

Greene Central School District



**Code of Conduct
Policy # 39**

2024-2025

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I. Introduction

The Board of Education (“Board”) 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, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the Board adopts this Code of Conduct (“code”).

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

II. Definitions

For purposes of this Code, the following definitions apply.

“Cyber-bullying” refers to any harassment/bullying, on or off school property, which occurs via any form of electronic communication, including but not limited to the internet, cell phones or other electronic devices.

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

“Discrimination” means 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 on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

“Disruptive student” means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom or interferes with a bus driver’s ability to safely operate a school bus.

“Employee” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such persons involve direct student contact (Education Law §§11[4] and 1125[3]).

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

“Harassment and/or Bullying” means the creation of a hostile environment by conduct, with or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. Such conduct shall include acts of harassment and/or bullying that occur: (i) on school property, (ii) at a school function, or (iii) off school property where such acts create 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. Such conduct shall include, but is not limited to, acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) (Education Law §11[7]).

For purposes of this section, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions. For the purposes of this section, “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 or pervasive as to unreasonably and substantially interfere with a student’s education.

“Hazing” is a form of harassment which involves committing an act against a student or coercing a student into committing an act that creates a risk of or causes emotional, physical, psychological harm to a person, in order for the student to be initiated or affiliated with a student or other organization, or for any other purpose. Consent or acquiescence is no defense to hazing i.e., the implied or expressed consent of a person or persons to hazing shall not be a defense to discipline under this policy.

“Illegal substances” include, but are not limited to alcohol, inhalants, marijuana/cannabis, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs and look-alikes (including but not limited to synthetic cannabinoids), prescription or over-the-counter drugs when possession is unauthorized, or such are inappropriately used or shared with others, or any product or substance which, when misused, will result in an impaired or altered state. Illegal substances also include any paraphernalia related to these substances.

“Material Incident of Harassment, Bullying and/or Discrimination” means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occurs off school property and is the subject of a written or oral complaint to the Superintendent, Principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex, or any other legally protected status.

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

“Retaliation” means when any employee, student, or visitor mistreats any person because he/she/they reported in good faith, testified about, or otherwise assisted in an investigation, proceeding, or hearing related to alleged harassment or bullying. It is possible that an alleged harasser may be found to have retaliated if the underlying complaint is not found to be a violation of this policy. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment.

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

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

“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 (Education Law § 11[1]).

“Sexting” refers to an act of sending sexually explicit photos, images, text messages, or e-mails by using a cell phone or other electronic device.

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

“Tobacco Product” means any vaping or nicotine-containing devices and accessories to such devices and any other tobacco-containing product in any form, as well as matches, lighters, and other related paraphernalia. This also includes any simulated tobacco products that imitate or mimic tobacco products.

“Under the Influence” means when a person has used any quantity of an illegal substance or alcohol within a time period reasonably proximate to his/her/their presence on school property, on a school bus, in a school vehicle, or at a school-sponsored function and /or exhibits symptoms of such use as to lead to the reasonable conclusion of such consumption.

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

1. Commits an act of violence upon a school employee or attempts to do so.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function or attempts to do so.
3. Possesses, 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, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, look-alike, toy, or replica/fake weapons, or any other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

III. Student Rights and Responsibilities

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 race, color, ethnic group, national origin, religion, gender, sexual orientation, disability, or weight.
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 necessary, receive an explanation of those rules from school personnel.

Student Responsibilities

All district students have the responsibility to:

- Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
- Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
- Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
- Work to the best of their ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible.
- React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
- Work to develop mechanisms to control their anger.
- Ask questions when they do not understand.
- Seek help in solving problems that might lead to discipline.
- Dress appropriately for school and school functions.
- Accept responsibility for their actions.
- 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.
- Report infractions of the Code of Conduct, including, but not limited to, instances of discrimination or harassment.

IV. Essential Partners

Parents or persons in parental relation

All parents or persons in parental relation are expected to:

- Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
- Send their children to school ready to participate and learn.
- Ensure their children attend school regularly and on time.

- Ensure absences are excused.
- Insist their children be dressed and groomed in a manner consistent with the student dress code.
- Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
- Know school rules and help their children understand them.
- Convey to their children a supportive attitude toward education and the district.
- Build good relationships with teachers, other parents, and their children's friends.
- Help their children deal effectively with peer pressure.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Provide a place for study and ensure homework assignments are completed.
- Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

Teachers

All district teachers are expected to:

- Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
- Be prepared to teach.
- Demonstrate interest in teaching and concern for student achievement.
- Know school policies and rules and enforce them in a fair and consistent manner.
- Communicate to students and parents:
 - Course objectives and requirements
 - Marking/grading procedures
 - Assignment deadlines
 - Expectations for students
 - Classroom discipline plan
- Communicate regularly with students, parents and other teachers concerning growth and achievement.
- Maintain confidentiality in accordance with federal and state law.
- Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function when knowledgeable of them. Report to the appropriate individual about the incident.
- Participate in school-wide efforts to provide adequate supervision in all spaces, in conformity with the Taylor Law.
- Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

School Counselors

All School Counselors are expected to:

- Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, which will strengthen students' confidence and promote learning.
- Assist students in coping with peer pressure and emerging personal, social and emotional problems.
- Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, to resolve problems.

- Regularly review with students their educational progress and career plans.
- Provide information to assist students with career planning.
- Encourage students to benefit from the curriculum and extracurricular programs.
- Make known to students and families the resources in the community that are available to meet individual needs as requested / appropriate for the situation.
- Maintain confidentiality in accordance with federal and state law.
- Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function when knowledgeable of them. Report to the appropriate individual about the incident.
- Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

Administrators

All Administrators are expected to:

- Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, which will strengthen students' confidence and promote learning.
- Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.
- Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
- Maintain confidentiality in accordance with federal and state law.
- Evaluate on a regular basis all instructional programs.
- Support the development of and student participation in appropriate extracurricular activities.
- Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
- Disseminate the Code of Conduct and anti-harassment policies.
- Participate in and oversee school-wide efforts to provide adequate supervision in all spaces.

Non-instructional Staff

All District staff are expected to:

- Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, which will strengthen students' confidence and promote learning.
- Promote a safe, orderly, and stimulating school environment.
- Maintain confidentiality in accordance with federal and state law. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function when knowledgeable of them. Report to the appropriate individual about the incident.
- Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

Superintendent

The Superintendent of Schools is expected to:

- Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation,

gender, or sex, which will strengthen students' confidence and promote learning.

- Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.
- Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
- Inform the Board about educational trends relating to student discipline.
- Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
- Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

Board of Education

The Board of Education is expected to:

- Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, which will strengthen students' confidence and promote learning.
- Maintain confidentiality in accordance with federal and state law.
- Develop and recommend a budget that provides programs and activities that support achievement of the goals of the Code of Conduct.
- Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
- Adopt and review at least annually the district's Code of Conduct to evaluate the effectiveness, the fairness, and consistency of its implementation.
- Lead by example by conducting Board meetings in a professional, respectful, courteous manner.

V. Dignity for All Students Act

Dignity Act Coordinators

At least one employee in every school shall be designated as a Dignity Act Coordinator and instructed in the provisions of this subdivision and thoroughly trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex.

1. The designation of each Dignity Act Coordinator shall be approved by the Greene Central School District Board of Education.
2. The name(s) and contact information for the Dignity Act Coordinator(s) shall be shared with all school personnel, students, and persons in parental relation, which shall include, but is not limited to, providing the name, designated school and contact information of each Dignity Act Coordinator by:
 - a. Listing such information in the Code of Conduct and updates posted on the Greene Central Schools District website.
 - b. Including such information in the plain language summary of the Code of Conduct provided to all persons in parental relation to students before the beginning of each school year, pursuant to 8 NYCRR 100.2(I)(2)(iii)(b)(3).
 - c. Include such information in at least one district or school mailing per school year to parents and persons of parental relation and, if such information changes, in at least one subsequent district or school mailing as soon as practicable thereafter.

- d. Posting such information in highly visible areas of school buildings; and
 - e. Making such information available at the district and school-level administrative offices.
3. In the event a Dignity Act Coordinator vacates his or her position, another school employee shall be immediately designated for an interim appointment as Coordinator, pending approval of a successor Coordinator by the applicable governing body as set forth in subparagraph (i) of this paragraph within 30 days of the date the position was vacated. In the event a Coordinator is unable to perform the duties of his or her position for an extended period, another school employee shall be immediately designated for an interim appointment as Coordinator, pending return of the previous Coordinator to his or her duties as Coordinator.

The Dignity Act Coordinators are listed below:

High School:	Talitha Johnston, Principal	(607) 656-4161 x 2801
Middle School:	Rod Wankel, Principal	(607) 656-4161 x 3808
Intermediate School:	Jeff Sabol, Principal	(607) 656-4161 x 5802
Primary School:	Kyle Boeltz, Principal	(607) 656-4161 x 6806

Dignity for All Training

Commencing in the 2012-13 school year and continuing in each school year thereafter, the following Dignity for All school employee training program regulations are to be implement in effort to promote a positive school environment that is free from discrimination and harassment and to discourage and respond to incidents of discrimination and/or harassment on school property or at a school function.

1. Training is to be conducted for all instructional and non-instructional employees of the Greene Central School District.
2. Training is to raise awareness and sensitivity to potential acts of discrimination or harassment directed at students by students or school employees on school property or at school functions; including by not limited to, discrimination or harassment based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex.
3. Training is to raise awareness and sensitivity to potential acts of discrimination and harassment through cyberbullying/texting.
4. Training is to enable employees to prevent and respond to incidents of discrimination and harassment.
5. Training is to include guidelines relating to the development of nondiscriminatory instructional and counseling methods.
6. Training is to be conducted as needed and may be implemented and conducted in conjunction with existing professional development.

Response to Acts of Harassment, Bullying and/or Discrimination

Students and parents may make an oral or written complaint of harassment, bullying or discrimination to any teacher, administrator, or school employee. The district will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment, and bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment, and bullying. The staff member / administrator to whom a report is made (or the staff member / administrator who witnesses or suspects bullying / cyberbullying behavior) shall document and take appropriate action to address the immediacy of the situation and shall promptly report in accordance with the following paragraphs.

Upon receipt of a complaint (even an anonymous complaint), or if a district official otherwise learns of any occurrence of possible conduct prohibited by this policy, the school employee shall promptly and orally notify

the school principal no later than one school day after such school employee witnesses or receives the complaint or learns of such conduct. Such school employee shall also file a written report with the school principal no later than two school days after making such oral report.

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

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

As a general rule, responses to acts of harassment, bullying, and/or discrimination against students by students shall incorporate a progressive model of student discipline that includes measured, balanced and age-appropriate remedies and procedures that make appropriate use of prevention, education, intervention and discipline, and considers among other things, the nature and severity of the offending student's behavior(s), the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the student's behaviors had on the individual(s) who was physically injured and/or emotionally harmed. Responses shall be reasonably calculated to end the harassment, bullying, and/or discrimination, prevent recurrence, and eliminate the hostile environment. Retaliation against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination is prohibited.

The principal must notify promptly the Superintendent of Schools and the appropriate local law enforcement agency when he/she believes that any harassment, bullying or discrimination constitutes criminal conduct.

VI. 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 comply with the following requirements:

1. Be safe, appropriate, and not disrupt or interfere with the educational process.
2. Exposure of the chest, gluteal area, or abdominal area is not permitted. In addition, students may not wear clothing through which these areas of the body are visible.
3. Ensure that underwear and undergarments are completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not include the wearing of hats / head coverings in the classroom except as a part of a work uniform or for a medical, religious, or approved educational purpose. Hats / head coverings worn to school must be removed and put in locker during regular school hours.
6. Not include items that are vulgar, obscene, libelous or denigrate others on account of race, color, religion,

ethnic group, national origin, gender, sexual orientation, disability, or weight.

7. Not promote and/or endorse the use of alcohol, tobacco, or illegal drugs and/or encourage other illegal or violent activities.

Each building principal or his or her designee shall be responsible for informing all students and their parents of the school dress code at the beginning of the school year and any revision to the dress code made during the school year.

Nothing in this dress code will be construed to limit the ability of students to dress and/or groom themselves in a way that allows them to express their gender identity, or to discipline students for doing so.

Nothing in this dress code will be construed to limit the ability of students to wear certain protective hairstyles (including but not limited to braids, locks and twists) or to wear their hair in a particular texture, or to discipline students for doing so.

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.

This dress code, while directed specifically at students, will be in force for all members of the school community. This includes visitors, parents or anyone conducting business at the school.

VII. 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 penalties 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.** Examples of disorderly conduct include but are not limited to:
 1. Running in hallways.
 2. Making unreasonable noise.
 3. Using language or gestures that are profane, lewd, vulgar or abusive.

4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act which disrupts the normal operation of the school community.
6. *Trespassing*. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
7. Computer/electronic communications misuse, including any unauthorized use of computers, portable electronic devices, cell phones, two-way radios, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.

B. **Engage in conduct that is insubordinate.** Examples of insubordinate conduct include but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving school without permission.
3. Skipping detention.
4. Engaging in any willful act which disrupts the normal operation of the school community.

C. **Engage in conduct that is disruptive.** Examples of disruptive conduct include but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
2. Inappropriate public displays of affection.
3. Cell phone / electronic device use.
4. Engaging in any willful act which disrupts the normal operation of the school community.

Student use of cell phone and personal electronic devices not school issued is not permitted at the Greene Primary and Intermediate.

Middle and high school students may not use cell phones or personal electronic devices that are not school issued unless specifically approved by the regular classroom teacher. Middle and high school principals will identify appropriate times and settings.

D. **Engage in conduct that is violent.** Examples of violent conduct include but are not limited to:

1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. 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.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. 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.
7. 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 but are not limited to:

1. Lying to school personnel.
2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
4. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation, or disability as a basis for treating another in a negative manner.
5. Harassment or discrimination, which includes the use of race, color, weight, creed, national origin, ethnic group, religion, religious practice, sex, gender, sexual orientation, or disability as a basis for treating another in a negative manner.
6. Bullying and Cyber-bullying.
7. Sexting.
8. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
9. 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.
10. Selling, using, purchasing, or possessing obscene material.
11. Using vulgar or abusive language, cursing, or swearing.
12. Possessing, consuming, offering, manufacturing, using, purchasing, selling, distributing, or exchanging any of the following:
 - a. Tobacco products or being under the influence of tobacco products.
 - b. Nicotine products or being under the influence of nicotine products.
 - c. Illegal substances or being under the influence of illegal substances.
 - d. Vaping devices or vaping paraphernalia.
 - e. Drug paraphernalia.
13. Inappropriately using or sharing prescription and over-the-counter drugs.
14. Gambling.
15. Indecent exposure that is a voluntary exposure to sight of the private parts of the body.
16. Inappropriate public displays of affection.
17. Initiating a report warning of fire, bomb threat, or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
18. Engaging in any willful act which disrupts the normal operation of the school community.

F. Engage in misconduct while on a school bus.

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.

The school district reserves the right to suspend the transportation privileges of children who are disorderly and insubordinate. 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 building principal or their designee to discuss the conduct and the penalty involved. In the event transportation privileges are

suspended, the parents or guardians are responsible for getting their child to and from school, unless such suspension will result in the student being unable to attend school. In that case, the school district will make alternate arrangements for the student to receive their education.

G. **Engage in any form of academic misconduct.** Examples of academic misconduct include, but are not limited to:

- Plagiarism.
- Cheating.
- Copying.
- Altering records.
- Assisting another student in any of the above actions.

H. **Off campus & non-school day misconduct.** Students may be disciplined for violations of school district policies and the Code of Conduct when there is a connection to or impact, effect on school students, personnel, activities, functions, or property. Examples of misconduct include but are not limited to: cyber-bullying, sexting, threatening or harassing students or school personnel through the use of electronic devices.

VIII. Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, the building principal or their 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 building principal, principal's designee, or the Superintendent.

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

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

All students are expected to promptly report instances of bullying (verbal, physical, cyber-bullying), harassment, discrimination or hazing on school property or at a school function immediately to proper school personnel.

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

IX. Disciplinary Penalties, 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 determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age.
2. The nature of the offense and the circumstances which led to the offense.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others, as appropriate
6. Other extenuating circumstances.
7. Students with disabilities, students presumed to have a disability for discipline purposes, and students referred for special education while subject to disciplinary action.

Generally, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. Additionally, a student's first offense in one category, coupled with multiple offenses in other categories may result in a harsher penalty than that of another student who does not have a similar violation history; however, the district reserves the right to impose any level of discipline, even for a first offense, as the facts may warrant.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability. A student identified as having a disability shall not be disciplined for behavior caused by or had a direct and substantial relationship to the disability or if the conduct was a direct result of the district's failure to implement the IEP.

A. Penalties

Students who are found to have violated the district's Code of Conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Oral warning - any member of the district staff.
2. Written warning - bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, Principal, Superintendent.
3. Written notification to parent - bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, Principal, Superintendent.
4. Detention - teachers, Principal, Superintendent.
5. Suspension from transportation - director of transportation, Principal, Superintendent.
6. Suspension from athletic participation – Athletic Director, coaches, Principal, Superintendent.
7. Suspension from social or extracurricular activities - activity director, Principal, Superintendent.

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

B. Disciplinary and Remedial Options

The district emphasizes the creation and maintenance of a positive learning environment for all students. Measured, balanced, and age-appropriate responses, remedies and procedures focusing on intervention and education are needed to maintain the desired learning climate. Remedial responses which may be utilized include:

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

Beyond these individual-focused remedial responses, school-wide or environmental remediation also be an important tool to address behavioral concerns. Environmental remediation strategies may include:

1. Supervisory systems which empower school staff with prevention and intervention tools to address behavioral concerns;
2. School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
3. Adoption of research-based, systemic programs;
4. Modification of schedules;
5. Adjustment in hallway traffic and other student routes of travel;
6. Targeted use of monitors;
7. Staff professional development;
8. Parent conferences;
9. Involvement of parent-teacher organizations; and
10. Peer support groups.

C. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty 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 penalty in connection with the imposition of the penalty.

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

1. Detention

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 to confirm that there is no parental objection to the penalty.

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 building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building 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 building principal or their designee to discuss the conduct and the penalty involved.

3. Suspension from athletic participation, extracurricular 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 penalty involved.

4. In-school supervision

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 building 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 supervision." The in-school supervision staff member will be a certified or licensed employee.

A student subjected to an in-school supervision 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 supervision to discuss the conduct and the penalty 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. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include but are not limited to: (1) short-term "time out" in an elementary classroom or in an administrator's office; (2) sending a student into the hallway briefly; (3) sending a student to the Principal's office for the remainder of the

class time only; or (4) sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. 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.

As per the Safe Schools Against Violence in Education Act (Project SAVE) 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 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 parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address 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 parents.

The principal may require the teacher who ordered the removal to attend the informal conference. If at the informal meeting the student denies the charges, the principal or their 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 their designee may overturn the removal of the student from class if the principal finds any one of the following:

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

The principal or his or 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, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

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

Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class.

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

6. Suspension from school

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

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

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

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

a. Short-term (5 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. 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 established. After the conference, the principal shall promptly advise the parents in writing of his or her decision.

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.

b. Long-term (more than 5 days) suspension from school

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 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 or designee 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 digital recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within thirty (30) days of the date of the Superintendent's decision. There will be no personal appearance before the BOE; the appeal will be considered solely in writing. 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 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 and/or Superintendent may condition a student's early return from a suspension with a behavior contract/contract of conduct that may include the student's voluntary participation in counseling or specialized classes, such as anger management or dispute resolution, or other condition(s). The Board and/or Superintendent retains discretion in offering this opportunity. If, and when, the student and/or parent/guardian agrees to this option, the terms and conditions shall be specified in writing.

D. Minimum Periods of Suspension

1. Students who bring a weapon to school

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

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

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

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

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least five days. For purposes of this Code of Conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214(3-a) and this code on four or more occasions during a semester, or three or more occasions during a trimester.

If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

E. Referrals

1. Counseling/Human Services Agencies

The Guidance Office shall handle all referrals of students to in-school counseling. When any student need is beyond the scope of the district's resources, a referral to appropriate human service agencies will be made. All administrators, faculty, pupil services personnel, and other support staff will be responsible for communicating the need for such referrals to the principal or their designee.

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.

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 aged 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

X. 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 ensure the provision of continued educational programming and activities, which shall include alternative educational programs appropriate to individual student needs. The district reserves the right to provide alternate instruction on or off school property and after school hours at its discretion.

XI. Discipline of Students with Disabilities

The Board of Education recognizes that the need to address disruptive or problem behavior within its schools may result in the suspension, removal, or other discipline of students with disabilities eligible for services under the Disabilities Education Act (IDEA) and Article 89 of the Education Law (Article 89) and their

implementing regulations. It also recognizes that these students with disabilities have certain procedural protections whenever school authorities intend to impose discipline upon them. Accordingly, it shall be the Board's policy that the procedures followed for suspending, removing or otherwise disciplining students with disabilities eligible for services under IDEA and Article 89 will conform with the procedural safeguards required by applicable laws and regulations.

XII. 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 penalty 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, building principals, the school nurse and district security officials 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. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code or get the student to voluntarily consent to the search. 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 and students will be present when their possessions are being searched.

A. Student Lockers, Desks and other School Storage Places

The district retains the right to conduct random locker searches to further the special needs of school security, to ensure the safety of students, faculty and staff and to prevent disruptions to the learning environment. Additionally, the district recognizes the deterrent effect that these searches have. 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. 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.

Before police officials are permitted to question or search any student, the building 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.

C. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations. Such data and assistance include access to records relevant to the investigation, as well as interviews with any child named as a victim in a report, or a sibling of that child, or a child residing in the same home as the victim.

All requests by child protective services to interview a student on school property shall be made directly to building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

D. Vehicles on School District Property

An authorized school official may search any vehicle parked on school property. Vehicles on the premises may be searched when the district has reasonable suspicion that the vehicle contains contraband. Contraband could be, but is not limited to, weapons, drugs, stolen items, or other types of contraband. In all cases, the student's parent or person in parental relation shall be notified and the matter shall be referred to law enforcement.

XIII. Visitors to the 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 building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

- A. Anyone who is not a regular staff member or student of the school will be considered a visitor.
- B. During school hours all visitors to the school must sign in following the school's procedures upon arrival at the school. There they will be required to sign the visitors' 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.
- C. Visitors attending school functions that are open to the public are not required to register.
- D. Parents or citizens who wish to visit a classroom while school is in session are required to arrange such visits in advance with the principal and classroom teacher(s), so that class disruption is kept to a minimum. Visitation requests are subject to the discretion of the building administrator.
- E. Teachers are expected not to take class time to discuss individual matters with visitors.
- F. 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.
- G. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

XV. Spectator Conduct on School Property and at School-Sponsored Events

Any spectator at an interscholastic contest involving a District team or individual participant who is ejected by a certified contest official, school administrator, athletic director, or event chaperone from an interscholastic contest for unsportsmanlike conduct, including taunting, or engages in conduct that violates the District's Code of Conduct is ineligible to attend any interscholastic competitions until receiving written permission from the Superintendent, Building Principal (or his or her designee) reinstating attendance to interscholastic contests.

Any spectator at an interscholastic contest involving a District team or individual participant who strikes, shoves, kicks, or makes other physical contact with the intent to annoy, harass, or intimidate another person shall be expelled immediately and banned from further attendance in all sports for a period of time to be determined by the Superintendent, Building Principal, and/or Athletic Director, not to exceed one year from the date of the

offense.

XIV. Public Conduct on School Property

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

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

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

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass, or discriminate against any person on the basis of race, color, ethnic group, national origin, religion, age, gender, sexual orientation, disability or weight.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, use, purchase, sell, distribute, or exchange illegal substances or tobacco products, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Use profane or lewd language.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance, or Board policy while on school property or while at a school function.
16. Bring any animal onto the property except a service animal as permitted by law, or unless otherwise given approval of an administrator.

B. Penalties

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

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. In the case of a faculty member not having tenure, the Superintendent will attend to the violation as agreed upon within the terms of the collective bargaining agreement.
5. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
6. Staff members other than those described in subdivisions 4 and 5. They shall be subject to warning, reprimand, suspension, or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

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

When the building 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 his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her 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 his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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

XV. 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. Mailing a summary of the Code of Conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
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.

The Board of Education 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 no later than 30 days after adoption.

Ref: 8 NYCRR 200.2(b) and (e)
9 NYCRR 200.3
Education Law § 4402

Revised and Adopted by the Board of Education on August 7, 2024