

**South Jefferson Central
School District**

**CODE OF CONDUCT
2023-2024**



I. PURPOSE OF THIS CODE

This Code of Conduct is adopted by the Board of Education of the South Jefferson Central School and is required by Project SAVE and § 100.2(1) of the Regulations of the Commissioner of Education.

This Code defines the District's expectations for conduct on District Property and at District Functions on or off school property. It also identifies the range of penalties for unacceptable conduct. Unless otherwise indicated, this Code applies to the conduct of students, employees, student's parents/guardians and other visitors on District Property, at a District Function, or that otherwise affects the District's educational program, mission, vision, and goals.

II. PHILOSOPHY

Our mission at the South Jefferson Central School District is to provide students the best educational experience possible from the parent, student, community, and staff perspectives. Our vision is to cultivate a dynamic and inclusive learning community that empowers every student to reach their full potential. We strive to provide a safe, welcoming and stimulating educational environment that fosters curiosity, critical thinking, and creativity. Through personalized instruction, innovative teaching practices, and meaningful partnerships with families and the community, we aim to inspire a lifelong love of learning and equip our students with the knowledge, skills, and values needed to thrive in a rapidly changing world. Together, we are building a future where every student becomes a compassionate, responsible, and engaged citizen, prepared to make positive contributions to society. To that end, our Code of Conduct is designed to promote a safe and orderly learning environment in which all are expected to treat others in a respectful manner.

III. BILL OF STUDENTS' RIGHTS AND RESPONSIBILITIES

A. Student Rights

The District is committed to safeguarding the rights given to all students under state and federal law. All students have the right to a positive school culture and climate that provides

students with a supportive environment in which to grow socially, emotionally and academically. In addition, to promote a safe, healthy, orderly and civil school environment, all District students have the right to:

1. Take part in all District activities on an equal basis regardless of race, color, weight, national origin, ethnic group, religion, religious practice, gender, sexual orientation, sex, disability or any other legally protected status.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules, and when requested, receive an explanation of those rules from school personnel.
4. Be free from bullying, cyberbullying, discrimination and harassment on school property or school functions including but not limited to actions impacting educational programming, activities or admission policies of their school. Such conduct shall include, but is not limited to threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, gender or any other legally protected status.
5. Be assured they can learn in a non-disruptive atmosphere.
6. Be treated in a fair, equitability, consistent and nondiscriminatory manner by other students and staff.
7. Expect that discipline will be fairly administered, progressively as appropriate, and imposed for the development of good character, good conduct, and good habits.
8. Exchange informative material on issues of public concern, in an orderly manner during non-instructional time, unless the information is lewd, vulgar, indecent, contains sexual innuendo, or promotes weapons, alcohol, tobacco, or drugs.
9. Receive guidance, counseling, and advice for personal, social, educational, career and vocational development if/when necessary.

B. Student Responsibilities

All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.

2. Contribute to maintaining a climate of mutual respect and dignity for all students and staff, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status, which will strengthen students' confidence and promote learning.
3. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
4. Understand the various roles students play in incidents deemed bullying/harassment and intentionally avoid contributing to a problem, including merely being a by-stander to a situation.
5. Report via paper-based or online form, any real or perceived safety concern witnessed in person or seen on social media (alleged bullying, harassment, threat of violence or self-harm), to school administrators or another trusted adult so appropriate and timely action can occur to ensure everyone's safety and well-being.
6. Speak with counseling or instructional staff in order to learn how to address their own personal biases that may prevent equal treatment of all students or staff both inside and outside of the classroom setting.
7. Demonstrate digital citizenship by being knowledgeable about the magnitude of social media and its potential harmful and long-lasting effects and, thus, knowingly avoid using any form of social media to intimidate, threaten or defame another person during and outside of school hours.
8. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
9. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
10. React to directions given by teachers, administrators and other school personnel in a respectful, positive manner.
11. Exhibit academic integrity through honest and moral behavior by submitting work that is both original in idea and content.
12. Accept responsibility for their behavior(s).

13. Seek help in solving problems.
14. Make an effort to improve their behavior through restorative interventions including:
 - a. Working with appropriate supports offered to develop mechanisms to control their anger.
 - b. Asking questions when they do not understand.
15. Dress appropriately for school and school functions per the district's dress code.
16. Conduct themselves as representatives of the District when participating in or attending all school-sponsored events on and off district property and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
17. Follow the District's Electronic Technology Acceptable Use Guidelines such that:
 - a. personal electronic devices do not disrupt the instructional process, compromise safety, or interfere with the school environment.
 - b. activities safeguard and maintain the integrity and privacy of student identities and information.
 - c. pictures, videos, audio and the related capture of private school events or materials are not utilized or shared without prior authorization from school administration.*
 - i. *This does not include public school events (public concerts, athletic events, etc)

IV. THE ROLES OF OTHERS IN THE SCHOOL COMMUNITY

A. All District Staff (Includes Instructional, Support, Administration & Board of Education)

All district staff members are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' problem-solving abilities, resilience and confidence to learn.
2. Maintain a climate of mutual respect and dignity for all students, faculty and staff, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status, which will strengthen students' confidence and promote learning.
3. Address personal biases that may prevent equal treatment of all students and staff in the school or classroom setting.
4. Be respectful and courteous to students, parents/person in parental relation, and other staff members and serve as a positive role model for students; lead by example.
5. Report any concern or incident of bullying/harassment to school administration orally within twenty-four (24) hours after becoming aware of an incident and follow up with written notification within forty-eight (48) hours of said awareness, per DASA legislation requirements.
6. Know school policies and rules, and enforce them in a fair and consistent manner within the school setting.
7. Communicate regularly with students, parents and others within the school community to promote student growth, progress, development and safety.
8. Provide instruction consistent with District policies and regulations, as well as NYS Standards and State and Federal Law by:
 - a. demonstrating an interest in teaching and concern for student achievement
 - b. remaining current in their subject or certification area(s)
 - c. knowing school policies and rules, and enforcing the Code of Conduct in a fair and consistent manner.
 - d. utilizing effective, proactive student and classroom management techniques that attempt to resolve potential student disciplinary situations at the lowest possible level
 - e. communicating to students, parents and other instructional staff, effectively and appropriately with district approved modes of communication with regard to the following: course objectives and requirements, marking/grading procedures, assignment deadlines, expectations for students, classroom discipline plan, student growth and achievement, creating meaningful opportunities for parent/person in parental relation participation in their child's education
 - f. referring students to the appropriate committees, departments, offices, divisions, agencies, or organizations when outside support is necessary.
 - g. following the District's electronic technology acceptable use policy such that:
 - i. devices are used for instructional purposes

- ii. devices do not disrupt the instructional process, compromise safety, or interfere with the work environment
- iii. instructional staff safeguard and maintain the integrity and privacy of student identities and information.

B. The Administration Staff

The role of a district administrator is to:

1. Promote a safe, orderly and stimulating school environment, supporting teaching and student learning.
2. Ensure that students, staff, and parents have the opportunity to communicate regularly with the principal and approach the principal to address concerns.
3. Evaluate on a regular basis all instructional programs and staff performance.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly, fairly and consistently.
6. Work with students, teachers, counselors, support staff and parents to establish cooperative techniques for bringing about an effective educational program.
7. Confront issues of bullying, 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.
8. Address personal biases that may prevent equal treatment of all students and/or staff in the school or classroom setting.

C. The Superintendent

The role of the Superintendent of Schools is to:

1. Educate district administrators on the provisions of this Code, Board policies and state and federal laws that relate to the discipline of students and the maintenance of public order on district Property and at District Functions.
2. Visit all school buildings on a regular basis, attend school functions, and become familiar with district operations.
3. Inform the Board about new developments and trends relating to the discipline of students.

4. Supervise and maintain a well-trained staff at all levels.
5. Evaluate, on a regular basis, all instructional programs.
6. Keep the community informed of all district activities through regular publications, announcements, meetings, and other appropriate forms of communication.
7. Recommend programs to the Board that provide for the needs of all students, including those with special needs.
8. Support the staff by enforcing student discipline in accordance with district policies and the requirements of New York State law.
9. Be fair and consistent in rendering decisions regarding students whose behavior problems have been referred to the Superintendent.
10. Confront issues of bullying, 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.
11. Address personal biases that may prevent equal treatment of all students and/or staff in the school or classroom setting.

D. The Board

The role of the Board is to:

1. Support student, teacher, administrator, and parent organizations, school safety personnel and other school personnel by approving and supporting a Code of Conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
2. Adopt and review at least annually the Code of Conduct and other policies that guide the operations of the District.
3. Lead by example by conducting board meetings in a professional, respectful, courteous manner.
4. Refer concerns brought forth to the appropriate school leader/personnel and encourage others to do the same.
5. Develop a fiscally responsible budget that provides for the personnel, facilities, programs and services that support the academic and social emotional development of all students in the District.
6. Address personal biases that may prevent equal treatment of all students and/or staff in the school or classroom setting.
7. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to a board member's attention in a timely manner.

E. Parents/Guardians

An effective partnership between school personnel and parents/guardians helps promote a positive educational experience for students. To that end, the role of parents is to:

1. Acknowledge and support a climate of mutual respect and dignity for all students, faculty and staff, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status, which will strengthen students' confidence and promote learning.
2. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
3. Send their child(ren) to school, regularly, and on time, ready to participate and learn and recognize the connection between achievement and attendance.
4. Be knowledgeable about and support the District in implementing the Dress Code and the Code of Conduct.
5. Convey to their children a supportive attitude toward education and the District with appropriate verbal communication, following the district chain of command, and with appropriate demeanor toward all school employees. Teach their child(ren), by word and example, respect for law and authority.
6. Establish and maintain good relationships with teachers, other parents, and all school community members.
7. Work with school staff to help their children deal effectively with peer pressure and various forms of conflict both at home and when necessary, using the online reporting form.
8. Report concerns, including actual or perceived incidents of bullying/harassment or discrimination, to school administration in a timely manner via email, phone call or online reporting system as is necessary to appropriately address problems.
9. Regularly monitor their children's social media activity, including the use of cell phones, social media apps and their access to web sites/games which allow conversation between their children and other individuals.
10. Communicate with school officials of changes in the home situation that may affect student conduct or performance.
11. Ensure their child(ren) are dressed and groomed in a manner consistent with the student dress code.
12. Encourage and support their child(ren) in completing homework assignments.
13. Recognize that primary responsibility for their child's welfare, health and physical and mental development rests with the parents and promptly bring concerns to District administration's attention so that they can be addressed.
14. Know school rules and help their child(ren) understand them and recognize that in a democratic society appropriate rules are required to maintain a safe, orderly environment.

F. Visitors

The Board encourages parents and other community members to visit the District's schools while keeping in mind that the safety and security of all members of the school community is considered to be the highest priority. Since schools are a place of work and learning, certain limits must be set for such visits. For these reasons, the following rules apply to visitors to the schools:

1. All visitors to the school must report to the designated area upon arrival at the school to sign the visitors' register and be issued a visitor's identification badge. The identification badge must be worn at all times while in the school or on school grounds and returned to the appropriate area before leaving the building. Visitors are required to comply with all current safety and security procedures and must follow the directives of the authorized staff member and/or school official immediately. Failure to follow these directions can result in immediate removal from school property. Visitors attending district functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
2. All visitors are required to abide by the rules for conduct on district property contained in this Code.
3. School staff are not able to take class time to discuss individual matters with visitors. Any request to meet with a teacher, and/or administrator to discuss individual student matters should be made in advance. The building principal may attend any parent/teacher meeting upon request or at his/her discretion.
4. Parents or visitors who wish to observe a classroom while school is in session are required to arrange such visits in advance with the building principal so that class disruption is kept to a minimum. These visits are at the sole discretion of the building principals.
5. The building principal has authority over all persons in the building and on the school grounds.
6. The Superintendent may initiate and/or receive charges of any alleged violation of these rules and regulations and cause all investigations to be made.
7. The Superintendent may request all lawful assistance to secure, remove, eject or otherwise prevent persons from adversely affecting public order or from materially disrupting normal school processes both on school property and at district-sponsored functions on or off school property.
8. Enforcement of these rules and regulations against persons other than the students shall be as provided by law.
9. The Board hereby delegates authority to enforce these rules and regulations to the Superintendent. The Superintendent may designate such person, or persons, as she deems necessary, for the enforcement of these rules and regulations.

G. Dignity Act Coordinators:

Prevention is the first and most important line of defense in addressing bullying and harassment. In order to implement this anti-bullying prevention program as well as to comply with the Dignity Act, a District-wide DASA Coordinator shall be appointed by the Board of Education and at least one staff member in each school shall be appointed by the Board as a Building-level DASA Coordinator.

DASA Coordinators shall:

1. Be thoroughly trained to handle human relations, cultural diversity, bullying prevention and intervention, and conflict resolution.
 - a. 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 practices, disability, sexual orientation, gender, sex or any other legally protected status as well as provided with training which addresses the social patterns of harassment, bullying and discrimination; the identification and mitigation of harassment, bullying and discrimination; and strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings. In addition, the Superintendent will establish a district-wide Bullying Prevention Task Force through the district-wide DASA Committee, and ensure that Bullying Prevention efforts in each school be established that will be overseen by the DASA Coordinator. The Bullying Prevention Coordinating Committees in each school shall consist of the building administration, the school nurse and members of the pupil study team assigned to the school, along with other members. Committees may include representation from staff, administration, students and parents/persons in parental relation. The committees will assist the administration in developing and implementing specific prevention initiatives, including early identification of bullying and other strategies. In addition, the program will include reporting, investigating , remedying and tracking allegations of bullying.
2. Be comfortable speaking with students and colleagues regarding serious issues of discrimination and harassment.
3. Be knowledgeable about the Dignity for All Students Act and Education Law 13[3].
4. Be listed on the District's website and be accessible to students, staff, parents/guardians and community members.
5. Provide annual training for staff members in the recognition of harassment and discrimination and in the reporting procedures required when such behavior is identified or brought to their attention.
6. Promptly investigate and appropriately respond to reported incidents of harassment or discrimination in the same manner as all other infractions of the Code of Conduct and in accordance with any and/or all other applicable school/district policies related to student discipline.

DRESS CODE

2023-2024

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

1. A student's dress, grooming and appearance, including hair style/color, jewelry, make-up, and nails, shall be safe, appropriate and not disrupt or interfere with the educational process. Any and all parts of the body normally covered by undergarments shall be covered at all times by outer clothing.
2. Clothing that is excessively revealing or see-through will not be permitted. This includes items such as plunging necklines, tube tops/midriff/strapless tops. Skirts/shorts/pants must fit appropriately to cover these areas at all times.
3. Students must wear footwear at all times. Footwear that is a safety hazard will not be allowed. No flip flops will be allowed when students are using equipment.
4. No hats or hoods may be worn during the school day except for medical or religious purposes. All headwear must allow for ears and face to be visible and not interfere with the line of sight to any student or staff and may not be disruptive in nature (except clothing-headwear worn for religious or medical purposes). Bandanas, or other head coverings depicting or signifying gang affiliation, coats, chains (other than cosmetic) and sunglasses are not to be worn in the building except for medical or religious purposes.
5. Pajamas, costumes, or items worn as clothing (capas, blankets or flags) cannot be worn in school except for school sponsored special events.
6. Dress cannot include items that are vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, body type, religious practice, national origin, gender and gender identity, sexual orientation, innuendo, or disability.
7. Dress will not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities. This includes the inappropriate or violent depiction of weapons.

Staff members are asked to discreetly address breaches of the code of conduct with students then to notify office personnel and/or administration via phone call or email to report suspected violations of this dress code to maintain the dignity of all students.

Students who violate the District's dress code will be required to modify their apparel by replacing, covering, and/or removing the offending item. Any student who refuses to do so may be subject to disciplinary action. The associated disciplinary action will be progressive in nature beginning with a warning and additional consequences for additional violations. The ultimate determination of what is considered appropriate dress lies with the building administration or their appointed designee.

V. STANDARDS AND PROCEDURES TO ASSURE SAFETY OF STUDENTS AND SCHOOL PERSONNEL

The District's standards and procedures for assuring the security and safety of students and school personnel are set forth in the District-wide School Safety Plan and its Building Level Safety Plans, copies of which are available for inspection by the public at the District Office and may be viewed on the District web page, except those portions of said plans which are confidential.

All school employees shall be provided with in-service education regarding the terms and procedures set forth in the Code of Conduct as well as annual school safety training for violence prevention and intervention training.

STATUTORY REFERENCE: Education Law §2801, the "Safe Schools against Violence in Education Act of 2000," and also as the "Project SAVE" Law (L. 2000, Ch. 181).

Definitions

For purposes of this Code, the following words and phrases shall have the meanings set forth below:

1. **School Property** means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in Education Law Section 11 [1] and Vehicle and Traffic Law §142.

2. **School Function** means any school-sponsored curricular or extracurricular event or activity, whether on or off school property, if sanctioned or approved by the school, including but not limited to off-site athletic events, school dances, field trips, or any other school-sponsored activity. (Education Law Section 11[2].)

3. **Disruptive** means any act that interrupts or stops the normal flow of activity or substantially interferes with the teacher's or staff member's authority in the classroom or school sponsored related activity.

4. **Violent Person** means an individual who:

- a) commits an act of violence upon a teacher, administrator, or other school employee, or attempts to do so.
- b) commits an act while on school property or at a school function, of violence upon another student, or any other person lawfully on school property, or a school function, or attempts to do so.

- c) possesses or displays, while on school property or school function, or what appears to be, a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death.
- d) threatens, while on school property or at a school function, to use any instrument that appears capable of causing physical injury or death.
- e) knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other school District employee, or any person lawfully on school District property.
- f) knowingly and intentionally damages or destroys school district property.

5. **Harassment/Bullying** under the amended Dignity for All Students Act, bullying and harassment are equivalent and used interchangeably. In order to facilitate implementation, provide meaningful guidance and prevent behaviors from rising to a violation of law, bullying is further understood to be the creation of a hostile environment by conduct or threats, intimidation or abuse, and/or creates terror. Bullying may be premeditated or a sudden activity. It may be subtle or easy to identify, done by one person or a group. Bullying often includes the following characteristics: power imbalance, intent to harm, threat of further aggression and terror (Barbara Coloroso, *The Bully, The Bullied & The Bystander*, 2003), this also includes cyberbullying as defined in Education Law § 11[8], that have or would have the effect of unreasonably and substantially interfering a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or,

- a) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or,
- b) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
- c) 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.

For purposes of this definition, the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. (Education Law § 11[7])

6. **Vandalism** means intentional destruction or defacing of property.

7. **Insubordination** means overt or covert refusal to comply with authority, willful disobedience, or blatant refusal to follow directions.

8. **Inappropriate** means any action or verbalization that does not fit the particular situation, circumstance, or standard.

9. **Threat** means a stated or implied intent to do harm.

10. **Hazing** means committing a form of harassment against a student, or coercing a student into committing an act that creates a risk of emotional, physical, or psychological harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:

- a) any humiliating, degrading or dangerous activity demanded of a student to join a group, regardless of the student's willingness to participate (conduct has the potential to endanger the mental or physical health or safety of a student).
- b) any hurtful, aggressive, destructive, or disruptive behavior, such as striking, whipping, sleep deprivation, restraint or confinement, calisthenics, or other activity that subjects the student to an unreasonable risk of harm, or that adversely affects the mental or physical health or safety of the student.
- c) any activity that intimidates or threatens the student with ostracism, that subjects a student to emotional, physical or psychological stress, embarrassment, shame or humiliation that adversely affects the health or dignity of the students, or discourages the student from remaining in school.
- d) any activity that causes or requires the student to perform a task or act that involves violation of state or federal law or of school District policies or regulations.

11. **Assault** means the physical and verbal abuse, or infliction of personal injury, or unlawful detention of any person and the intentional use of physical force, or the threat thereof, that places, or attempts to place, another person in well-founded fear of personal injury.

12. **Civil Rights** are rights, benefits or protection that is guaranteed to an individual by either the federal or New York State Constitution of statute.

13. **Controlled Substance** means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law regulations that apply to this Code.

14. **Substance Abuse** means use or abuse of tobacco, alcohol, nicotine products, vape products, banned substances or illegal drugs.

15. **Cyberbullying** means harassment/bullying, as defined by above, through any form or electronic communication.

Acts of harassment and bullying that are prohibited include those acts based on a person's real or perceived membership in the following groups including, but not limited to:

- a) race
- b) color
- c) weight
- d) national origin
- e) ethnic group
- f) religion
- g) religious practice
- h) disability
- i) sex
- j) sexual orientation
- k) gender (which includes a person's actual or perceived sex, as well as a gender identity and expression)

16. **Disabled Student** shall mean a student who has been classified as from a disability pursuant to the provisions of IDEA and Article 89 of the Education Law, or one who the District is deemed to know has a disability within the meaning of 34 CFR § 300.527.

17. **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 provisions of reasonable accommodations, do not prevent the complaint 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])

18. **Discrimination** means the act of denying rights, benefits, justice, equitable treatment or access to facilities to all others, to an individual or group of people because of the group, class or category to which that person belongs. Discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based upon a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

19. **District Function** means any District-sponsored curricular or extracurricular event or activity on or off school property.

20. **“Emotional Harm”** that takes place in the context of “harassment or bullying” means harm to a student’s emotional well-being through creation of a hostile school environment that is so severe and pervasive as to unreasonably and substantially interfere with a student’s education.

21. **Employee** means any person receiving compensation from a school district or employee of a contracted service provider or worked placed within a school under a public assistance employment program, pursuant to title 9-B of article 5 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])

22. **Explosive** means an explosive device of a nature or in a quantity that is sufficient or could be sufficient to cause any injury to a person or property of others, including the District property.

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

24. **Illegal Drugs** means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional, or those legally possessed or used under any other authority under the Controlled Substances Act or any other federal or New York State law.

25. **Illegal Substances** means alcohol, controlled substances (except for those legally possessed or used under the supervision of a licensed health-care professional, or those legally possessed or used under any other authority under the Controlled Substances Act or any other federal or New York State law), inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs (including synthetic cannabinoids), prescription or over-the-counter drugs when possession is unauthorized or when such are used or shared with others, and any substances commonly referred to as “designer drugs”.

26. **Interim Alternative Educational Setting (“IAES”)** means a temporary educational placement for a disabled student for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum to continue to receive appropriate services and modifications, including those described on the student's current individualized education program (“IEP”), and to meet the goals set out in such IEP, and includes services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent such behavior from recurring.

27. **In-School Suspension** means the temporary removal of a student from the classroom and the placement of that student in another designated area of the school building where the student will receive substantially equivalent, alternative education.

28. **Intimidation** means engaging in actions or statements that put an individual in fear of bodily or emotional harm usually in order to persuade the person to do something he/she/they do not wish to do..

29. **Parent** means the biological, adoptive, or foster parent, guardian or person in parental relation to a student.

30. **Restorative Practices** are approaches to dealing with violations of the Code of Conduct which enable those who have been harmed to convey the impact of the harm to those responsible, and for those responsible to hold them accountable by acknowledging this impact and taking steps to repair the relationship or correct the situation.

31. **Removal** means, as it relates to a **disabled student**, the removal for disciplinary reasons from the student's current educational placement, other than a suspension and change in placement to an interim alternative educational setting (IAES), ordered by an impartial hearing officer because the student poses a risk of harm to himself/herself or others.

32. **Removal** means, as it relates to a **non-disabled student** who is disruptive or disorderly in class, the removal from the classroom to ensure that the other students continue to learn. A classroom teacher may remove a student from class for up to 2 days if the teacher determines that the student is disruptive. The removal from class applies to the class of the removing teacher only. For purposes of this Code, the removal commences on the second consecutive day that a student is asked to leave a teacher's classroom (the first day being considered the discretionary use of a classroom management technique by the teacher). Detention can be considered during the removal period.

33. **School Bus** means any motor vehicle owned by a public or government agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned or operated for compensation for the transportation pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law § 11[1] and Vehicle and Traffic Law § 11[2])

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

35. **Suspension** means the disciplinary removal of a student from his or her regular educational program and activities in accordance with the Education Law §3214.

36. **Visitor** means anyone on District Property or at a District Function who is not a District employee or a District student in which the individual is physically present.

37. **Weapon** means a firearm as defined in 18 USC § 921 for purposes of the Gun Free Schools Act, and any device, instrument, material or substance, animate or inanimate, that is used for or what appears to be a weapon, or is readily capable of causing death or serious bodily injury, and any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, BB gun, starter gun, pellet gun, ammunition, noxious spray, dagger, dirk, razor, stiletto, switchblade knife,

gravity knife, pocket knife, brass knuckles, slingshot, metal knuckle knife, box cutters, cane sword, electronic dart gun, throwing star, club, electronic stun gun, craft knife, pepper spray, ammunition or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause serious physical injury or death when used as a weapon. Weapon shall also mean pocket, pen or other knife, a look-alike, a fake weapon or any other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death, or when such item is brandished as a weapon.

VI. VIOLATIONS OF THE CODE OF CONDUCT

A. Acts of Misconduct Defined

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

The commission of any of the following acts (as they are defined below) is prohibited on District Property and at a District Function and such conduct is punishable by the penalties set forth in Section VII Penalties for Violators of the Code of Conduct.

1. **Act of Violence:** to strike, hit, kick, punch, scratch or otherwise physically assault another person; to damage or destroy the personal property of a teacher, administrator, student, parent, other District employee or any member of the school community lawfully on District Property; or to intentionally damage or destroy District Property; or to commit any act that is included within the definition of a Violent Student, as defined herein. Acts of Violence include Arson, Assault, Bomb Threats, Fighting, and Possession of an Explosive or a Weapon.

2. **Arson:** Deliberately starting a fire with intent to damage or destroy property, with or without a weapon. The fire may be started by using matches, lighters or other devices capable of producing sufficient heat (i.e. magnifying glass) to ignite other combustible items, including, but not limited to, paper, linens, clothing, and aerosol cans, with or without a weapon. Property includes any object belonging to the school, students, school staff or visitors to the school, including personal items of the arsonist.

3. **Assault:** the physical abuse, or infliction of personal injury, or unlawful detention of any person and the intentional use of physical force, or the threat thereof, that places, or attempts to place, another person in well-founded fear of personal injury.

4. **Bias Harassment:** the act of threatening bodily harm or by repeatedly tormenting another person based on the victim's race, ethnic origin, religion, cultural difference, or disability and sexual orientation. Bias harassment may take the form of comments, jokes, name-calling, innuendoes, offensive conversations, perpetuating rumors or gossip, offensive gestures, noises, blocking a victim's path, assault, or any other behavior that is designed to show disrespect to an individual based on cultural, racial, or religious differences or based on a disability or a sexual orientation.

5. **Bomb Threat:** the intentional false claim that an Explosive device is located on District Property or at a District Function.

6. **Cheating:** the act of giving or receiving (or conspiring to give or receive) answers to class assignment (includes copying computer material) or test answers from another source.

7. **Defamation:** includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harms the reputation of the person or the identifiable group by demeaning them.

8. **Destruction of Property:** the destruction, defacing or other impairment of District Property or property belonging to other persons.

9. **Disorderly Conduct:** conduct that obstructs or disrupts a teaching, research, administrative or disciplinary procedure or any other authorized District activity. Disorderly Conduct includes, but is not limited to, running in hallways; making unreasonable noise; using language or gestures that are profane, lewd, vulgar or abusive; the willful interference with the free flow of vehicular or pedestrian traffic; or engaging in any willful act that disrupts the normal operation of the school community.

10. **Disruptive Conduct:** conduct by a student under the age of 21 that is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. Disruptive Conduct includes, but is not limited to, the failure to comply with the lawful directions of teachers, school administrators or other District employees, and speech or gesture which, by virtue of its content and/or circumstances, is likely to disrupt the conduct of classes or other District activities or to undermine the maintenance of discipline within the school setting. Disruptive Conduct also includes being late for school or class; being unprepared for class; and committing other conduct that detracts from the delivery of the District's educational program.

11. **Drug or Alcohol Violation:** the possession, use, exchange, distribution or sale of an Illegal Drug or Illegal Substance, or the act of being under the influence of drugs without appropriate authorization (includes substances controlled by law, marijuana, medications, or other drugs or substances which stimulate or are purported by the student to be any of the above including look alike drugs/substances.) Insubordination while under investigation for a drug violation will also be considered a drug violation.

12. **Extortion:** any intentional action which reasonably instills fear in another individual that the actor or another person will cause injury to the persons or property of that individual or another person for the purpose of obtaining goods, including money, services or information, from that individual.

13. **False Alarm:** Causing a fire alarm or other disaster alarm to be activated by either falsely reporting or activating a fire alarm or other type of disaster alarm, with or without a weapon.

14. **Fighting:** combative physical contact or other violent encounters between two or more persons.

15. **Forgery:** the involvement in the imitation or fabrication of another's signature or written work.

16. **Gambling:** the risking of something of value upon the outcome of a contest of chance or a future contingent event upon an agreement or understanding that one will receive something of value in the event of a certain outcome.

17. **Harassment/Intimidation/Bullying/Hazing/Discrimination of Students or Staff Members:** Defined herein, the District adheres to the Dignity for All Students Act (S.1987B) and prohibits all forms of sexual harassment, homosexual harassment, racial, national origin, ethnicity, religion, disability, gender identity, weight, body image, harassment, and disability-related violations of students' or staff members' rights. Behaviors prohibited include, but not limited to: threatening, stalking, or seeking to coerce or compel a person to do something. intentionally placing or attempting to place another person in fear of imminent physical injury. engaging in verbal or physical conduct that threatens another with harm, including intimidation through the use of epithets or slurs involving race, ethnicity, national origin, religion, religious practices, gender, sexual orientation, age, or disability that substantially disrupts the educational process.

Cyberbullying means using technology tools to threaten, ridicule, humiliate, taunt, and spread rumors about their targets that impact the school climate and morale, as defined herein. The creation of a hostile environment by conduct, verbal threats, intimidation or abuse that has or would unreasonably interfere with educational performance, opportunities, benefits or physical or emotional well-being or cause fear for physical safety. Prohibits discrimination based on an individual'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, sexual orientation, gender (including gender identity and expression) sex .

18. **Hazing:** includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.

19. **Indecent Exposure:** the act of exposure to sight of the private parts of the body in a lewd or indecent manner.

20. **Insubordination:** the refusal or failure to comply with any District rule, regulation or policy (including those relating to attendance), or the failure to comply with a reasonable request from District personnel or representatives authorized to make such a request. Insubordination, as it relates to students, includes, but is not limited to, the failure to comply with the lawful directives of teachers, school administrators or other District employees in charge of students or otherwise demonstrating disrespect toward such individual; lateness for, missing or leaving

school without permission; and skipping detention. Insubordination, as it relates to non-students, includes, but is not limited to, the violation of regulations governing the use of District Property, and the failure to comply with the lawful directions of District employees or law enforcement officers acting in performance of their duties.

21. **Littering:** the general distribution of printed, written, recorded or other materials without the prior approval of the building principal. The granting of approval or the refusal to grant the same shall be determined pursuant to administrative guidelines for the distribution and dissemination of materials on District Property.

22. **Loitering:** remaining in an undesignated area after being assigned to a specific classroom/location. Loitering also includes congregating in the halls to impede traffic, or standing next to the building as well as other district areas.

23. **Obscene Material:** the act of selling, using or possessing obscene material.

24. **Other Misconduct:** the act of soliciting, commanding, aiding or otherwise abetting any person to commit any act or conduct that is proscribed by this Code, and the commission or omission of any act which is in violation of any Federal or State law or any District rule or regulation, including the District's School Safety Plans.

25. **Parking Violations:** the act of parking any vehicle on District Property without completing and submitting a Student Driving Contract for approval from administration, or parking in unauthorized areas. The District assumes no liability for vandalism/ theft of the vehicle while on school property. In addition, student vehicles are subject to search with reasonable suspicion.

26. **Plagiarism/Academic Integrity:** the unauthorized use of another's material that is represented as one's own work.

27. **Possession of an Explosive:** the use, actual or constructive possession, or the sale of an Explosive.

28. **Possession of a Weapon:** the use, actual or constructive possession; or the sale of a Weapon.

Weapons Possession: Possession of one or more of the weapons listed below, except possession in a classroom or laboratory as part of an instructional program or in a school-related activity under the supervision of a teacher or other school personnel as authorized by school officials. Possession includes bringing a weapon to or possessing a weapon at school.

29. **Reckless Endangerment:** Subjecting individuals to danger by recklessly engaging in conduct that creates a grave risk of death or serious physical injury, but no actual physical injury, with or without a weapon. The following are examples of incidents that did not result in physical injury but should be reported as reckless endangerment:

a) Throwing an object at another student or throwing an object out of a bus window. The object

thrown must be capable of causing a grave risk of death or serious physical injury. A serious physical injury requires hospitalization or treatment in an emergency room and includes, but is not limited to, a bullet wound, a serious stab or puncture wound, fractured or broken bones or teeth, concussions, cuts requiring stitches and any other injury involving risk of death or disfigurement.

b) Incidents involving a person choking another individual, including, but not limited to incidents where a student offender refuses to obey staff directives or interventions to stop choking his or her victim.

c) Brandishing a weapon on a school bus threatening other students, bus driver and/or bus monitor with harm or injury.

d) Driving a car erratically and recklessly in a school parking lot while other student(s), staff, or individuals are present.

30. Repeatedly Disruptive Conduct: misconduct that results in the student being removed from the classroom by teacher(s) on four or more occasions during a semester, or three or more occasions during a trimester.

31. Sexual Harassment: the act of threatening bodily harm or by repeatedly tormenting another person based on gender. Sexual harassment may take the form of comments, jokes, name-calling, innuendoes, offensive conversations, perpetuating unwelcome touching of another's clothing, pinching, whistling or other noises, blocking a victim's path, assault, or any other behavior that is intended to or has the reasonable effective of being offensive based on a person's gender.

32. Tardy: means arriving to the scheduled classroom after the bell signaling all students should be in class, without a pass. Tardy to school means arriving to school after the starting bell has rung.

33. Theft: the unlawful use, taking possession of, or control over, property belonging to the District or another individual.

34. Tobacco & Nicotine Violations- Use, Sale or Possession - the act of possessing, smoking, inhaling, or chewing tobacco or tobacco/nicotine/vaping products anywhere on school grounds. The use of tobacco/nicotine products is not allowed anywhere on District Property or school sponsored events.

35. Traffic Violation: the operation of a motor vehicle on District Property at a speed in excess of ten (10) miles per hour, or the operation of snowmobiles, motorbikes, go-carts, golf-carts, motor scooters, and other similar vehicles propelled by gasoline, diesel oil, fossil fuel or electric powered engines on District Property. The only motor vehicles allowed to be operated on District Property are those automobiles, buses and trucks that are (a) licensed by the

Department of Motor Vehicles, (b) insured in compliance with the mandatory provisions of the Vehicle & Traffic Law, and (c) lawfully operated on the District's driveways, parking fields or other portions of District Property for the purpose of attending District activities or conducting business or performing services for the District.

36. **Trespassing:** the entry upon or use of District Property without proper authorization in situations where said property is restricted in entry or use: As it relates to students, trespassing includes a student's presence in any District building or property other than the school he or she regularly attends without permission from the administrator in charge of the building.

37. **Truancy:** the act of being illegally absent from school without the knowledge and consent of a parent/guardian, or failing to attend school when expected to be in school, or failing to attend classes in consecutive periods, or missing the BOCES bus.

38. **Vandalism:** the willful destruction of the real or personal property of the District or another person. (In addition to suspension, restitution in the form of money or work will be expected).

39. **Vaping:** to inhale or exhale the vapor from an electronic device typically for the purpose of ingesting nicotine or other stimulants.

39. **Violation of Civil Rights:** conduct that has the effect of depriving another of a civil right.

VII. PENALTIES FOR VIOLATIONS OF THE CODE OF CONDUCT

Procedures and Referrals

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

Disciplinary action, when necessary, will be firm, fair and consistent as to be the most effective in changing student behavior. A progressive approach will also be taken when considering consequences: a student's second offense for the same infraction will typically result in steeper consequences than the first offense, and so on. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

Range of Potential Responses

1. Scope

The penalties described in this section are the range of penalties that may be imposed upon any student who is determined to have committed any act of misconduct specified in Section VI of this Code. (Violations of the Code)

2. Actions Preceding Penalties

District authorities may use a range of possible responses to misconduct committed by a student. In most circumstances, a primary response will be to discuss the student's conduct with the parents in an attempt to correct such inappropriate behaviors. In addition, the District may attempt any or all of the following corrective actions:

- A. Warning- Either a verbal or written warning may be given in the appropriate case.
- B. Parent Conference- The student's parent or guardian will be contacted for a conference. The conference will include the student, his/her parent or guardian, school personnel and others whose participation is deemed appropriate by the District.
- C. Pupil Services Referral- Students may be referred for support services in appropriate cases.
- D. Behavioral Plan- The student, parents or guardians, and District authorities may agree that the student needs to develop a behavior management plan to address certain inappropriate behaviors.
- E. Court Intervention- Court assistance in the form of a PINS (Person in Need of Supervision) petition.
- F. ISS/Alternate Classroom
- G. Mediation through the Resolution Center of Jefferson County or another similar agency.
- H. Conference with Administration

Or other actions determined to be appropriate by the District-

3. Range of Penalties action including, but not limited to, one or more of the following:

- A. In-school suspension/Alternate Classroom or Time-Out Area
- B. Detention: Lunch or After-School Detention may be assigned in appropriate cases.
- C. Suspension from School: The principal may suspend a student from attendance at school for a period not to exceed five (5) school days. The parent or guardian will be notified of such suspension by telephone and letter.
- D. Suspension from Other Activities: Students may also be suspended from transportation, athletic participation, social or extracurricular activities or other privileges upon compliance with fundamental due process procedures.
- E. Superintendent's Hearing: A disciplinary hearing may be scheduled before the Superintendent of Schools, or her designee, pursuant to the applicable provisions of the Education Law. At the conclusion of such hearing, the Superintendent may take whatever action is deemed appropriate, including but not limited to, indefinite suspension from school.

- F. Personal Liability: The District may pursue, on behalf of itself or an employee, all available rights and remedies to recover from the student and/or parent of the student for damages to personal property.
- G. Police Notification: In cases involving criminal conduct, District authorities may refer the matter to appropriate law enforcement authorities.

4. Academic Sanctions

In addition to other penalties provided herein, the principal and/or the Superintendent may deny credit for work done and teachers may also deny the right to make-up an assignment or test for cheating, leaving a final examination without permission, plagiarism and other misconduct that is related to academic performance.

5. Detention Alternative

In lieu of out-of-school suspension for some infractions, the district reserves the right to provide alternate suspension after school hours on the weekdays or on a Saturday.

6. Progressive Discipline

Depending upon the nature of the violation, it is the Board's desire that student discipline be progressive (that is, a student's first violation should merit a lighter penalty than subsequent violations). The individual determining the penalty should take into account all other relevant factors in arriving at an appropriate penalty. Depending upon the nature of the violation, the possible penalties listed in the section below may be imposed either alone or in combination.

B. Penalties for Specific Violations

The following range of penalties may be imposed by District authorities upon a finding that a student has committed the specific conduct specified herein:

Abbreviation Key

Pupil Services Team (PST)

In-School-Suspension (ISS)

Out-of-School Suspension (OSS)

Act of Violence: 3-5 days ISS/OSS, Parent Meeting; Loss of School Privileges; Possible Superintendent's Hearing; PST Referral, possible involvement with law enforcement/SSO

Arson: 5 days OSS, Superintendent's Hearing, Police Involvement; PST Referral

Assault: 1-5 days ISS/OSS, Parent Meeting; Loss of School Privileges; Possible Superintendent's Hearing; Possible Police/SSO Involvement; PST Referral

Bias Harassment: Parent Conference-OSS, Parent Meeting; Possible Superintendent's Hearing; Possible Police/SSO Involvement; PST Referral

Bomb Threat: 5 days OSS, Police Involvement, Parent Meeting; Possible Superintendent's Hearing; PST Referral

Cheating: Parent Conference-ISS; Possible denial of credits awarded; Possible PST Referral

Defamation: Parent Conference-ISS, Possible PST Referral

Destruction of Property: Detention-OSS, Parent Conference, Liability for Damages; Possible Superintendent's Hearing; Possible Police/SSO Involvement; PST Referral

Disorderly Conduct: Parent Conference-OSS; Loss of School Privileges; Possible Superintendent's Hearing; Possible Police/SSO Involvement; PST Referral

Disruptive Conduct: Parent Conference-OSS; Loss of School Privileges; Possible Superintendent's Hearing; PST Referral

Drug or Alcohol Use, Sale or Possession: 3-5 days OSS, Parent Meeting; Loss of School Privileges; Possible Superintendent's Hearing; Possible Police Involvement; PST Referral

Extortion: Parent Conference-OSS, Parent Meeting; Possible Police Involvement; Possible PST Referral

False Alarm: 5 days OSS, Police Involvement, Parent Meeting; Possible Superintendent's Hearing; PST Referral

Fighting 3-5 days ISS/OSS, Loss of School Privileges, Parent Meeting; Possible Police Involvement; Possible Superintendent's Hearing; PST Referral

Forgery Detention-ISS, Parent Conference; Possible PST Referral

Gambling Detention-OSS, Parent Conference; Possible PST Referral

Harassment Detention-OSS, Parent Conference; Possible Loss of School Privileges; Possible Superintendent's Hearing; Possible Police/SSO Involvement; PST and DASA Referral

Hazing ISS-OSS, Parent Conference; Possible Loss of School Privileges; Possible Superintendent's Hearing; Possible PST Referral

Indecent Exposure ISS-OSS, Parent Conference; Possible Loss of School Privileges; Possible Superintendent's Hearing; Possible PST and DASA Referral

Insubordination Detention-OSS, Parent Conference; Possible Loss of School Privileges; Possible Superintendent's Hearing; Possible PST, SRO and DASA Referral

Littering Detention-ISS, Parent Conference; Possible Loss of School Privileges; Possible Police Involvement

Loitering Detention-OSS, Parent Conference; Possible Loss of School Privileges; Possible Police Involvement; Possible PST Referral

Parking Violations Warning-ISS; Possible Loss of Driving Privileges; Possible Police Involvement

Plagiarism Detention-ISS, Parent Conference; Possible Denial of Credits/Work, Possible Superintendent's Hearing; Possible PST Referral

Pornography ISS-OSS, Parent Conference, Loss of electronic access/use privileges, Possible Superintendent's Hearing; Possible Police/SSO Involvement; Possible PST and DASA Referral

Possession of a Weapon 3-5 days OSS, Parent Meeting; Possible Superintendent's Hearing; Possible Police/SSO Involvement; PST Referral

Reckless Endangerment 3-5 days OSS, Parent Meeting; Loss of School Privileges; Possible Superintendent's Hearing; PST and DASA Referral

Repeatedly Disruptive Conduct ISS-OSS, Parent Conference, Possible Superintendent's Hearing; Possible Police/SSO Involvement; Possible PST Referral

Sexual Harassment ISS-OSS, Parent Meeting; Loss of School Privileges; Possible Superintendent's Hearing; Possible Police/SSO Involvement; PST Referral

Tardy Lunch Detention-Detention; Parent Conference; Possible Loss of School Privileges

Theft Detention-OSS, Parent Conference, Restitution; Possible Superintendent's Hearing; Possible Police/SSO Involvement; PST Referral

Tobacco Violation ISS-OSS, Parent Conference; Possible Loss of School Privileges; Possible Superintendent's Hearing; PST Referral

Traffic Violation Removing of Driving Privileges, Police Involvement, Parent Conference

Trespassing 1-5 days OSS, Parent Conference; Loss of School Privileges; Possible Police/SSO Involvement; PST Referral

Truancy Parent Meeting, Outside Agency Involvement; PST Referral

Vandalism Detention-OSS, Parent Conference, Liability for Damages; Possible Superintendent's Hearing; Possible Police/SSO Involvement; PST Referral

Vaping ISS-OSS, Parent Conference; Possible Loss of School Privileges; Possible Superintendent's Hearing; PST Referral

Violation of Civil Rights Due Process and other appropriate actions Possible PST

VIII. TEACHER REMOVAL OF DISRUPTIVE STUDENTS

A. Purpose

A Disruptive Student or disorderly student impairs a teacher's ability to teach and interferes with the ability of other students in the classroom to learn. The Board expects that, in most instances, the classroom teacher will be able to control disruptive or disorderly student behavior by using good management techniques. Occasionally, however, it may be necessary for a teacher to remove a disruptive or disorderly student from the classroom to ensure that the other students may continue to learn. For the purpose of this Section X, "removal" shall have the meaning set forth in Section IV.A.14 of this Code.

B. Right to Remove Disruptive or Disorderly Student

A classroom teacher may remove a student from class for up to two (2) days if the teacher determines that the student is a "disruptive or disorderly student." The removal from class applies to the class of the removing teacher only.

C. Teacher's Conference with the Student

1. **Immediate Conference with the Student:** If the student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must explain to the student, before the student is removed, why he or she is being removed from the class. The student must also be given the opportunity to present his or her version of the relevant events. Only after this informal discussion may a teacher remove a student from class.
2. **Exception to the Rule:** If the student poses a continuing danger to person or property or an ongoing threat of disruption to the academic process, the teacher may order the student to be removed immediately. In this event, the teacher must 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 of the time of removal.

D. The Principal's Role

- 1) **Teacher's Meeting with the Principal or the Principal's Designee:** The teacher must inform the principal of the reason(s) for the removal in writing if possible.
- 2) **Notice to the Parent:** Within twenty-four (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.* The notice must explain the reason(s) for the removal and 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 and behavior modification(s) to remedy the cause for the removal. A written notice can be delivered personally to the parent or sent by express mail addressed to the last known address for the parent, or by some other means that is reasonably calculated to assure receipt of the notice within twenty-four (24) hours of the student's removal. Notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.
- 3) **Conference with Parents:** If the student denies the charges in the informal meeting, 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, teacher and principal.
- 4) **Principal's Review of the Removal:** The principal or the principal's designee may overturn the removal of the student from class if the principal finds that (a) the charges against the student are not supported by substantial evidence, or (b) the student's removal is otherwise in violation of law, or (c) the conduct warrants suspension from school pursuant to Education Law §3214, and a suspension will be imposed.

IX. DISCIPLINE PROCEDURES

A. For Non-Disabled Students

The amount of due process a student is to be afforded before a penalty may be imposed depends on the severity of the penalty. In all cases, the District employee authorized to impose the penalty must inform the student of the misconduct that he or she is alleged to have committed, and must investigate the facts surrounding the alleged misconduct. All students must be given an opportunity to present their version of the facts to the school personnel imposing the penalty. Additional process shall be afforded as follows:

1. **Reporting:** All staff members must immediately report and refer a violent student to the principal or the Superintendent for a violation of this Code. 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 making the referral.

2. For Detentions: Teachers, principals and the Superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified and the student has appropriate transportation home following detention. Lunch/recess detention can be given at the discretion of the administration with parental follow-up as needed.
3. For Suspensions from Athletics or Extra-curricular Activities: A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the suspension to discuss the conduct and the penalty involved.
4. For In-School Suspensions: District authorities must balance the need of individual students to attend school and the need to maintain order in the classroom to establish an environment for all students that is conducive to learning. As such, the Board authorizes building principals and the Superintendent to place students who would otherwise be suspended from school as the result of a Code violation in "in-school suspension." 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.
5. For Suspensions from School: Suspension from school is a severe penalty. Students who face possible suspension from instruction shall be afforded the procedural protections guaranteed by 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.

Short-term Suspensions

When the principal proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214 (3), he or she must immediately notify the student orally and, if the student denies the misconduct, explain the reasons for the proposed suspension. The principal must also notify the student's parent in writing, that the student may be suspended

from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension and shall be delivered to 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 to disruption to the academic process. If the student's presence does pose such a danger or threat or disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

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

Long-term Suspensions

When the Superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing, the student shall have all the rights guaranteed by Education Law §3214.

6. For Permanent Suspensions

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

7. Review by Superintendent

The Superintendent may reduce the minimum penalties established above on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent will determine if a lesser suspension period or some other form of discipline may be more effective considering the following:

- a) the student's age
- b) the student's grade in school

- c) the student's prior disciplinary record
- d) input from parents, teachers and/or others
- e) other extenuating circumstances

B. For Students with Disabilities

The District will uphold all regulations in regards to the discipline of Students with Disabilities (Reference IDEA and NY State regulation.)

X. APPEALS FROM IMPOSITION OF DISCIPLINE

A. Appeals to the Board

Appeals from all decisions of the Superintendent relative to this Code shall be taken to the Board. All appeals shall be made in writing and shall set forth the decision appealed from and the grounds for the appeal. The written appeal shall be filed with the District Clerk no later than ten (10) business days from the date of the decision which is the subject of said appeal, unless the party appealing can show that extraordinary circumstances prevented the timely filing of the appeal. The Board may adopt in whole or in part the decision of the Superintendent and will make its decision in writing. The Board's decision shall be based solely upon the record before it.

B. Appeals to the Commissioner

Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

XI. MISCONDUCT

Misconduct at a District Function

The Superintendent shall be responsible for enforcing the conduct required by the Code at District functions, on or off District property, and may designate other District employees or agents to take action consistent with this Code.

When an individual, either a student or an adult, is committing prohibited conduct that, in the judgment of the Superintendent or his or her designee, does not pose any immediate threat of injury to persons or property, the individual shall be informed that the conduct is prohibited and asked to stop such conduct. The school official shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the individual shall be immediately removed from the District Property or the District Function. Anyone who violates this Code while at a District Function shall be subject to immediate ejection from the District Function. If necessary, local law enforcement authorities will be

contacted to assist in removing the person. The District may initiate disciplinary action against any student, adult and/or visitor, as appropriate. The District may also pursue civil and/or criminal sanctions against any person violating this Code.

Misconduct Committed Off District Property

Students, staff, and visitors may be disciplined for misconduct that is not committed on District Property or at a District Function if such misconduct threatens the health, safety or welfare or creates/leads to a significant disruption to the learning environment of a student, teacher or other member or the School district staff.

Misconduct Not Specifically Defined

The definitions of misconduct set forth in this section are not meant to be all-inclusive. Thus, any conduct not defined in this Code that violates any federal or New York State statute, or any rule, regulation or established practice of the District, shall be punishable by penalty to be imposed at the discretion of the appropriate District personnel.

School Building Authority

The principal of each District school building is hereby delegated the authority to establish standards of conduct and rules for local matters, school building activities and the granting or withholding of student privileges. These standards and rules may include procedures for homeroom; student assemblies; emergency drills; study halls; use of the cafeteria; conduct in the building hallways; use of student lockers; student ID's and student passes; school parking and/or driving privileges; book bags and backpacks in the building; bicycles, skateboards, roller blades and similar means of transportation; the use of electronic devices and laser pointers; and other local matters related to discipline and order in the building. These rules are subject to the approval of the Superintendent, and the Board where appropriate.

District Employee

Any person who, while on District Property or at a District Function, on or off District property, wrongfully refuses a valid request or command to desist in any conduct prohibited by this Code shall be subject to administrative process and contractual requirements found in violation of this Code of Conduct shall be subject to criminal and/or civil penalties as provided by law.

Visitor Misconduct

Any unauthorized person on District Property will be reported to the school principal or Superintendent of Schools. Unauthorized persons will be asked to leave, and the police may be called if the situation warrants.

The authorization of visitors who violate this Code, if any, to remain on District Property or at the District Function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection and to criminal and/or civil penalties as provided by the law.

XIII: LOCKERS

All student lockers are the property of the South Jefferson Central School District. The school district loans a hall and gym locker to all students. Each locker has a combination lock. Students are to use lockers loaned to them with the combination locks provided to them and are not to exchange lockers or locker combinations with other students, nor should they place a personal lock on a school locker. Students should not leave money or valuable property in your lockers. If necessary, the main office will keep such things until needed or students are ready to go home. Lockers should remain locked at all times. **The school will not be responsible for articles that are reported lost or stolen from lockers.** School officials reserve the right to search lockers or any of the contents therein if there is reasonable suspicion resulting in evidence that the student violated the Code of Conduct.

XIV. SCHOOL BUS – BEHAVIORAL EXPECTATIONS AND DISCIPLINARY PROCEDURES

Pupils riding on buses are reminded that conduct expected in school is also expected while riding on South Jefferson Central School District buses. Please, remember that your driver has a big responsibility for your safe transportation. Conduct yourself in such a way that your driver may give his/her full attention to the road and your safe delivery.

1. Be on time meeting the bus. Remember the bus travels on a time schedule.
 2. Students should stand and wait at least twenty (20) feet away from the roadway while waiting for a bus.
 3. Always keep your hands and any part of your body inside the bus.
 4. Never throw any object within the bus or out a window.
 5. Always remain seated until the bus stops.
 6. Look carefully in both directions before you cross the road at a distance of, at least, fifteen (15) feet from the front of the bus.
 7. No student is to travel on a bus other than his/her own without written permission from his/her parents/guardian in elementary, middle school, and when appropriate, high school. The note from the parent/guardian is taken to the building office where it is verified with the bus garage, initiated, and returned to the student who gives it to the bus driver.
 8. Students are required to board their primary bus at their primary building. Students should not be transferring to another bus at either elementary building unless their primary bus is not at Clarke.
 9. There will be no smoking or use of any other tobacco or vaping product on school buses at any time.
 10. There is to be no eating or drinking on a school bus while it is in motion, unless allowed by the bus driver.
 11. Students may not shout, talk loudly, swear or otherwise be disruptive on the bus as such behavior is distracting to the bus driver.
 12. Parents of Pre K – 5th grade students should notify their child's main office of any changes in transportation arrangements that occur.
 13. If a pupil misses a bus, he/she should not walk home without permission but report to the office so other arrangements can be made.
 14. Cooperate with your driver at all times and follow all directions given by your driver.
- Students who fail to obey the rules outlined above will be subject to school discipline. The bus driver is responsible for handling discipline on the school bus. Students who fail to change their

behavior after a driver's warning will be sent to the main office for further disciplinary action. A student who continually violates the disciplinary code may lose his/her bus riding privileges.

Bus Referral/Disciplinary Process:

Step 1: The bus driver informs the building administrator of the offense by submitting a referral. The administrator will investigate the incident and determine appropriate disciplinary action. *A copy of the report is sent to the parents.*

Step 2: In the event of a second offense, progressive discipline will apply. Consequences may include a short-term suspension of bus privileges depending on the offense.

Step 3: For the third offense, upon receiving a referral from the bus driver, the administrator may suspend the student's bus privileges until a conference has been arranged with the student, the parents, the bus driver, and the administrator. Following the conference, the administrator will make a decision regarding the student's bus privileges.

In cases of extreme offenses, the student's bus privileges may be immediately suspended pending a conference with the parent, student, bus driver and administrator. Refusal to do as the driver requests, or any other serious behavioral incident, will result in an immediate long-term suspension of bus privileges. The Superintendent of Schools will be informed of all extreme offenses on the school bus.

Parent concerns regarding transportation:

Any concerns regarding school bus transportation should be brought to the attention of the building principal in a timely manner so they can be addressed appropriately. Discussing concerns with a bus driver at a bus stop is not an acceptable or effective way to address concerns.

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