students that they shall have all the rights afforded them by federal and state constitutions, statutes and regulations. The Board also recognizes all federal, state and local

laws in connection with these rights, and reminds students that certain responsibilities accompany these rights.

A. Student Rights

It shall be the right of each district student:

1. to have a safe, healthy and orderly school environment;
2. ~~to take part in all district activities on an equal basis regardless of actual or perceived race (including, traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), weight, color, creed, national origin, ethnic group, religion, religious practice, gender (including gender identity and expression) or sexual orientation or disability;~~
3. ~~to be respected as an individual and treated fairly and with dignity by other students and school staff;~~
4. ~~to express one's opinions, either verbally or in writing, as long as it is done in a respectful manner;~~
5. ~~to access school parties, regulations and rules and, when necessary, receive an explanation of those rules from school personnel;~~
6. ~~to be provided with clear expectations regarding:~~
 - a. ~~—a.~~ course objectives, requirements and state standards;
 - b. ~~—b.~~ grading criteria and procedures;
 - c. ~~—c.~~ assignment requirements and deadlines; and
 - d. ~~—d.~~ school and classroom rules and expectations regarding
 1. ~~—~~ behavior.
7. to attend school and participate in school programs unless suspended from instruction and participation for legally sufficient cause as determined in accordance with due process of law;
8. to have school rules and conditions available for review and, whenever necessary, explanation by school personnel;
9. to be suspended from instruction only after his/her rights pursuant to Education Law 3214 have been observed; and
10. in all disciplinary matters, to have the opportunity to present his/her version of the facts and circumstances leading to imposition of disciplinary sanctions to the professional staff member imposing such sanctions.

B. Student Responsibilities

It shall be the responsibility of each district student:

1. to contribute to the maintenance of an environment that is conducive to learning and to show due respect to all persons and to property;
2. to be familiar with and abide by all district policies, rules and regulations pertaining to student conduct;
3. to work to the best of his/her ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible;
4. to conduct him or herself, when participating in or attending school-sponsored extracurricular events, as a representative of the district and as such hold him or herself to the highest standards of conduct, demeanor, and sportsmanship, and accept responsibility for his/her actions;
5. to seek help in solving problems that might lead to discipline procedures;
6. to be in attendance as per the Attendance Policy;

~~to contribute to the maintenance of an environment that is conducive to learning and to show due respect to all persons and to property;~~

7. to dress in accordance with standards promulgated by the Board and the Superintendent;
8. to make constructive contributions to the school, and to report fairly the circumstances of school-related issues;
9. to bring to the attention of the appropriate administrator(s) or staff member any action that might be harmful to students including, but not limited to, bullying behaviors, drug use in buildings or during school events/activities, students carrying inappropriate objects or weapons, or anything that might cause harm to another;
10. to react to direction given by teachers, administrators and other school personnel in a respectful, positive manner;
11. to use a polite tone of voice and appropriate body language, listening when others are speaking to you; and
12. to be truthful when speaking with school officials regarding Code of Conduct violations.

Respect personal space.

13. Work to develop skills to manage their emotions and reactions and resolve conflict with others.

Ref: Education Law §3214
8 NYCRR §100.21(1) (1) (i)

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Subsection 5300.15 ESSENTIAL PARTNERS

The Code of Conduct is a guide for understanding the personal, social, and academic behaviors which are expected from your child while at school and school functions. This Code also guides how school staff will work with you and your child to help demonstrate positive behaviors and promote academic success.

All members of our learning community – including students, staff, parent/guardians and engaged service providers– must assume a responsible role in promoting behavior that enhances academic and social success. Courteous, respectful, and responsible behavior fosters a positive climate in the learning community.

Those responsibilities include but are not limited to the following:

~~Essential Partners are parents, teachers, student support services personnel and other school/district staff, coaches, advisors, chaperones, volunteers, principals, Superintendent and other administrators, and the Board of Education who, in their roles, help to maintain safe and orderly schools.~~

The Code of Conduct is a guide for understanding the personal, social, and academic behaviors which are expected from your child while at school and school functions. This Code

also guides how school staff will work with you and your child to help demonstrate positive behaviors and promote academic success.

To achieve this goal, those responsibilities include but are not limited to the following:~~all parents are expected to:~~

A. Parentss/Guardians: All parents shall:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community;
2. ssend their children to school ready to participate and learn;
3. eensure their children attend school regularly and on time;
4. ensure absences are excused;
5. insist their children be dressed and groomed in a manner consistent with the student dress code;
6. help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment;
7. know school rules and help their children understand them so that their children can help create a safe, respectful, supportive school environment;
8. ;
9. show respect to all district/school personnel;
10. convey to their children a supportive attitude toward education, and the district;
11. build positive relations with teachers and other school personnel;
12. help their children deal effectively with peer pressure and conflicts;
13. inform school officials of changes in the home situation that may affect student conduct or performance;
14. provide a place for study and ensure homework assignments are completed;
15. bring to the attention of the appropriate administrator(s) any action that might be harmful to students including, but not limited to, bullying behaviors, drug use in buildings or during school events/activities, students carrying inappropriate objects or weapons, or anything that might cause harm to another;
16. maintain a climate of mutual respect and dignity for all students regardless of, actual or perceived race (including, traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex, which will strengthen students' self-worth and promote confidence to learn;
17. ~~comport themselves in a manner consistent with their professional responsibilities and the District's Code of Conduct;~~
18. be truthful when discussing Code of Conduct violations; and
19. be respectful and courteous to staff, other parents/guardians and students while on school premises;
20. adhere to all signed parent user agreements regarding District issued technology.
21. conduct themselves in a manner consistent with their parental responsibilities and District Code of Conduct.

B. Staff

The Code of Conduct is a guide for supporting positive student behavior at school. It is intended to help staff prevent student misconduct through the use of effective strategies and systems. It will provide guidance for intervening effectively and appropriately if students don't meet expected standards of behavior or violate the school rules and policies. Concerns about safety and school climate should be brought to the attention of a school administrator in order to facilitate collaboration in maintaining a safe and orderly learning and work environment.

~~All staff are expected to understand that students may come to school—
—having experienced trauma in their lives, which can impact their behavior
—in school (e.g. anger, outbursts, withdrawal, self-injury).~~

1. ~~—~~Teachers: All district teachers shall:

- a) ~~A~~ assess student learning and achievement and adjust instructional strategies to meet student needs;
- b) demonstrate proficiency in teaching and concern for student learning achievement;
- c) demonstrate concerns for the social/emotional needs of the students;
- d) be familiar with district policies and rules and enforce them in a fair and consistent manner;
- e) communicate to students and parents:
 - curriculum
 - course objectives and requirements
 - marking/grading procedures
 - assignment deadlines
 - expectations for students
 - classroom ~~behavior~~ procedures and ~~consequences~~ discipline plan
- f) communicate regularly with students, parents and student support personnel concerning growth and achievement;
- g) build and maintain positive relations with students, staff, and parents;
- h) bring to the attention of the appropriate administrator(s) any action that might be harmful to students including, but not limited to, bullying behaviors, drug use in buildings or during school events/activities, students carrying inappropriate objects or weapons, or anything that might cause harm to another;
- i) treat all such information as confidential to be shared only with the appropriate personnel or parents;
- j) maintain a climate of mutual respect and dignity for all students regardless of, actual or perceived race (including, traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex, which will strengthen students' self-worth and promote confidence to learn;
- k) confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function;
- ~~l) address personal biases that may prevent the fair and equitable treatment of students;~~
- m) report incidents of discrimination and harassment that are witnessed or brought to your attention;
- n) ~~conduct~~ report themselves in a manner consistent with their professional responsibilities and the District's Code of Conduct; and
- o) be truthful when discussing Code of Conduct violations.

2. Student Support: School Counselors, School Social Workers and/or School Psychologists shall:

- a) ~~A~~assist students in coping with peer pressure and emerging personal, social, and emotional needs;
- b) initiate relevant parent/teacher conferences, as necessary;
- c) review educational progress with students and their parents;
- d) provide information to assist students with career planning;
- e) encourage students to participate in extracurricular programs;
- f) be familiar with district/school policies and rules, and enforce them in a fair and consistent manner;
- g) bring to the attention of the appropriate administrator(s) any action that might be harmful to students including, but not limited to, bullying behaviors, drug use in buildings or during school events/activities, students carrying inappropriate objects or weapons, or anything that might cause harm to another;
- h) treat all such information as confidential to be shared only with the appropriate personnel or parents; Maintain confidentiality in accordance with federal and state law;
- i) maintain a climate of mutual respect and dignity for all students regardless of, actual or perceived race (including, traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex, which will strengthen students' self-worth and promote confidence to learn;
- j) ~~address~~confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function;
- k) address personal biases that may prevent the fair and equitable treatment of students;
- l) report incidents of discrimination and harassment that are witnessed or brought to your attention;
- m) ~~emport~~conduct themselves in a manner consistent with their professional responsibilities and the District's Code of Conduct; and
- n) be truthful when discussing Code of Conduct violations;:-
- o) make known to students and families the resources in the community that are available to meet their needs;
- p)

3. Other School/District Staff shall:

- a) be familiar with district/school policies and rules, and enforce them in a fair and consistent manner;
- b) bring to the attention of the appropriate administrator(s) any action that might be harmful to students including, but not limited to, bullying behaviors, drug use in buildings or during school events/activities, students carrying inappropriate objects or weapons, or anything that might cause harm to another;

c treat all such information as confidential to be shared only with the appropriate personnel or parents; Maintain confidentiality in accordance with federal and state law

b)

d) maintain a climate of mutual respect and dignity for all students regardless of, actual or perceived race (including, traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity an expression) or sex, which will strengthen students' self-worth and promote confidence to learn;

e) confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function;

f) address personal biases that may prevent the fair and equitable treatment of students;

g) report incidents of discrimination and harassment that are witnessed or brought to your attention;

h) ~~conduct~~conduct themselves in a manner consistent with their professional responsibilities and the District's Code of Conduct and;

i) be truthful when discussing Code of Conduct violations.

j) help children understand the district's expectations for maintaining a safe, orderly environment.

4. Coaches and Advisors shall:

a) be familiar with district/school policies and rules, and enforce them in a fair and consistent manner;

b) adhere to Policy 9120-R, Code of Conduct for Connetquot Coaches;

~~e~~) bring to the attention of the appropriate administrator(s) any action that might be harmful to students including, but not limited to, bullying behaviors, drug use in buildings or during school events/activities, students carrying inappropriate objects or weapons, or anything that might cause harm to another;

d) treat all such information as confidential to be shared only with the appropriate personnel or parents;

e) maintain a climate of mutual respect and dignity for all students regardless of, actual or perceived race (including, traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex, which will strengthen students' self-worth and promote confidence to learn;

f) confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function;

~~g~~) address personal biases that may prevent the fair and equitable treatment of students;

h) report incidents of discrimination and harassment that are witnessed or brought to your attention;

- i) ~~conduct~~~~empert~~~~conduct~~ themselves in a manner consistent with their professional responsibilities and the District's Code of Conduct; and
- j) be truthful when discussing Code of Conduct violations;
- k) help children understand the district's expectations for maintaining a safe, orderly environment;
- l)

5. Principals and Other Building Administrators shall:

- a) promote a safe, orderly and stimulating school environment;
- b) build and maintain positive relations with students, staff and parents;
- c) support and provide opportunities for proficient instruction;
- d) ensure that students, staff, and community have the opportunity to communicate regularly with the principal;
- e) evaluate all instructional programs on a regular basis;
- f) support the development of and student participation in extracurricular activities;
- g) enforce the District's Code of Conduct;
- h) bring to the attention of the appropriate administrator(s) any action that might be harmful to students including, but not limited to, bullying behaviors, drug use in buildings or during school events/activities, students carrying inappropriate objects or weapons, or anything that might cause harm to another;
- i) treat all such information as confidential to be shared only with the appropriate personnel or parents. Maintain confidentiality in accordance with federal and state law;
- j)
- k) maintain a climate of mutual respect and dignity for all students regardless of, actual or perceived race (including, traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex, which will strengthen students' self-worth and promote confidence to learn;
- l) confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function;
- m) address personal biases that may prevent the fair and equitable treatment of students;
- n) report incidents of discrimination and harassment that are witnessed or brought to your attention;
- o) ~~conduct~~~~empert~~ themselves in a manner consistent with their professional responsibilities and the District's Code of Conduct;
- p) be truthful when discussing Code of Conduct violations;
- q) ~~promote a trauma-responsive approach to addressing student behavior by supporting professional development, providing safe work environments, forming trusting relationships with students, allowing for student choice and autonomy, and encouraging student skill building competence; and~~
- r) be open to active participation in resolving conflicts;
- s)

6. The Dignity Act Coordinator(s) shall:

1. Address and investigate issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function and/or school buses (Pursuant to Policy 0115), in order to promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex;

7. Superintendent and Other District-Wide Administrators shall:

- a) promote a safe, orderly and stimulating school environment;
- b) build and maintain positive relations with students, staff and parents;
- c) support and provide opportunities for proficient instruction;
- d) review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management;
- e) inform the Board about educational trends relating to student discipline
- f) work to create instructional programs that minimize incidents of inappropriate behavior and are sensitive to student and teacher needs;
- g) work with district-wide administrators in encouraging a positive school climate enforcing the code of conduct and ensuring that all cases are resolved promptly and equitably;
- h) bring to the attention of the appropriate administrator(s) any action that might be harmful to students including, but not limited to, bullying behaviors, drug use in buildings, students carrying inappropriate objects or weapons, or anything that might cause harm to another;
- i) treat all such information as confidential to be shared only with the appropriate personnel or parents;
- j) maintain a climate of mutual respect and dignity for all students regardless of, actual or perceived race (including, traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex, which will strengthen students' self-worth and promote confidence to learn;
- k) confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function;
- l) address personal biases that may prevent the fair and equitable treatment of students;
- m) report incidents of discrimination and harassment that are witnessed or brought to your attention;
- n) ~~conduct~~ themselves in a manner consistent with their professional responsibilities and the District's Code of Conduct;
- o) be truthful when discussing Code of Conduct violations; and
- p) promote a trauma-responsive approach to addressing student behavior by supporting professional development and appropriate staffing.

8. Board of Education shall:

- a) lead by example by conducting Board meetings in a professional, respectful, courteous manner;
- b) maintain confidentiality in accordance with federal and state law;
- c) develop and recommend a budget that provides programs and activities that support achievement of the goals of the code of conduct.
- d) collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly states the conduct of students, district personnel and visitors on school property and at school functions;
- e) maintain a climate of mutual respect and dignity for all students regardless of, actual or perceived race (including, traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex, which will strengthen students' self-worth and promote confidence to learn;
- f) confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function;
- g) address personal biases that may prevent the fair and equitable treatment of students;
- h) report incidents of discrimination and harassment that are witnessed or brought to your attention;-
- i) ~~comport~~—conduct themselves in a manner consistent with their professional responsibilities and the District's Code of Conduct;
- j) be truthful when discussing Code of Conduct violations;
- k) be open to active participation in resolving conflicts; and
- l) annually review and adopt the District's Code of Conduct to evaluate its effectiveness.

Cross-ref: 9122, Code of Conduct for Connetquot Coaches

Ref: Education Law §2801

Adoption Date: May 22, 2001

Revision Dates: August 23, 2005; July 9, 2008; July 7, 2009; July 13, 2010;
June 21, 2011; September 10, 2013; July 1, 2014;
July 1, 2015; July 12, 2016; June 13, 2017; September 25,
2019, August 8, 2023

Review Date: July 3, 2018

**Subsection 5300.20
STUDENT DRESS CODE**

The responsibility for student dress and general appearance rests with individual students and parents. However, the Board of Education requires students to attend school in appropriate dress that meets health and safety standards and

does not interfere with the learning process. The Board also requires students to wear appropriate protective gear in certain classes (e.g. family & consumer sciences, technology, science labs, physical education) and during athletic events.

The Superintendent of Schools and all administrative personnel shall have the authority to require a student to change his/her attire should it be deemed inappropriate according to the guidelines herein.

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Teachers and other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance, including, but not limited to, hair style/color, jewelry, accessories, make-up, and nails, shall:

1. Be unlikely to injure people or damage property, appropriate according to this code, and not substantially disrupt or materially interfere with the educational process;
2. Recognize that extremely brief garments and see-through garments are not appropriate;
3. Ensure that underwear is covered by outer clothing;
4. Shorts and pants should be worn appropriately;
5. Include footwear at all times. Footwear that is a safety hazard will not be allowed;
6. Not cover the student's face to the extent the student is not identifiable, except for a medical or religious purpose;
7. Not include sun-glasses
8. Not include items that are vulgar, obscene, libelous, or denigrate, harass, or discriminate against others on account of actual or perceived race (including, traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, religion, religious practice, disability, creed, national origin, ethnic group, gender (including gender identity and expression, sex, sexual orientation)
9. Not promote and/or endorse the use of alcohol, tobacco or controlled substances or illegal drugs and/or encourage other illegal or violent activities;
10. Not include gang related clothing or paraphernalia.
11. Not include the wearing of hats or hoods in the classroom, that is considered a distraction to the educational setting or is deemed to, in certain circumstances limit the ability of the student to be identified, except for a medical or religious purpose. Students are not permitted to wear hats and hoods unless approved for cases of medical or religious purposes which are documented with the school. ? G&G can we add this
- 12.

Nothing in this policy shall be construed to limit the ability of students to express their gender through clothing, jewelry, makeup, or nail color or styles or to discipline students for doing so. Likewise, nothing in this policy will be construed to restrict students from -wearing hairstyles as a trait historically associated with race (such as hair texture and protective hairstyles like braids, locks, and twists) or to discipline them for doing so.

Each building principal or designee must be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year. If a teacher believes that a student's dress is inappropriate, he/she will contact a building administrator to seek a determination as to appropriate steps to be taken.

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

Ref: Education Law §2801
Appeal of Pintka, 33 EDR 228
Tinker v. Des Moines Independent School District, 393 US 503(1969)
Appeal of Parsons, 38 EDR 297 (1998)

Adoption Date: May 22, 2001
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July 1, 2015; July 12, 2016; September 25, 2019, August 8,
2023
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Subsection 5300.25 EXPECTED STUDENT CONDUCT

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel and other members of the school community, and for the care of school facilities and equipment with the goal of making school a community free of violence intimidation, bullying, harassment, and discrimination. Exclusion from the school environment and suspension will only be used when necessary to protect the safety of students and staff or when all other measures have been exhausted.

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

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

Students may be subject to disciplinary action, up to and including, but not limited to, suspension from school, participation/removal from school trips and/or activities, including parking privileges, grade level banquets or proms when they:

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

1. running or otherwise unsafe behavior in hallways;
2. making unreasonable noise;
3. using language or gestures that are profane, lewd, vulgar or abusive;
4. obstructing vehicular or pedestrian traffic;
5. engaging in any willful act, which disrupts the normal operation of the school community;
6. trespassing: students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building;
7. skateboarding: students are not permitted to skateboard on school premises;
8. computer/electronic communications misuse, including any unauthorized use of iPads or similar devices, computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy. For details, see [Policy # 4526, Computer Use for Instruction](#);
9. engaging in behavior contrary to all User Agreements regarding the One to One Program for use of District issued educational technology equipment ([Chrome-books](#), [iPads](#) etc);
10. engaging in any malicious attempt to destroy District issued educational technology equipment ([Chrome-books](#), [iPads](#), etc) contrary to all User Agreements;
11. unauthorized use of electronic devices: using radios, tape players, I-pods and similar devices, beepers, cellular phones and portable computer games are not permitted during school hours. These items will be confiscated and will be returned at the end of the school day or as soon as possible. Repeat offenders will require contact with the parent or guardian;
12. photographing, recording, distributing or displaying pictures or videos of other students or staff without the expressed permission of the parties involved is strictly prohibited. For students under 18 years of age, written parental/guardian permission is required;
13. distributing school-related photos or videos through electronic devices and any and all social media platforms, without the expressed, written consent of all parties is prohibited;
14. cyberbullying: misuse of electronic communication, including, but not limited to, social media sites, instant messaging, texting, chatting, gaming, sexting, that is intended to harm others occurring on or off school property which may create a disruption within the school environment and where it is foreseeable that the threats, conduct, intimidation and/or abuse may reach school property.

B. Engage in conduct that deliberately goes against what a student has been asked to do or where they are supposed to be at any given time. This behavior is considered insubordinate. Examples of this type of behavior include, but are not limited to:

1. failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating belligerence or disrespect;
 2. lateness to class;
 3. missing or leaving school or after-school sponsored events or activities without permission;
 4. cutting detention.
- C. Engage in conduct that prevents others from being able to learn, focus or be engaged in their work. This behavior is considered disruptive. Examples of this type of behavior include, but are not limited to:
1. Inappropriate public sexual contact;
 2. failing to comply with the direction of teachers, school administrators or other school personnel in charge of students;
 3. creating a loud disturbance;
 4. using vulgar or abusive language, cursing, or swearing;
 5. falsely reporting a bomb threat. (Please note: Falsely reporting a bomb threat is a felony and may result in criminal prosecution.);
 6. conduct disruptive of the educational process or that interferes with the teacher's authority over the classroom;
 7. threatening an act of violence;
 8. cyberbullying: (misuse of electronic communication, including, but not limited to, social media sites, instant messaging, texting, chatting, gaming, sexting, that is intended to harm others) occurring on or off school property which may create a disruption within the school environment and where it is foreseeable that the threats, conduct, intimidation and/or abuse may reach school property.
- D. Engage in conduct that is violent. Examples of this type of behavior include, but are not limited to:
1. committing or attempting an act of violence (such as hitting, biting, kicking, punching, and scratching) upon a student, teacher, administrator, other school employee, or any other person lawfully on school property;
 2. possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function;
 3. displaying what appears to be a weapon;
 4. threatening to use any weapon or what appears to be a weapon;
 5. intentionally damaging or destroying the property of a student, teacher, administrator, other district employee or any person lawfully on school property; and
 6. intentionally damaging or destroying school district property, including graffiti and arson.
- E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of this type of behavior include, but are not limited to:
1. attempting to engage in or perform an act of violence noted in Section D.
 2. subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
 3. lying to school personnel;

4. stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function;
5. being in possession of another person's personal property without permission;
6. defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them;
7. discrimination, which includes using race (including, traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual orientation, weight or disability to deny rights, equitable treatment or access to facilities available to others;
8. harassment and/or bullying, which includes a sufficiently severe action or persistent pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing or demeaning (see Policy 0115, 0115-R, 0115-E.1- 5);
9. intimidation and/or bullying, which includes engaging in actions or statements that put an individual in fear of bodily harm;
10. hazing and/or bullying, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliation with or maintaining membership in any school-sponsored activity, organization, club or team (see Policy 0115, 0115-R, 0115-E.1- 5);
11. cyberbullying: misuse of electronic communication, including, but not limited to, social media sites, instant messaging, texting, chatting, gaming, sexting, that is intended to harm others; occurring on or off school property which would foreseeably create a risk of a substantial disruption within the school environment and where it is foreseeable that the threats, conduct, intimidation and/or abuse may reach school property;
12. selling, using or possessing obscene material;
13. using, vulgar or abusive language, cursing or swearing;
14. Smoking and/or possessing a cigarette, cigar, pipe, electronic cigarette (i.e., vape) or using chewing or smokeless tobacco or smoking/vaping/ingesting cannabis or concentrated cannabis (includes cannabis products) or smoking cannabinoid hemp. (except for lawful medical cannabis use in compliance with state law and regulation) G&G.
15. 15. possessing, consuming, selling, distributing or exchanging alcoholic beverages, including powdered alcohol, or illegal substances, or being under the influence of alcoholic beverages or illegal substances and or possessing, selling or exchanging drug paraphernalia. -"Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs and any substances commonly referred to as "designer drugs";
 16. inappropriately possessing, using, sharing or selling prescription and/or over-the-counter drugs;
 17. indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner;
 18. initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, discharging a fire extinguisher or engaging a fire alarm;
 19. inciting/instigating discord, including inciting others to commit any of the acts prohibited by this Code;
 20. entering any portion of the school premises without authorization or remaining in any building or facility after it is normally closed;

- 21. unauthorized sales;
- 22. gambling.

23.

NOTE: The above student conduct expectations (Sub-Section E) relates to District Policies #0110, Sexual Harassment and #5440, Drug and Alcohol Abuse.

- F. Engage in misbehaviors otherwise prohibited by sections A-E of this section while on a school bus and remain seated, keep objects and body parts inside the bus, obey the directions from the bus driver or monitor. It is crucial for students to behave appropriately while riding on district buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving (including horseplay) and fighting and/or any other inappropriate behaviors will not be tolerated. For details concerning conduct on school buses, see Code of Conduct Policy #5300.35(C) (2).
- G. Engage in any form of academic misbehavior. Examples of academic misconduct include, but are not limited to:

~~plagiarism~~ Plagiarism

- ~~3. Cheating~~
- ~~4. Copying~~
- ~~5. Altering records~~
- ~~6. Buying or selling school work~~
- ~~7. Assisting another student in any of the above actions~~

H. Engage in off-campus misbehavior that interferes with or can reasonably be expected to substantially disrupt the educational process in the school or a school function. Such misbehavior includes, but isn't limited to, threatening or harassing students or school personnel through any means off-campus, including cyberbullying (for a complete definition of harassment, bullying and cyberbullying refer to Policy 0115).

Cross-ref: 0110, Sexual Harassment
1530, Smoking on School Premises
4526, Computer Use for Instruction
5440, Drug and Alcohol Abuse
Ref: Suffolk County Code, Chapter 754 (Limitations and Restrictions);
§754.3(M)(Smoking)

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**Subsection 5300.30
REPORTING VIOLATIONS**

Because the district's goal is making school a community free of violence, intimidation, bullying, harassment, and discrimination, all students are expected to promptly report violations of the Code of Conduct to any school staff, faculty member or the building principal or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, security guard, the principal, the principal's designee or the Superintendent of Schools.

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

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

Once the student's parents are notified, the principal or designee shall notify the appropriate local law enforcement agency of those code violations that constitute a crime pursuant to New York State Penal Code and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or his/her designee learns of the violation. The notification will be made by telephone, or in person, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code and constituted a crime.

Ref: Education Law §3214

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**Subsection 5300.35
DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS**

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

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

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

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter consequence than subsequent violations. However, district staff are empowered to utilize the consequence most reasonably calculated to ensure the student learns from their behavior and engages in more pro-social behavior in the future.

If there is an out of school suspension in excess of five (5) days for a student with a disability or suspected disability, the student shall be referred to the Committee on Special Education, and discipline if warranted, shall be administered consistent with the separate requirement of this Code of Conduct for disciplining students with a disability. A student identified as having a disability shall not be disciplined for behavior if the Committee on Special Education determines there is a nexus between the behavior and the child's disability.

A. CONSEQUENCES

Practices which allow educators to address disciplinary matters as opportunities for learning instead of punishment are expected by the Board rather than a reliance on increasing punitive measures. When choosing interventions and consequences of student's behavior, teacher administrators, staff must balance the district's dual goals of eliminating school disruptions and maximizing student instruction time.

Students who are found to have demonstrated inappropriate behavior may be subject to the following interventions and consequences, either alone or in combination. The school personnel identified after each consequence, are authorized to assign that consequence, consistent with the student's right to due process.

1. oral warning: teacher/student conference, parent contact, in-class time out, brief time out of class, loss of classroom privileges - any member of the district staff
2. written warning: coaches, teachers, teaching assistants, assistant superintendent(s)
3. written notification to parent: teachers
4. detention: teachers
5. suspension from transportation: transportation supervisor
6. suspension from athletic participation: coaches, athletic director
7. suspension from social or extracurricular activities: teacher, club advisor, coaches, building administration
8. suspension of other privileges: building administration
9. in-school suspension: building administration

10. removal from classroom: teachers
11. short-term (five days or less) suspension from school: building principal
12. long-term (more than five days) suspension from school: Superintendent of Schools

B. DISCIPLINARY AND REMEDIAL CONSEQUENCES

The Dignity for All Students Act (DASA) emphasizes the creation and maintenance of a positive learning environment for all students. Remedial responses are included to place the focus of discipline on discerning and correcting the reasons why discrimination and harassment occurred. Remedial responses are designed to correct the problem behavior, prevent another occurrence of the behavior, and protect the target of the act. Remedial measures may include, but are not limited to:

1. Peer support groups, corrective instruction or other relevant learning or service experience;
2. supportive intervention;
3. behavioral assessment or evaluation;
4. behavioral management plans, with benchmarks that are closely monitored;
5. student counseling and parent conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation can be an important tool to prevent discrimination and harassment. Environmental remediation strategies may include, but are not limited to:

1. Supervisory systems which empower school staff with prevention and intervention tools to address incidents of bullying and harassment;
2. modification of schedules;
3. adjustment in hallway traffic and other student routes of travel;
4. targeted use of monitors;
5. staff professional development;
6. training of parent-teacher organizations;
7. parent conferences; and
8. peer support groups.

C. PROCEDURES

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

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

1. Detention: Teachers, Principals and the Superintendent may use detention as a consequence for student misbehavior in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as consequence only after the student's parent has been notified of the consequence and the student has appropriate transportation home following detention.
2. Suspension from Transportation: The Board of Education believes it is crucial for students to behave appropriately while riding on district buses or district contracted buses, to ensure their safety, that of other district school bus passengers, and the fewest possible distractions for bus drivers.

Some students are eligible for district transportation. While the law requires the district to furnish transportation for such students, it does not relieve parent(s) or guardians(s) of the responsibility for supervision until such time as the child boards the bus in the morning and after the child leaves the bus at the end of the school day. Only after a child boards the bus does he/she become the responsibility of the district. Such responsibility shall end when the child is delivered to the regular bus stop at the close of the school day.

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

In such cases, the parent(s) or guardian(s) of the children involved become responsible for seeing that their children get to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the school district will make appropriate arrangements to provide for the student's education. Any such suspension shall be in accordance with the provisions of the Education Law.

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

From time to time, general behavior problems occur on buses requiring action of the parent, in addition to the bus driver and the administration. Specifically, reference is made, but not limited to, such offenses as student:

- a. fighting
- b. threatening, harassing or bullying behavior
- c. placing arms and head out of window
- d. throwing objects such as books and papers in or out of the bus
- e. smoking a cigarette, electronic cigarette (e-cigarette) and/or vape device ~~orizer~~, cigar, pipe or using chewing or smokeless tobacco;
- f. setting off firecrackers
- g. using abusive language
- h. exhibiting gross behavior that interferes with the safe driving of the vehicle, including horseplay and frequently changing of seats
- i. unauthorized blocking of entrance and/or exits
- j. vandalism
- k. insubordination

- l. excessive volume of Bluetooth or electronic devices
- m. use of any incendiary devices

NOTE: Students may be permitted to take instruments on school buses as long as the instruments are not put in the aisle or block the front entrance or emergency exit.

In any of the above situations, the following standing orders will be in effect:

- a. The driver should pull over to the side of the road, stop the bus, and determine which student or students are involved in the problem.
- b. The driver will advise the student or students of the misconduct and apprise those who will be reported to the principal at the conclusion of the run.
- c. The driver will continue with the run; however, if the behavior problem continues and the driver determines that he/she cannot safely operate the vehicle any longer, he/she will return to the school by the nearest direct route with all students aboard. At no time should anyone be allowed to leave the bus.
- d. Upon arrival at the school, the bus driver will have a building administrator summoned to the bus, making certain not to leave the bus until a principal or assistant principal arrives. It should be noted that the driver makes no comment or threat involving suspension or disciplinary action.
- e. The building administrator will escort all the misbehaving students to the office; then the driver will provide, as expeditiously as possible, full documentation of what has occurred. A report form should subsequently be completed and submitted to the transportation supervisor.
- f. The principal should contact the transportation office to arrange for transportation from the school to home or other destination for the apprehended student(s).
- g. The driver, with remaining students aboard, will continue on the appointed run.
- h. If necessary, drivers will notify the transportation office of stops where students have not been dropped off due to the necessity of returning to the school. IT SHOULD BE NOTED THAT RETURNING A BUS TO SCHOOL PRIOR TO THE COMPLETION OF ALL STOPS IS A SERIOUS MATTER AND IS PROMPTED ONLY WHEN THE DRIVER CANNOT FULFILL HIS/HER RESPONSIBILITIES DUE TO DISRUPTION ON THE BUS.

D. ADMINISTRATIVE PENALTIES

- 1. **Suspension from Transportation:** Specific and consistent consequences for violation of bus rules and regulations as cited above are to be implemented by building administration.

With regard to special education students who receive special transportation and are students who are serviced within self-contained classes, the law requires that special education students cannot be suspended based upon the exhibition of behaviors related to disability. Therefore, a special education student cannot be suspended from bus transportation because his or her disability manifests in behavioral problems. Consequently, where a special education student's disability endangers the welfare of other students and/or himself/herself, the district must provide alternate means of

transportation. The building principal will consult with the Director of Special Education to determine if the behaviors warrant disciplinary action or are related to the child's disability.

A letter should be written by the building administrator to the parent notifying him/her of appropriate action.

- **Suspension from Athletic Participation, Social or Extra-Curricular Activities and Other Privileges**

A student subjected to a suspension from athletic participation, extracurricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the consequence involved. The Athletes' Code of Conduct is contained in policy #5280, Interscholastic Activities.

- **In-School Suspension**

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

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

Students may be assigned to in-school suspension for a specified period of time.

Students may not attend classes during this time unless a special request is made by a teacher and that request is approved by an administrator.

- a. At the discretion of the principal or his/her designee, a student who would otherwise be subject to a suspension from attendance as the result of a disciplinary infraction may be placed on in-school suspension for a period not to exceed five (5) school days.
- b. Prior to the imposition of an in-school suspension, the principal or his/her designee shall provide the student with an opportunity to explain the facts and circumstances surrounding the alleged infraction leading to the imposition of an in-school suspension.
- c. Upon imposition of an in-school suspension, the student's parent shall be notified in writing of the dates of the suspension and the reasons thereof. The parent shall be given an opportunity for an informal conference with the principal or his/her designee.
- d. The student's teachers will be notified in writing that assignments for the period of suspension should be sent to the suspension room.

- e. The suspended student shall report to the suspension room at the beginning of the next school day following the imposition of a suspension.
- f. The student will remain in the suspension room during the full school day. He/She must be prepared to work the entire day.
- g. The suspension room will retain an atmosphere of quiet, conducive to study with strict rules of behavior.
- h. The supervising teacher will enforce the rules of behavior in the suspension room and will render tutorial assistance where possible. If necessary, the student's teacher will be contacted for assistance.
- i. Completed assignments will be turned in to the supervising teacher.
- j. Failure to conform to these regulations will result in detention, extended in-school suspension or out-of-school suspension.
- k. During the course of a formal or informal investigation a student may be remanded to the in-school suspension room until which time the investigation is complete.

2. **Teacher Disciplinary Removal of Disruptive Students:** A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. Teachers will first use interventions aimed at teaching appropriate and responsible behaviors so students can learn and demonstrate safe and respectful academic, social and emotional behavior. Examples of these include using affective questions, establishing relationships with students, giving positive directives that state expectations, and giving positive and specific feedback etc.

In some instances, techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative supervised setting.

Such practices may include, but are not limited to:

- a. short-term "time-out" in an elementary classroom or in an administrator's office;
- b. sending a student to the principal's office for the remainder of the class time only;
- c. sending a student to a mental health support staff member (School Counselors, School Social Worker, or School Psychologists) for support.

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

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

If the disruptive student does not pose a danger or ongoing threat of disruption

to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

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

The teacher must complete a district-established disciplinary referral form and meet with the principal or his/her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the referral form. If the principal or designee(s) is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24 hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parent, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address of the parent. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

The principal may require the teacher who ordered the removal to attend the informal conference.

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

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

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

The principal or designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on

the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom. Policy #4327, Homebound Instruction.

Each teacher must keep a complete log for all cases of removal of students from class. The principal must keep a log of all removals of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation. Use of classroom management e.g. 'time out;' may be used to give the teacher time to check the student's Individual Education Plan.

3. Suspension from School: Suspensions will be limited to students who pose an immediate or ongoing threat to oneself or whose conduct otherwise endangers the safety, morals, health or welfare of themselves or others or are repeatedly substantially disruptive or for whom restorative practices have not been effective.

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

Suspensions will be used to the minimum degree necessary to promote student behavior and maximize student attendance.

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students, after all other viable avenues have been exhausted, with the Superintendent and the principals.

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

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

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

When the Superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misbehavior for five (5) days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. The suspending authority must provide the student with an explanation of the basis for the proposed suspension. The suspending authority must also immediately notify the student's parents in writing that the student may be suspended from school. The written notice must define the incident and be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

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

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

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within ~~five~~-~~ten~~ business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the District Clerk within 10 business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so but in no case later than 30 days after the Superintendent's decision. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

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

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

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

The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording or digital recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within 10 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so but in no case later than 30 days after the Superintendent's decision. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

Stipulation of Agreement Procedures

C. Permanent Suspension

A permanent suspension is considered a long-term suspension. Permanent suspension is reserved for extraordinary circumstances such as those in which a student's conduct is chronic and/or poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

D. Minimum Periods of Suspension

1. Students who bring a weapon to school

Any student, other than a student with a disability, found guilty of bringing **or** possessing a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the consequence, the Superintendent may consider the following:

- the student's age
- the student's grade in school
- the student's prior disciplinary record
- the Superintendent's belief that other forms of discipline may be more effective
- input from parents, teachers and/or others
- other extenuating circumstances

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

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

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing or possessing a weapon onto school property, shall initially be subject to suspension from school for a period not to exceed five (5) days. If the proposed consequence is a suspension of five (5) days or less, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed consequence exceeds a minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent or principal has the authority to modify the five day or less suspension on a case-by-case basis. In deciding whether to modify the consequence, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, will generally be suspended from school for at least two days. For purposes of this Code of Conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law § 3214 (3-a) and this code on four or more occasions during a semester. If the proposed penalty is a suspension of 5 days or less, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds a five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent or principal has the authority to modify the minimum two-day suspension on a case-by-case basis. In deciding whether to modify the consequence, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

D. Referrals

- a. Counseling: Student support service personnel and mental health staff, under the direction of the administration, shall handle all referrals of students to counseling.
- b. PINS Petitions: The district may file a PINS (Person in Need of Supervision) Petition in the Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:
 - I. Being habitually truant and not attending school as required by part one of the Article 65 of the Education law.
 - II. Being ungovernable, or habitually disobedient and beyond the lawful control of the school.
 - III. Engaging in prostitution in violation of Penal Law 230.00 (engaging or agreeing or offering to engage in sexual conduct

- with another person in return for a fee); or
- IV. Appearing to be a sexually exploited child under Social Services Law 447-a(1)(a), (c) or (d), but the student must consent to biling PINS petition.

For items 'a' and 'b' above, when filing the petition, the district must describe the diversion efforts it has undertaken or services provided to the student, and the grounds for concluding the allegations cannot be resolved without the petition.

Juvenile Delinquents and Juvenile Offenders: For students found to have brought either a weapon (defined in 18 USC §930(g)(2) or firearm (defined in 18 USC §921), the Superintendent is required to make the following referrals:

- a. To the County Attorney for a juvenile delinquency proceeding before the Family Court.
All students under age 16, except student age 14 or 15 who qualify for juvenile offender status under the Criminal Procedure law 1.20(42).
- b. To the appropriate law enforcement authorities:
All students under age 16, except student age 14 or 15 who qualify for juvenile offender status under the Criminal Procedure law 1.20(42).

Cross Ref: 4327, Homebound Instruction
5280, Interscholastic Athletics

Ref: Education Law §§2801; 3214
NYCRR 100.2(1)(2)(ii)(m)
Penal Law §§220.00 (140); 221.05; 265 Criminal Procedure Law §§1.20; 1.20(42)

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Review Date: July 3, 2018; August 8, 2023

Subsection 5300.40
ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide continued educational programming and/or alternative means of instruction for the student. For more information, see policy #4327, Homebound Instruction.

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Revision Date: August 25, 2005; July 1, 2014; July 1, 2015; July 12, 2016
Review Dates: July 9, 2008; July 7, 2009; July 13, 2010; June 21, 2011;
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8, 2023

Subsection 5300.50
DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior.

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

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

A. Definitions

For purposes of this portion of the Code of Conduct, and consistent with applicable laws and regulations, the following definitions will apply:

1. *Behavioral intervention plan* means a plan that is based on the results of the functional behavioral assessment and, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs and intervention strategies that include positive behavioral supports and services to address the behavior.
2. *Controlled substance* means a drug or other substance identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. section 812[c]) (*United States Code*, 1994 edition, volume 11; Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402-9328; 1995 - available at the Office of Vocational and Educational Services for Individuals with Disabilities, Room 1624, One Commerce Plaza, Albany, NY 12234).
3. *Disciplinary change in placement* means a suspension or removal from a student's current educational placement that is either:

- a. for more than 10 consecutive school days; or
 - b. or a period of 10 consecutive 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;
 - c. because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
 - d. because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another. The school district determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.
4. *Illegal drug* means a controlled substance, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of Federal law.
5. *Interim alternative educational setting or IAES* a temporary educational placement, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. A student who is placed in an IAES shall:
- a. continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP; and
 - b. receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.
6. *General requirement for manifestation review.* A review of the relationship between the student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the disability must be made immediately, if possible, but in no case later than 10 school days after:
- a. a decision is made by a superintendent of schools to change the placement of a student to an interim alternative educational setting; or
 - b. a decision is made by an impartial hearing officer to place a student in an interim alternative educational setting; or
 - c. a decision is made by a board of education, district superintendent of schools, building principal or superintendent to impose a suspension that constitutes a disciplinary change in placement.
7. *Individuals to carry out review.* A review shall be conducted by a manifestation team in a meeting, which shall include a representative of the school district knowledgeable about the student and the interpretation of

information about child behavior, the parent and relevant members of the CSE as determined by the parent and the school district.

8. *Removal means:*

- a. a removal of a student with a disability for disciplinary reasons from that student's current educational placement, other than a suspension; and
- b. the change in placement of a student with a disability to an IAES by an impartial hearing officer. Such term shall also include the change of placement of a student with a disability to an IAES made in conjunction with a suspension.

9. *School day:* any day, including a partial day that students are in attendance at school for instructional purposes.

10. *Serious bodily injury* means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

11. *Student presumed to have a disability for discipline purposes* means a student who the school district is deemed to have knowledge was a student with a disability before the behavior that precipitated disciplinary action.

12. *Suspension* means suspension pursuant to Education Law section 3214(3)(a) through (d).

13. *Weapon* means 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 that such term does not include a pocket knife with a blade of less than two and one-half inches in length.

B. Authority of School Personnel to Suspend or Remove Students with Disabilities

The Board, District Superintendent, Superintendent of Schools or a building principal with authority to suspend students under the Education Law may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days.

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

In addition, the Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for a period in excess of ten consecutive school days if the manifestation team determines that the student's

behavior was not a manifestation of the student's disability. In such an instance, the Superintendent may discipline the student in the same manner and for the same duration as a non-disabled student.

Furthermore, the Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability to an IAES to be determined by the Committee on Special Education (CSE) for a period of up to 45 school days if the student either:

1. carries or possesses a weapon to or at school, on school premises or to a school function; or
2. knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the district's jurisdiction; or
3. has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the district's jurisdiction.
4. The Superintendent may order the placement of a student with a disability to an IAES under such circumstances, whether or not the student's behavior is a manifestation of the student's disability. However, the CSE will determine the IAES.

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

1. *Parental notice of disciplinary removal.* No later than the date on which a decision is made to change the placement of a student with a disability to an IAES or a decision is to impose a suspension or removal pursuant to this Subpart that constitutes a disciplinary change in placement, the parent shall be notified of such decision and shall be provided the procedural safeguards notice.

2. *Five school day suspension or removal.* The trustees or board of education of any school district, a district superintendent of schools or a building principal with authority to suspend students pursuant to Education Law section 3214(3)(b) and (g), shall have authority to order the placement of a student with a disability into an appropriate interim alternative educational setting, another setting or suspension for a period not to exceed five consecutive school days, and not to exceed the amount of time that a nondisabled student would be subject to suspension for the same behavior.

3. *Ten school day suspension or removal.* A superintendent of schools, either directly or upon recommendation of a hearing officer designated to conduct a superintendent's hearing pursuant to Education Law, section 3214(3)(c) and (g), may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed for the same behavior, where the superintendent determines in accordance with the procedures set forth in Education Law section 3214(3)(c) that the student has engaged in behavior that warrants a suspension, provided that the duration of any such suspension or removal shall not exceed the amount of time that a nondisabled student would be subject to suspension for the same behavior. A superintendent of schools may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct.

4. *Exception for pattern of suspensions or removals.* A student with a disability may not be removed if imposition of the 5-school day or 10 school day suspension or removal would result in a disciplinary change in placement based on a pattern of suspensions or removals as determined by school personnel has determined that the behavior was not a manifestation of such student's disability, or the student is placed in an IAES.

5. *Change in placement to an IAES for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances.*

a. A superintendent of schools, either directly or upon recommendation of a hearing officer designated to conduct a superintendent's hearing pursuant to Education Law, section 3214(3)(c), may order the change in placement of a student with a disability to an appropriate IAES, to be determined by the CSE, for up to 45 school days, but not to exceed the period of suspension ordered by the superintendent in accordance with Education Law, section 3214(3), where the student:

- has inflicted serious bodily injury, (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), upon another person while at school, on school premises or at a school function under the jurisdiction of the educational agency;
- carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the educational agency; or
- knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the jurisdiction of the educational agency.

b. The period of suspension or removal ordered by the superintendent may not exceed the amount of time that a nondisabled student would be suspended for the same behavior.

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

The imposition of a suspension or removal by authorized school personnel may not result in a disciplinary change of placement of a student with a disability that is based on a pattern of suspensions or removals unless:

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

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

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

E. 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 no later than the date on which a decision is made to change the placement of a student with a disability to an IAES or a decision is to impose a suspension or removal that constitutes a disciplinary change in placement, the parent shall be notified of such decision and shall be provided the procedural safeguards notice.

F. Authority of an Impartial Hearing Office 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 a 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.

G. Manifestation Review

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

1. a decision is made by a superintendent of schools to change the placement of a student to an interim alternative educational setting; or
2. a decision is made by an impartial hearing officer to place a student in an interim alternative educational setting; or
3. a decision is made by a board of education, district superintendent of schools, building principal or superintendent to impose a suspension that constitutes a disciplinary change in placement.

A review described in subdivision (a) of this section shall be conducted by a manifestation team in a meeting, which shall include a representative of the school district knowledgeable about the student and the interpretation of information about child behavior, the parent and relevant members of the CSE as determined by the parent and the school district. The parent must receive written notification prior to any manifestation team meeting to ensure that the parent has an opportunity to attend. The notification shall inform the parent of the purpose of the meeting, the names of the individuals expected to attend and inform the parent of his or her right to have relevant members of the CSE participate at the parent's request.

The manifestation team shall review all relevant information in the student's file including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine if:

1. the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or
2. the conduct in question was the direct result of the school district's failure

to implement the IEP.

The conduct must be determined to be a manifestation of the student's disability if the manifestation team determines that a condition in either paragraph (c)(1) or (2) of this section was met.

If the manifestation team determines that the conduct was a manifestation of the student's disability, the CSE shall:

1. conduct a functional behavioral assessment and implement a behavioral intervention plan for such student; and
2. except as provided in Part 201.7(e), return the student to the placement from which the student was removed, unless the parent and the school district agree to a change of placement as part of the modification of the behavioral intervention plan.

If the manifestation team determines the conduct in question was the direct result of the school district's failure to implement the IEP, the school district must take immediate steps to remedy those deficiencies.

H. Services for Students with Disabilities during Periods of Suspension or Removal

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

1. During any period of suspension, a student with a disability shall be provided services to the extent required paragraph (e) of subdivision 3 of section 3214 of the Education Law. Nothing in this section shall be construed to confer a greater right to services than is required under Education Law, section 3214(3)(e) and Federal law and regulations.
2. During suspensions or removals for periods of up to 10 school days in a school year that do not constitute a disciplinary change in placement, students with disabilities of compulsory attendance age shall be provided with alternative instruction pursuant to Education Law, section 3214(3)(e) on the same basis as nondisabled students. Students with disabilities who are not of compulsory attendance age shall be entitled to receive services during such suspensions only to the extent that services are provided to nondisabled students of the same age who have been similarly suspended.
3. During subsequent suspensions or removals for periods of 10 consecutive school days or less that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, regardless of the manifestation determination, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. School personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to

progress in meeting the goals set out in the student's IEP.

4. During suspensions or other disciplinary removals, including suspensions or removals pursuant to Part 201.7(e) of this Part, for periods in excess of 10 school days in a school year which constitute a disciplinary change in placement, regardless of the manifestation determination, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum, to progress toward meeting the goals set out in the student's IEP, and to receive, as appropriate pursuant to Part 201.3, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. The IAES and services shall be determined by the CSE.

I. Students Presumed to Have a Disability for Discipline Purposes

1. *General provision.* The parent of a student who has violated any rule or code of conduct of the school district and was not identified as a student with a disability at the time of such behavior may assert any of the protections set forth in that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred. Where the school district is deemed to have had knowledge that the student was a student with a disability before such behavior occurred, such student is a "student presumed to have a disability for discipline purposes."
2. *Basis of knowledge.* Except as otherwise provided in subdivision (c) of this section, a school district shall be deemed to have knowledge that such student had a disability if prior to the time the behavior occurred:
 - a. the parent of such student has expressed concern in writing to supervisory or administrative personnel of the appropriate educational agency or to a teacher of the student that the student is in need of special education, provided that such expression of concern may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
 - b. the parent of the student has requested an evaluation of the student pursuant to Part 200.4 or 200.16; or
 - c. a teacher of the student, or other personnel of the school district, has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the director of special education of the school district or to other supervisory personnel of the school district.
3. *Exception.* A student is not a student presumed to have a disability for discipline purposes if, as a result of receiving the information specified in subdivision (b) of this section:
 - a. the parent of the student has not allowed an evaluation of the student pursuant to Part 200.4; or
 - b. the parent of the student has refused services under this Part 200; or
 - c. it was determined that the student is not a student with a disability

pursuant to Part 200.4 or Part 200.16.

4. *Responsibility for determining whether a student is a student presumed to have a disability.* If it is claimed by the parent of the student or by school district personnel that the school district had a basis for knowledge, that the student was a student with a disability prior to the time the behavior subject to disciplinary action occurred, it shall be the responsibility of the superintendent of schools, building principal or other school official imposing the suspension or removal to determine whether the student is a student presumed to have a disability.
 5. *Conditions that apply if there is no basis for knowledge.* If the superintendent of schools, building principal or other school official imposing the disciplinary removal determines that 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 nondisabled student who engaged in comparable behaviors. However, if a request for an individual evaluation is made while such nondisabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted in accordance with Part 201.6.
- J. Expedited Due Process Hearings
1. An expedited due process hearing shall be conducted pursuant to this Part under the following circumstances:
 - a. the school district requests an expedited due process hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES pursuant to Part 201.8 where school personnel maintain that it is dangerous for the student to be in his or her current educational placement;
 - b. the school district requests an expedited due process hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings;
 - c. the parent requests a hearing from a determination that the student's behavior was not a manifestation of the student's disability; or
 - d. the parent requests a hearing relating to any decision regarding placement Part 201.7, including but not limited to any decision to place the student in an IAES.
 2. An expedited due process hearing shall be conducted in accordance with the procedures specified in Part 200.5(j), except as follows:
 - a. Upon receipt of or filing of a due process complaint notice for an expedited hearing, the board of education shall arrange for an impartial hearing and the appointment of an impartial hearing officer using the list in accordance with the rotational selection

process established in Part 200.2(e)(l) and the administrative procedures established by the board of education pursuant to Part 200.2(b)(9).

- b. The impartial officer may not accept appointment unless available to hold the hearing and render the decision within the time period for expedited hearings.
 - c. The school district shall arrange the expedited due process hearing according to the following time period, unless the parent and school district agree in writing to waive the resolution meeting or agree to use mediation:
 - A resolution meeting shall occur within seven days of receiving notice of the due process complaint.
 - The expedited due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of receipt of the due process complaint.
 - The expedited due process hearing shall occur within 20 school days of the date the complaint requesting the hearing is filed.
 - The impartial hearing officer shall make a determination within 10 school days after the hearing.
 - d. No extension to an expedited impartial hearing timeline may be granted.
 - e. The impartial hearing officer shall mail a copy of the written, or at the option of the parents, electronic findings of fact and the decision to the parents, to the board of education and to the Office of Vocational and Educational Services for Individuals with Disabilities (VESID) of the New York State Education Department within 10 school days after the hearing.
3. If a parent requests a hearing or an appeal regarding the change in placement of a student to an IAES by a superintendent of schools, or regarding a change in placement by an impartial hearing officer pursuant to section 201.8 of this Part where the school district maintains that it is dangerous for the student to remain in his or her current educational placement, 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 office or until expiration of the time period determined in accordance with Part 201.7 or 201.8, as applicable, whichever occurs first, unless the parents and the school district otherwise agree.
 4. When an expedited due process hearing has been requested because of a disciplinary change in placement, the manifestation determination or because the school district believes that maintaining the student in the current placement is likely to result in injury to the student or others, the student shall remain in the IAES pending the decision of the impartial hearing officer or until the expiration of the period of removal, whichever occurs first, unless the parent and the school district agree otherwise.

K. 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).

Ref: NY Education Law § 3214(g)
NYCRR Part 201

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Subsection 5300.55
CORPORAL PUNISHMENT

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

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

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

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

Ref: 8 NYCRR 100.2
Rules of the Board of Regents § 19.5

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Subsection 5300.60

STUDENT SEARCHES AND INTERROGATIONS

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

In addition, the Board authorizes the Superintendent of Schools, building principals, assistant principals, Dean of Students, and district security to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the Code of Conduct. When warranted, the school nurse, social worker, guidance counselor, and/or security personnel will be asked to be present while searches are conducted.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the search.

An authorized school official may search a student or the student's belongings based upon information received from a credible source. Individuals, other than the district employees, will be considered a credible source if they have previously supplied information that was accurate and verified. In addition, if they make an admission against their own interest, or they provide the same information that is received independently from other sources. Furthermore, if they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered as a credible source of information unless they are known to have previously supplied information that they knew was not accurate.

Prior to searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the Code of Conduct, or get the student to voluntarily consent to the search. There should be no threat or coercion made by administration. It is appropriate for administration to inform the student of the possible penalties. Searches will be conducted to the extent necessary to locate the evidence sought.

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

A. Student Lockers, Desks, and other School Storage Places

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks, and other school storage

places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks, and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

B. Student Vehicles Brought onto School Grounds

The search of student vehicles brought onto school grounds shall be conducted pursuant to the general provisions of subsection 5300.60 (Student Searches and Interviews) of this Code of Conduct.

The Board authorizes the Superintendent of Schools, building principals, assistant principals, and Dean of Students to conduct searches of student vehicles brought onto school grounds, if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the Code of Conduct or if such search is deemed necessary for the health, safety or welfare of district students or staff.

Students are permitted to park on school premises as a matter of privilege, not of right. Accordingly, the school district retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

If, as a result of the patrol of student parking lots, contraband is discovered in plain view, such discovery shall be reasonable cause for a further search by school officials. For the purpose of this section, "contraband" shall include all substances or materials, the presence of which is prohibited by school policy or state law, including but not limited to, controlled substances, drugs, alcohol or alcoholic beverages, abusable glue or aerosol, guns, knives, weapons, and incendiary devices.

~~The Board, the Superintendent of Schools, building principals, assistant principals, and Dean of Students are authorized to utilize canines whose reliability and accuracy for sniffing out contraband has been established to aid in the search for contraband in school owned property and automobiles parked on school property. If utilized, the canines must be accompanied by a qualified and authorized trainer who will be responsible for the dog's actions. An indication by the dog that contraband is present on school property or an automobile shall be reasonable cause for a further search by school officials.~~

C. Treatment of Cell Phones

Teachers and administrators are authorized to confiscate student cell phones that are being used in violation of the Code of Conduct and/or Policy 5695, Student Use of Electronic Devices. Teachers and administrators are permitted to look at the screen of the cell phone and can request the student's cooperation to search the cell phone further. Without a student's permission, teachers and administrators should not undertake a more extensive search until conferring with the Superintendent or school attorney for guidance.

D. Confiscation of Illegal Items

The principal or the principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The principal or designee shall clearly label each item taken from the student and retain control of the item(s). Any drugs, medications or weapons must be turned over to the police; other items should be turned over to the police or held for return to the parents as appropriate. The principal or designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

E. Documentation of Searches

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

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

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

F. Police Involvement in Searches and Interviews of Students

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

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

Before police officials are permitted to question or search any student, the principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The

principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

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

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

Note: see policy 5460

Cross-ref: 5460, Child Abuse in a Domestic Setting

Ref: *New Jersey v. TLO*, 469 US 325 (1985);
In re Gregory, 82 NY 2d 588 (1993); *People v. Scott D.*, 34 NY 2d 483 (1974); *People v. Singletary*, 37 NY 2d (1975); *People v. Overton*, 20 NY 2d 360 (1969); *M.M. v. Ander*, 607 F. 2d 588 (2d Cir. 1979); *Opinion of Counsel*, 1 EDR 800 (1959);
Tenenbaum v. Williams, 193 F. 3d 581 (2d Cir. 1999)

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Subsection 5300.65 VISITORS TO THE SCHOOLS

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

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. During the school day, all visitors to the school and/or district office must enter through the designated single point of entry and report to the main office-or security desk. They will present photo identification, and/or sign the visitor's register, and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the main office or security desk and sign out of the visitor's register before leaving the building.
3. Visitors attending school functions that are open to the public after regular school hours, such as parent-teacher organization meetings or public

- gatherings, are not required to sign-in.
4. Parents or citizens who wish to observe a classroom or school activity while school is in session must arrange such visits in advance with the classroom teacher(s) and Building Principal. Parent visits to classrooms are inherently disruptive and will be permitted only as deemed necessary.
 5. Teachers are expected to teach and will not be able to take class time to discuss individual matters with visitors.
 6. Any unauthorized person on school property will be reported to the Principal or designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
 7. All visitors are expected to abide by the rules and expectations for Public Conduct on School Property and Spectator Conduct contained in this Code of Conduct.

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Subsection 5300.70 PUBLIC CONDUCT ON SCHOOL PROPERTY

The district is committed to providing a welcoming, engaging, respectful, orderly environment that is conducive to learning. The district invites the members of the public to join them in the educational process, competitive and artistic events and other school functions. In order to maintain this kind of an environment the public must also adhere to the expectations of the district. For purposes of this section of the code, "public" shall mean all persons when on school property or attending a school function including students, teachers and district personnel.

The expectations for the public's conduct on school property and at school functions are not intended to limit freedom of speech or peaceful assembly, but to support the conducive learning environment and maintain order, and prevent infringement on the rights of others.

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

A. Prohibited Conduct

No person, either alone or with others, shall:

1. intentionally injure any person or threaten to do so;
2. intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson;
3. disrupt the orderly conduct of classes, school programs or other school activities;

4. distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program;
5. intimidate, harass or discriminate against any person on the actual or perceived race (including, traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex-;
6. enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed;
7. obstruct the free movement of any person in any place to which this Code of Conduct applies;
8. violate the traffic laws, parking regulations or other restrictions on vehicles;
9. possess, consume, sell, distribute, manufacture or exchange tobacco, alcoholic beverages, controlled substances, or be under the influence, either on school property or at a school function;
10. possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district;
11. loiter on or about school property;
12. gamble on school property or at school functions;
13. refuse to comply with any reasonable order from an identifiable school district officials performing their duties;
14. willfully incite others to commit any of the acts prohibited by this Code of Conduct;
15. violate any federal or state statute, local ordinance or Board Policy while on school property or while at a school function;
16. using chewing or smokeless tobacco, or smoke/vape/ingest cannabis or concentrated cannabis (includes cannabis products) or smoking cannabinoid hemp (except for lawful medical cannabis use in compliance with state law and regulation).

B. Consequences

Persons who violate this Code of Conduct shall be subject to the following consequences:

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. Any visitor that is ejected will be automatically temporarily banned from school functions by the Superintendent or their designee. This temporary ban will include all school grounds, personnel and events pending approval by the Superintendent and/or the Board of Education to authorize individual visitation rights. Any individual that is prohibited from school grounds, personnel and events will be notified of such as soon as administratively possible.
2. Students - shall be subject to disciplinary action as, the facts may warrant, in accordance with Due Process requirements and the Code of Conduct.

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 right that they may have.
5. Staff members other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The principal or his/her designee shall be responsible for enforcing the Code of Conduct.

When the principal or his/her designee sees an individual engaged in actions not conducive to achieving the goal of making school a community free of violence, intimidation, bullying, harassment, and discrimination, misconduct or otherwise not allowed behaviors, which in his or her judgement does not pose any immediate threat of injury to persons or property, the Principal or designee shall tell the individual that the behavior is not allowed 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 undesired behaviors, or if the person's actions pose an immediate threat of injury to persons or property, the Principal or designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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

The District shall initiate disciplinary action against any student, staff member, or visitor, as appropriate, as cited within 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 of Conduct.

Ref: Suffolk County Code, Chapter 754 (Limitations and Restrictions); §754.3(M)(Smoking)

Revision Date: July 12, 2016; June 13, 2017; June 18, 2018

Review Date: July 3, 2018; August 8, 2023

**Subsection 5300.71
SPECTATOR CONDUCT**

The Board encourages attendance of students, parents and interested community members at athletic events. It is our goal to create an environment

which is conducive to healthy athletic competition, safe for all those involved and that which provides the ideals of sportsmanship and sound educational practices. These events should be positive in nature and within the guidelines of the New York State Public High School Athletics Association Section XI.

Spectators shall:

1. conform to accepted standards of good sportsmanship and behavior;
2. respect officials, coaches, players, school officials at all times;
3. encourage wholesome cheering;
4. refrain from any taunting, use of foul or abusive language, noisemakers, inflammatory remarks, and disrespectful signs and/or unacceptable behavior;
5. abide by the rules and expectations for Visitors to the Schools and Public Conduct on School Property contained in this Code of Conduct.

Ref: Education Law §§414; 2801; 3020-a;
Civil Service Law §75

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**Subsection 5300.75
DISSEMINATION AND REVIEW**

A. Dissemination of Code of Conduct

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

1. providing a summary of the Code of Conduct to all students at the beginning of each school year;
2. mailing a summary of the Code of Conduct written in plain language to all parents of district students before the beginning of the school year and providing a complete copy on the District's website;
3. providing all current teachers and other staff members access to the Code of Conduct;
4. providing all new employees with a summary of the current Code of Conduct when they are first hired;
5. making copies of the Code of Conduct available for review by students, parents and other community members upon request.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct and other trainings to contribute-to-its-success-as-needed.-The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the

management and discipline of students. On-going professional development will be included in the district's professional development plan, as needed.

B. Review of Code of Conduct

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

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

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

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

Ref: Education Law §2801
8 NYCRR §100.2, Part 200

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