New Lebanon CSD

New Lebanon Jr./Sr. High School

Code of Conduct

Revised August 2026

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INTRODUCTION

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

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

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, identify the possible developmentally appropriate, graduated consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly, keeping in mind the goal is not to penalize, but teach students there are consequences to actions and choices. To this end, the Board adopts this code of conduct ("code"), which is based upon education laws, regulations and Board policies.

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

DEFINITIONS

For purposes of this code, the following definitions apply.

"Bullying" is behavior which harms or induces fear through the threat of further aggression. Bullying may be premeditated or a sudden activity. It may be subtle or easy to identify, done by one person or a group. Bullying is characterized by:

1. *Power imbalance - occurs when a bully uses his/her physical or social power over a target.*
2. *Threat of further aggression*

"Disruptive student" means a 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.

"Gender" means actual or perceived sex and shall include a person's gender identity or expression.

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

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

"School function" means any school-sponsored extracurricular event or activity.

"Sexual orientation" means actual or perceived heterosexuality, homosexuality or bisexuality.

"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.
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.

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

STUDENT RIGHTS AND RESPONSIBILITIES

A. Student Rights

The district is committed to safeguarding the rights given to all students under state and federal law. In addition, to promote a safe, healthy, orderly and civil school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of actual or perceived race, color, creed, national origin, religion, gender, sexual orientation or disability.
2. To be respected as an individual and treated fairly and with dignity by other students and school staff.
3. To express one's opinions, either verbally or in writing, as long as it is done so in a respectful manner.
4. Present their version of the relevant events to school personnel authorized to impose consequences
5. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
6. To be provided with clear expectations regarding:

    a. Course objectives, requirements and state standards;
    b. Grading criteria and procedures;
    c. Assignment requirements and deadlines;
    d. School and classroom rules and expectations regarding behavior

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. Help make school a community free of violence, intimidation, bullying, harassment, and discrimination.
3. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
4. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.

5. Work to the best of their ability in all academic and extracurricular

pursuits and strive toward their highest level of achievement possible.

6. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
7. Use a polite tone of voice and appropriate body language, listening when others are speaking to you
8. To be truthful when speaking with school officials regarding Code of Conduct violations
9. Respect personal space
10. Work to develop mechanisms to control their anger.
11. Ask questions when they do not understand.
12. Seek help in solving problems that might lead to disciplinary intervention.
13. Dress appropriately for school and school functions.
14. Accept responsibility for their actions.
15. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

ESSENTIAL PARTNERS

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure 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.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with teachers, other parents and their children's friends.
10. Tell school officials about any concerns or complaints in a respectful and timely manner.
11. Help their children deal effectively with peer pressure.
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Provide a place for study and ensure homework assignments are completed.
14. Be respectful and courteous to staff, other parents/guardians and students while on school premises.

B. Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Participate in school-wide efforts to provide adequate supervision in all school spaces.
6. Maintain confidentiality in conformity with federal and state law.
7. Communicate regularly with students, parents and other teachers concerning growth and achievement.
8. Communicate to students and parents:
    a. Course objectives and requirements b. Marking/grading procedures
    c. Assignment deadlines
    d. Expectations for students
    e. Classroom behavior and consequences plan

C. Teaching Assistants, Teacher Aides, Coaches and Office Staff are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Demonstrate interest in and concern for student achievement.
3. Know school policies and rules, and enforce them in a fair and consistent manner.
4. Participate in school-wide efforts to provide adequate supervision in all school spaces.
5. Maintain confidentiality in conformity with federal and state law.

D. Bus Drivers, Bus Monitors, School Cleaners and Maintenance Staff

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept.
2. Know school policies and rules, and enforce them in a fair and consistent manner.
3. Maintain confidentiality in conformity with federal and state law.

E. School Counselor

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
3. Regularly review with students their educational progress and career plans.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.

6. Maintain confidentiality in conformity with federal and state law.
7. Participate in school-wide efforts to provide adequate supervision in all school spaces
8. Make known to students and families the resources in the community that are available to meet their needs.

F. Dignity for all Students Coordinator

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender(including gender identity and expression) or sex.
2. Assist students in coping with peer pressure and emerging personal, social, academic and emotional problems.
3. Initiate teacher/student conferences and parent/teacher/student conferences, as necessary, as a way to resolve problems.
4. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept.
5. Demonstrate concern for student behavior and achievement.
6. Know school policies and rules, and enforce them in a fair and consistent manner.
7. Maintain confidentiality in conformity with federal and state law.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces.
9. Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources.
10. 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.

G. Principal and Assistant Principal

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Maintain confidentiality in conformity with federal and state law.
3. Participate in school-wide efforts to provide adequate supervision in all school spaces.
4. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of grievances.
5. Evaluate on a regular basis all instructional programs.
6. Support the development of and student participation in appropriate extracurricular activities.
7. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

H. Superintendent

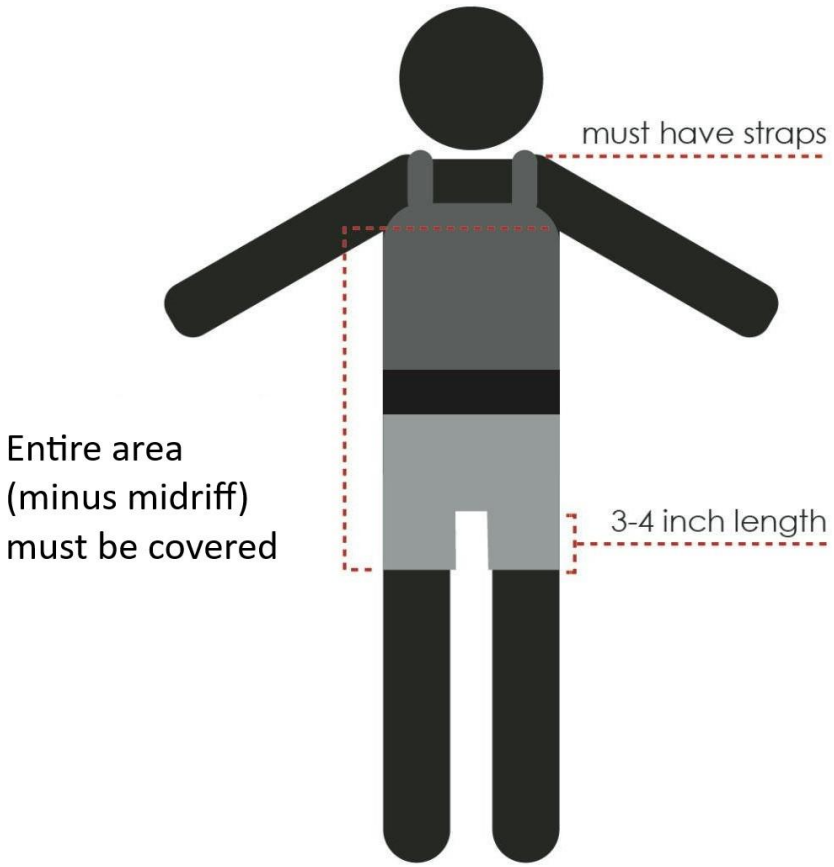
1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the Board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Maintain confidentiality in conformity with federal and state law.

I. Board of Education

1. Promote a safe, orderly and stimulating school environment
2. Collaborate with student, teacher, administrator, and parent organizations, and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
3. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
4. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.
5. Maintain confidentiality in conformity with federal and state law.

STUDENT DRESS CODE

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



A student's dress, grooming and appearance shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Cover areas from one armpit across to the other armpit, down to approximately 3 to 4 inches in length on the upper thighs (see image above). Tops must have shoulder straps. Rips or tears in clothing should be lower than 3 to 4 inches in length.
3. Not include see-through or mesh garments without appropriate coverage underneath that meet the minimum requirements of the dress code.

4. Ensure that underwear is completely covered with outer clothing.
5. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
6. Not include the wearing of face coverings or hoods from sweatshirts, jackets, and sweaters in the classroom or hallways except for a medical, cultural or religious purpose.
7. Not include items that are vulgar, obscene, libelous, or that which implies hatred or prejudice of others on account of race, color, religion, creed, national origin, gender, sexual orientation, disability or any other protected classification. (Examples: any item that denotes Ku Klux Klan, Aryan Nation, White Supremacy, Black Power, Confederate Flags, Neo-Nazi or any other "hate" group).
8. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal, inappropriate or violent activities.

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

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

STUDENT USE OF PERSONAL/SCHOOL ELECTRONIC DEVICES

As required by Education Law, students use of internet-enabled devices during the school day (including all classes, homeroom periods, lunch, recess, study halls, and passing time) on school grounds (any building, structure, athletic playing field, playground, or land contained within the boundary of a school or district or BOCES facility), unless under an exception is prohibited.

Students are encouraged to leave personal electronic devices at home. Any device that is brought to school must be silenced without vibration and kept in school lockers from the time a student enters the building until the end of the school day, including time spent in class, lunch, study hall, detention, in-school suspension and between classes. Students gaining access to their devices when stored in a locker during the school day is strictly prohibited.

The district shall not assume any responsibility/liability for theft, loss or damage of any electronic device or any unauthorized calls made on an electronic device. For students who violate this policy and are required to hand their device to District Administration, the District will exercise responsible care to maintain the security of such devices but cannot guarantee that devices will be secure.

Students who fail to comply will have their device taken and held in the school office until the end of the school day. The first time this happens, the student may retrieve the device and a parent or guardian will be notified. For subsequent instances, the parent or guardian must retrieve the device. Further incidents will result in consequences that may include detention, in-school suspension, and/or exclusion from extracurricular

activities.

PROHIBITED STUDENT CONDUCT

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

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

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

Students may be subject to disciplinary action, up to and including suspension from school, when they:

A. Engage in conduct that is disorderly/disruptive. Examples of disorderly conduct include:

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 that 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. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.
8. Inappropriate public sexual contact or public displays of affection.
9. Any violation of the Acceptable Use Policy.
10. Possession of objects that may provide a distraction from instruction such as food, drink (except as specifically permitted by the classroom teacher), recreational electronic devices or backpacks/book bags during the school day.

B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving school without permission.
3. Skipping class or 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. Display or use of personal electronic devices, such as, but not limited to, cell phones, music or video players, cameras, in a manner that is in violation of district policy.

D. Engage in conduct that is violent. Examples of violent conduct include:

1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a student, visitor, teacher, administrator, other school employee, another student 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.
5. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson
6. Intentionally damaging or destroying school district property.

E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include:

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 that creates a substantial risk of physical injury.
3. Stealing on school property or while attending a school function.
4. Defamation, which includes making demeaning false or unprivileged statements or representations about an individual or identifiable group of individuals.
5. Discrimination, which includes the use of race, color, creed, weight, national origin, ethnic group, religion, gender, sexual orientation, sexual identity, associations or friendships, physical appearance, or disability as a basis for treating another in a negative manner.

6. Harassment, which includes a persistent pervasive pattern of actions or statements directed at an individual or group which are intended to be, or which a reasonable person would perceive as, ridiculing or demeaning.
7. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
8. Hazing, which 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.
9. Bullying.
10. Taking photographs, videos or audio recordings of others without their consent
11. Selling, using or possessing obscene material.
12. Using vulgar or abusive language, cursing or swearing.
13. Possessing, smoking or using any tobacco or electronic/vapor cigarette product.
14. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroine, steroids, look-alike drugs, and any synthetic version thereof, whether specifically illegal or not, commonly referred to as "designer drugs" which are substances designed and synthesized to mimic the intended effects and usages of, which are chemically substantially similar to, illegal drugs, which may or may not be labeled for human consumption. Mind altering legal substances of abuse (ie. "mood enhancers" and "dietary supplements") are also prohibited.
15. Possessing paraphernalia which may be used in conjunction with tobacco or illegal substances. (e.g. lighters, rolling papers, pipes)
16. Inappropriately using or sharing prescription and over-the- counter drugs.
17. Possession or use of items or substances that, though legally obtained, could be dangerous or harmful if misused (e.g. bath salts, aerosol keyboard cleaner, "designer drugs", energy pouches).
18. Gambling.
19. Indecent exposure.
20. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
21. Altering records or assisting another student in altering academic records.

E. Engage in misconduct while on a school bus and to 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 and fighting will not be tolerated. Students must remain seated while the bus is in motion.

F. Engage in off-campus misconduct that endangers the health and safety of students or staff within the school or adversely affects the educational process. Examples of such misconduct include:

1. Cyberbullying
2. Threatening, hazing, harassing students or school personnel over the phone or the Internet
3. Using message boards to convey threats, derogatory comments or post pornographic pictures of students or school personnel

DIGNITY FOR ALL STUDENTS

Bullying of a student by another student is strictly prohibited on school property, school buildings, on school buses, and at school sponsored events or activities whether occurring on or off campus. The term "bullying" is understood to be a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror. It often involves a differential in real or perceived power between the victim and perpetrator. The term bullying describes a range of harmful behaviors such as harassment, hazing, intimidation or discrimination. Conflict and confrontation often do not rise to the level of bullying or harassment, but their positive transformation or resolution will be sought through the District's Code of Conduct and/or the character education programs. Bullying can take three forms:

1. Physical (including, but not limited to, hitting, spitting, pushing, taking personal belongings);
2. Verbal (including, but not limited to, taunting, teasing, name calling, making threats); and;
3. Psychological (including, but not limited to, spreading rumors, manipulating social relationships, or engaging in social exclusion, extortion, or intimidation).

Bullying may also occur as various forms of harassment and or hazing of students by other students (including pledging and/or a student's initiation into or affiliation with a school or student related organization or team).
The harassment behavior may be based on any characteristic, including, but not limited to a person's actual or perceived:

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

The district also prohibits "internet bullying" (also referred to as "cyber bullying") including the use of social media, instant messaging, emails, websites, chat rooms, and text messaging when such use interferes with the operation of the school; or infringes upon the general

safety and welfare of others.

However, it is important to note that a single negative incident as enumerated above may also constitute “bullying”(if not more misconduct) based upon the particular circumstances such as the seriousness of the act and/or the intent of the actor.

Hate speech in schools is a serious issue that can have significant consequences for both the individuals targeted and the person engaging in such behavior. “Hate speech” is defined as any form of expression, oral or written, that promotes discrimination, prejudice, or hostility based on attributes such as race, ethnicity, religion, gender, sexual orientation, disability, or any other protected characteristic. The specific consequences for hate speech in school can vary depending on the severity of the incident. Consequences applied could include:

1. Disciplinary Action (See Disciplinary Consequences Procedures and Referrals)
2. Education and Counseling
3. Parental Involvement
4. Restorative Justice: This approach involves bringing together the individuals affected by hate speech, the person responsible, and relevant stakeholders to encourage dialogue, understanding, and a resolution that fosters healing and growth.
5. Contacting law enforcement. This is reserved for extreme cases when hate speech escalates to harassment, threats, or incitement to violence.

Any student who believes that he/she is being subjected to bullying behavior and/or hate speech, as well as any other person who has knowledge of or witnesses any possible occurrence of bullying or hate speech, shall report the concerns to any staff member, building Principal, or Assistant Principal/DASA coordinator. The “DASA Related Reporting Form,” found on the District website, may be used by both parents and students to report such incidents. The DASA coordinator shall investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the district to investigate allegations of bullying or discrimination. Investigations of a DASA nature shall follow the procedures utilized for complaints of harassment within the district. Allegations of a DASA nature shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

Retaliatory behavior directed against complaints, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of bullying or discrimination is prohibited. Follow-up inquiries and/or appropriate monitoring of the alleged perpetrator and victim shall be made to ensure that the behavior has not resumed and that all those involved in the investigation of allegations have not suffered retaliation.

REPORTING VIOLATIONS

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, 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, the Principal, the Principal's designee or the Superintendent of Schools.

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

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

The Principal or his/her designee must notify the appropriate local law enforcement agency of code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but no later than the close of business the day the Principal or his/her designee learns of the violation. Whenever a local law enforcement agency is to be notified of such a code violation, the Superintendent will receive prior notification of this action.

DISCIPLINARY CONSEQUENCES PROCEDURES AND REFERRALS

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

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In addition to disciplinary consequences, other forms of remediation, such as a formal behavior management plan may be considered. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary consequences will consider the following:

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

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

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

A. Consequences

Students who are found to have violated the district's code of conduct may be subject to the following 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 – Director of Transportation, teaching assistants, coaches, school counselors, teachers, Assistant Principal, Principal, Superintendent
3. Written notification to parent – Director of Transportation, teaching assistants, teacher aides, coaches, guidance counselors, teachers, Assistant Principal, Principal, Superintendent
4. Detention – teachers, Assistant Principal, Principal, Superintendent
5. Restitution – Assistant Principal, Principal, Superintendent
6. Suspension from transportation – Principal, Superintendent, Board
7. Suspension from athletic participation – coaches, Athletic Director, Assistant Principal, Principal, Superintendent
8. Suspension from social or extracurricular activities – Club Advisors, Assistant Principal, Principal, Superintendent

9. Suspension of other privileges – Assistant Principal, Principal, Superintendent
10. Removal from classroom – teachers, Assistant Principal, Principal
11. In-school suspension – Assistant Principal, Principal, Superintendent
12. Short-term (five days or less) suspension from school – Principal, Superintendent, Board
13. Long-term (more than five days) suspension from school – Superintendent, Board
14. Permanent suspension from school – Superintendent, Board.

B. 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 misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary consequence in connection with the imposition of the consequence.

Students who are to be given consequences 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 after school detention as a consequence for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a consequence only after the student's parent has been notified to confirm that there is no parental objection to the consequence and the student has appropriate transportation home following detention.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the Assistant Principal or 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 student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.
A student subjected to 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.

3. Suspension from athletic participation, extra-curricular activities and other privileges

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

4. In-school Suspension

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes Principals and the Superintendent to place students who would otherwise
be suspended from school as the result of a code of conduct violation in "in- school suspension." Teachers will provide instructional materials to the in- school suspension teaching assistant allowing the student to maintain educational progress consistent with his/her peers.

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 consequence involved.

5. 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. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. Time-honored classroom management techniques do not constitute disciplinary removals for purposes of this code.

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.

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.

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 contact the student’s parent about the removal within 24-hours.

The teacher must complete a district-established disciplinary removal form and meet with the Principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the Principal or designee 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, by phone and 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 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:

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

The Principal or his/her 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. 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.

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

6. Suspension from School

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

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

Any staff member may recommend to the Superintendent or to the Principal that a student be suspended. All staff members must immediately report and refer a violent student to the Principal or to the Superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared prior to the start of the next school day by the staff member.

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

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

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

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the Principal.

Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the Principal may establish.

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

After the conference, the Principal shall promptly advise the parents in writing of his or her decision. The Principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five 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. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

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

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

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

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within 10 business days of the date of the Superintendent's decision, unless
the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

c. Permanent suspension

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

d. Procedure after Suspension

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

C. Minimum Periods of Suspension

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

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for
at least one calendar year. Before being suspended, the student will have an opportunity for

a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the consequence, the Superintendent may consider the following:

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

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

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

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed consequence is the minimum three day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed consequence exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the 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 interfere with the teacher's authority over the classroom. Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school for at least three 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. The Superintendent has the authority to modify the minimum three-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

1. Counseling

The Guidance Office shall handle all referrals of students to counseling.

2. PINS Petitions

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

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

3. Juvenile Delinquents and Juvenile Offenders

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

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

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

ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student.

DISCIPLINE OF STUDENTS WITH DISABILITIES

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

Therefore, the Board is committed to ensuring that the district follows suspension and removal procedures that are consistent with those protections. The code of conduct for students is intended to afford students with disabilities and students presumed to have a

disability for discipline purposes the express rights they enjoy under applicable law and regulations.

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:

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

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 district code of conduct. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the Superintendent of Schools, Building Principal, and Assistant Principal to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

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

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant.

Searches will be limited to the extent necessary to locate the evidence sought. Whenever practicable, searches will be conducted in the privacy of administrative offices.

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. Documentation of Searches

The authorized school official conducting the search shall be responsible for the recording the following information about each search by the start of the following school day:

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 items(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.

C. Police Involvement in Searches and Interrogations of Students

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

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

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

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

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.

3. They may request the presence of an attorney.

VISITORS TO SCHOOLS

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

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the Main Office upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the Main Office before leaving the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the Principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

PUBLIC CONDUCT ON SCHOOL PROPERTY

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.

Enforcement:

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

When the Principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the Principal or designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or designee shall also warn the individual of the consequences for failing to stop.

If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the Principal or designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the

person.

In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

DISSEMINATION AND REVIEW

A. Dissemination of Code of Conduct

The Board will work to ensure that the community is aware of this code of conduct by:

1. Providing copies of a summary of the code to all students at a general assembly held at the beginning of each school year.
2. Making copies of the code available to all parents at the beginning of the school year.
3. Posting the complete code of conduct on the district's website
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents and other community members.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct. 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.

B. Review of Code of Conduct

The Board 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 and the district's response to code of conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

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

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