

APPENDIX C

District Code of Conduct 2024-2025



CODE OF CONDUCT

EAST SYRACUSE MINOA CENTRAL SCHOOL DISTRICT

Public Hearing

**Approved by Board of Education
July 8, 2024**

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CODE OF CONDUCT

I. INTRODUCTION

The East Syracuse Minoa 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 staff, parents, and visitors is essential to achievement of this goal. Accordingly, in collaboration with students, parents, teachers and administrators, the Board has established this Code of conduct. It applies to all students, school personnel, parents, and other visitors when on school property or in attendance at a school function.

The East Syracuse Minoa Central School District (the “District”) has a long-standing set of expectations for conduct on school property and at school functions. These expectations, based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity, are described on the following pages. The District has established a separate District ‘Level School Safety Plan’ and a ‘Building Level Emergency Response Plan’ for each District School, which has been developed in accordance with applicable law and regulation to assure the security and safety of students and school personnel.

II. DIGNITY FOR ALL STUDENTS ACT (DASA)

The Dignity for All Students Act (DASA) effective July 1, 2012, contains similar requirements for maintaining a positive learning environment for all students and will be integrated with the District Code of Conduct. DASA specifically prohibits bullying, discrimination and harassment by school employees and students on school property or at a school function by school employees and students based on, BUT NOT LIMITED TO, actual or perceived: race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex. Also included are provisions for reporting and intervening in cases of discrimination, harassment or bullying. Any related complaints should be brought to the attention of the building Principal who also serves as the Dignity Act Coordinator (DAC) to assist in implementation of the DASA in each school building. Cheryl West, Director of Counseling, Youth Development and Leadership will provide District coordination of the DASA.

Prevention is the cornerstone of the District’s effort to address bullying and harassment. In order to implement its anti-bullying prevention program, the Board will designate, at its annual organizational meeting, individuals at each school to act as the DAC. These individuals shall be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, sex and any other legally protected status.

The DAC’s shall be employed by the District and be licensed and/or certified by the Commissioner as a classroom teacher, school counselor, school psychologist, school nurse, school social worker, school administrator or supervisor or Superintendent of schools.

The DAC's will be responsible for assisting in coordinating and enforcing the requirements of the Dignity for All Students Act and its related policies and regulations at each school building, including but not limited to:

- Professional development for staff members;
- The complaint process; and
- Support of the Dignity Act's civility curriculum components.

The DAC's for each building are:

Edward Michalenko – Central High School 434-3300
Ashleigh Wilson – Pine Grove Middle School 434-3050
Thomas Sweeney – East Syracuse Elementary 434-3850
Kelsey DeLany – Fremont Elementary 434-3480
Gary Gerst – Minoa Elementary 434-3420
Vanessa McClowry – Woodland Elementary 434-3440
Jordyn Brienzi – Park Hill School 434-3800

Board of Education Policies which support implementation of the DASA are referenced at the back of this document.

III. DEFINITIONS

For purposes of this Code, the following definitions apply:

“Cyberbullying” means harassment or bullying where such harassment or bullying occurs through any form of electronic communication. Cyberbullying includes the use of information technology, including, but not limited to e-mail, instant message, blogs, chat rooms, cell phones, and gaming systems, to harass, threaten, isolate or intimidate others.

“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.

“Discrimination” means any discrimination against any student by a student 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 a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

“Emotional harm” means in the context of “harassment or bullying”, to harm 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.

“Employee” means any person receiving compensation from a school District or

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

“Gender” means actual or perceived sex and includes a person’s gender identity or expression.

“Harassment” and/or “Bullying” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that either:

(1) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or

(2) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety.

(3) Such definition includes acts of harassment or bullying that occur:

- a. on school property, as defined in subparagraph 100.2(kk)(1)(i) of this Part; and/or
- b. at a school function, as defined in subparagraph 100.2(kk)(1) of this Part ; and/or
- c. 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 not be limited to, those acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, sex or any other legally protected status.

For the purposes of this definition the term “threats, intimidation or abuse” shall include verbal and non-verbal actions. “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.

Bullying includes, but is not limited to, threatening, stalking, ostracizing or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal or physical conduct that threatens another with harm, including, but not limited to, intimidation through the use of epithets or slurs.

“Hazing” means humiliating, dangerous, negative or reckless act expected or required for the purpose of initiating into, affiliating with, or maintaining membership in any group, activity,

organization, club, or team, regardless of the individual's willingness to participate or an individual's intent to cause harm or injury to another. Hazing behaviors include, but are not limited to, the following general categories:

- a) Humiliation: socially offensive, isolating or uncooperative behaviors.
- b) Substance abuse: abuse of tobacco, alcohol or illegal drugs.
- c) Dangerous hazing: hurtful, aggressive, destructive, and disruptive behaviors.

Incorporated within this definition are various forms of physical, emotional and/or sexual abuse which may range in severity from teasing/embarrassing activities to life threatening actions.

“Illegal Substances” include, but are not limited to, alcohol, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs or synthetic drugs, opioids and look-alikes (including synthetic cannabinoids) and prescription or over-the-counter drugs when possession is unauthorized or such are inappropriately used or shared with others, or any other product or substance that 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 occur 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.

“Principal” within the context of teacher removal of a student from class means either the Principal of the building or any other administrator in the District acting in the Principal's absence or at the Principal's direction.

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

“Retaliation” means when any employee, student, or visitor mistreats any person because 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.

“School function” means a school-sponsored extracurricular 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.

“Sexting” means sending, receiving or forwarding sexually suggestive nude or nearly nude photos through text message, email or other electronic/digital means.

“Sexual Orientation” means actual or perceived heterosexuality, homosexuality, or bisexuality.

“Tobacco Products” means any vaping or nicotine-containing substance or device or accessories to such device 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” A student shall be considered “under the influence” if he or she has used any quantity of an illegal substance or alcohol within a time period reasonably proximate to his/her 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 who:

1. Commits an act of violence upon a school District employee.
2. Commits an act of violence upon another student or any other person on school District property or at a school function.
3. Possesses a weapon while on school District property or at a school function.
4. Displays what appears to be a weapon while on school District property or at a school function.
5. Threatens to use a weapon while on school District property or at a school function.
6. Knowingly and intentionally damages or destroys the personal property of any person on school District property or at a school function
7. Knowingly and intentionally damages or destroys school District property.

“Weapon” means a weapon or firearm as defined in 18 USC § 921 respectively of the Gun Free Schools Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, bullets, ammunition, disguised gun, air-gun, spring-gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, 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 (“Other Item”) that can cause serious physical injury or death when such Other Item is used as a weapon (e.g. pocket knife, folding knife, lockback knife, or pen knife). Any toy, replica/fake weapon, “look-alikes” or other instruments wielded as a weapon are considered a weapon for purposes of this definition.

IV. ESSENTIAL PARTNERS

Providing a safe and orderly school environment involves a partnership of parents and school personnel. The following are expectations of each.

A. PARENTS

Recognize that the education of their child(ren) is a joint responsibility of parents and the school community.

1. Send their children to school ready to participate and learn.
2. Ensure their children attend school regularly and on time.
3. Ensure their children are absent only for legal reasons.
4. Ensure their children be dressed and groomed in a manner consistent with the student dress code.
5. Help their children understand that in a democratic society, appropriate rules are required to maintain a safe, orderly environment.
6. Know school rules and help their children understand them.
7. Convey to their children a supportive attitude toward education and the District.
8. Build positive relationships with school personnel.
9. Help their children deal effectively with peer pressure.
10. Inform school officials of changes in the home situation that may affect student conduct or performance.
11. Provide a place for study and support teachers’ requirements to complete school assignments.
12. Maintain ongoing and frequent communication with appropriate school personnel.

B. TEACHERS

1. Maintain a climate of mutual respect and dignity, which will strengthen each student’s 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 rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
 - a. Course objectives and requirements b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students e. Classroom discipline plan
6. Communicate regularly with students, parents, counselors, psychologists, and other teachers concerning student growth and achievement.
7. Initiate parent/student/teacher/counselor/psychologist contact, as necessary, as a way to resolve a problem or in the case of threats or actions by students against themselves, including suicide, immediately contact parents/guardians and school administrators.
8. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.

C. TEACHER AIDES AND OTHER SCHOOL EMPLOYEES

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Assist students in their daily activities as directed by the classroom teacher(s) and administrator(s).
3. Maintain an environment 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/gender identity, sex or any other legally protected status, which will strengthen students' confidence and promote learning.

4. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
5. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
6. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the school employee's attention to the Building Administrator and/or Dignity Act Coordinator in a timely manner.

D. COUNSELORS/PSYCHOLOGISTS

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor/psychologist conferences as necessary and parent/teacher/student/counselor/psychologist conferences, as necessary, as a way to resolve problems or in the case of threats or actions by students against themselves, including suicide, immediately contact parents/guardians and the school administrators.
3. Report information to a school administrator which might impact a safe, orderly school environment.
4. Encourage students to benefit from the curriculum and extracurricular programs.
5. Participate in crisis management.
6. Refer students and/or parents to appropriate human service agencies outside the school.
7. Assess student social and emotional behaviors.
8. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
10. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to an employee's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.

11. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

E. PRINCIPALS

1. Promote a safe, orderly and stimulating school environment, supporting teaching and learning.
2. Facilitate communications among staff, parents and the Principal.
3. Support the development of, and student participation in, appropriate extracurricular activities.
4. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
5. Facilitate communication with law enforcement agencies.
6. Initiate parent/student/teacher/counselor/psychologist contact, as necessary, as a way to resolve a problem or in the case of threats or actions by students against themselves, including suicide, immediately contact parents/guardians.
7. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to administrator's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
10. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

F. SUPERINTENDENT

1. Promote a safe, orderly and stimulating school environment, supporting teaching and learning.
2. Review the policies of the Board and state and federal laws relating to school operations and management with District administrators.

3. Ensure that staff and parents have the opportunity to communicate with the Superintendent.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with District administrators, when appropriate, in reinforcing the Code of Conduct to ensure that cases are resolved promptly and fairly.
6. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
8. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to the Superintendent's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
9. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

G. BOARD OF EDUCATION

1. Collaborate with student, teacher, administrator, and parent organizations, East Syracuse Minoa safety personnel and other East Syracuse Minoa personnel to develop a code of conduct that clearly defines expectations for the conduct of students, East Syracuse Minoa personnel, and visitors on East Syracuse Minoa property and at East Syracuse Minoa functions.
2. Adopt, review at least once a year, and modify as appropriate, the District's Code of Conduct.
3. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
4. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to the board member's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
5. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

V. STUDENT CONDUCT

A. STUDENT RIGHTS

The District is committed to safeguarding the rights given to all students under state and federal law. In addition to those rights, all District students have the right to:

1. A safe, healthy, orderly and civil school environment.
2. Take part in all District activities on an equal basis regardless of age, race, religion, color, national origin, sex, sexual orientation or disability.
3. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty as in connection with the imposition of the penalty.
4. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
5. Be free from discrimination, bullying and harassment on school property or school functions including but not limited to the educational program, activities, or admission policies of their school. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, gender (including gender identity and expression), or any other legally protected category.

B. STUDENT RESPONSIBILITIES

All students have the responsibility to:

1. Obey all school rules and regulations.
2. Attend school regularly and punctually.
3. Show respect for fellow students, teachers and all school District staff.
4. Accept responsibility for their actions.
5. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
6. Conduct themselves as representatives of East Syracuse Minoa when participating in or attending East Syracuse Minoa sponsored extracurricular events and to hold themselves to the highest standards of conduct.
7. Respect all property.

8. Be safe, and not disrupt or interfere with the educational process.

C. STUDENT DRESS CODE

The intent of the dress code is to foster an environment that is sanitary, safe and conducive to teaching and student learning. It is also intended to provide guidance to prepare students for their role in the workplace and society. All students are expected to give attention to personal grooming 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, thereby helping students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance shall meet the following requirements:

1. Be safe and appropriate.
2. Not disrupt or interfere with the educational process.
3. Attire shall not include any item that is vulgar, obscene, libelous, or that denigrates another's race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity, or disability.
4. Attire shall not promote and/or endorse the use of alcohol, tobacco, or illegal drugs, and/or encourage other illegal or violent activities.
5. Students must be dressed in appropriate clothing, footwear and protective equipment as required for participation in physical education, laboratories, and other classes that may have student specific dress requirements.
6. Footwear is required at all times and should be appropriate for activities of that day. Footwear that is a safety hazard is not allowed.
7. Outer clothing must completely cover undergarments and underwear.
8. Clothing must not expose the midriff (front and back), lower abdominal area, gluteal or chest area, and may not be see-through. Bottoms must reach fingertips when fully extended and/or the mid-thigh.

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. In addition, 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.

D. BEHAVIOR-RELATED OFFENSES AND CONSEQUENCES

Students are expected to conduct themselves in an appropriate and civil manner, with regard for the rights, safety and welfare of other students, District personnel, and other members of the school community, and for the care of school facilities and equipment.

The rules of student conduct listed hereafter are intended to focus on safety and respect for the rights and property of others. Students who do not accept responsibility for their own behavior and who violate school rules will be required to accept penalties for their conduct.

Disciplinary action will be firm, fair, and consistent so as to be the most effective in changing student behavior. The staff at a school has the responsibility for taking appropriate actions when a student is involved in a situation which disrupts the learning environment of a school.

When determining the consequences, they will take the following into consideration:

1. The nature of the offense and the circumstances which led to the offense.
2. The age-appropriateness of the consequence.
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. The extent to which the offense interfered with the responsibility/rights/privileges/property of others.
7. The extent to which the offense posed a threat to the health and safety of others.
8. Other extenuating circumstances.

The listed sanctions are advisory and, as a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lesser penalty than subsequent violations. However, the District may impose any level of discipline, even for a first violation, that is proportionate to the misconduct at issue. In the case of students who are habitually disruptive or who frequently violate school rules, administrators have the prerogative of

applying more severe penalties at any stage, including removal from class and suspension from school.

Although not all-inclusive, the following list of offenses on school property or at a school function and range of consequences apply in most circumstances.

RANGE OF CONSEQUENCES FOR BEHAVIOR RELATED OFFENSES

I Options:

- Warning/verbal reprimand – any member of District staff.
- Time out or out of classroom – Teachers, Building Administrator, Superintendent
- Loss of privilege (i.e. cell phones or other electronic devices) – Teachers, Building Administrator, Superintendent
- Conference with student – Teachers, Building Administrator, Superintendent
- Communication with parent – Teachers, Building Administrator, Superintendent
- Detention - Teachers, Building Administrator, Superintendent
- Counseling –

II Options:

- Removal from classroom – Teachers, Building Administrator, Superintendent
- In-school suspension – Building Administrator, Superintendent
- Short-term (five days or less) suspension from school - Building Administrator, Superintendent
- Saturday detention - Building Administrator, Superintendent
- Police notification - Building Administrator, Superintendent
- Removal from school property – Superintendent

III Options:

- Long-term (more than five days) suspension – Superintendent/Board of Education
- Permanent suspension – Superintendent/Board of Education

OFFENSES AND CONSEQUENCES		
Offense	Definition	Range of Consequences
1. Academic Dishonesty	Includes but is not limited to copying, plagiarizing, altering records, or assisting another in such actions, as well as the unauthorized use of artificial intelligence (“AI”) technology or tools.	I - III
2. Absence (Unlawful)	An absence for a day or any portion of a day for any reason other than those cited as lawful and/or failure to bring a note by a parent/guardian to verify a lawful absence.	I - II
3. Arson/fire	Attempting to, aiding in, or setting fire to a building or other property.	II - III
4. Bus Misbehavior	Any violation of bus behavior rules.	I - II
5. Computer/ Electronic Communication Misuse	Any unauthorized use of computers, software, or internet/intranet account to access internet/intranet; accessing another’s e-mail or an inappropriate website; misuse of a website, including transmission of inappropriate language or images via electronic/digital devices or any other violation of the District’s Acceptable Use Policy.	I - III
6. Cutting class	Illegal absence from a class or school activity; leaving class without permission.	I - II

7. Cyberbullying	Harassment or bullying where such harassment or bullying occurs through any form of electronic communication. Cyberbullying includes the use of information technology, including, but not limited to e-mail, instant message, blogs, chat rooms, cell phones, and gaming systems, to harass, threaten, isolate or intimidate others.	I - III
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8. Destruction of Property/ Vandalism	Damage, destruction, or defacement (graffiti) of property belonging to another or the school.	II - III
9. Discrimination	Discrimination as defined in this Code.	I - III
10. Disrespect Toward Others	Inappropriate comment or physical gesture to a student, teacher, staff member, or other individual.	I - II
11. Disorderly Conduct	Behavior disturbing the atmosphere or order, to include obstructing or restraining the authorized or lawful movement or participation of another.	I - II
12. Disruption – Classroom	Behavior that is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom.	I - III
13. Disruption – School	Behavior that interferes with the safe and orderly environment of the school or school activity.	I - III
14. Driving/Riding/ Parking Violations	Failure to obey all state, District, and campus traffic and parking signs and rules.	I - II

15. Failure to Serve Assigned Consequences	Failure to serve detention, Saturday detention, suspension or other assigned consequences.	I - II	
16. False Alarms/Bomb Threats	Initiating a report or warning of fire, or catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.	II - III	
17. Fighting	A confrontation with physical contact involving two or more individuals.	II - III	
18. Fireworks or Explosives	Possession, use, and/or threat to use a firework, smoke bomb, flare, or combustible or explosive substance.	II - III	
19. Firearm	Possession of a firearm	II - III	
20. Gambling	Wagering money or property.	I - II	
21. Harassment and/or Bullying	Acts of harassment and/or bullying as defined in this Code.	I - III	
22. Hazing	As defined in the Definitions section of this Code.	I - I I I	
23. Indecent Exposure	Exposing the private parts of the body in a lewd or indecent manner.	I - I I	
24. Insubordination	Refusing to follow reasonable requests of teachers, staff, or administration, including failure to identify self or knowingly providing false information.	I - I I I	

25. Leaving school grounds without permission	Leaving school grounds during regular school hours without written or verbal permission from parent/guardian, administrator or someone listed on the emergency procedure card.	I - I I	
26. Loitering	Idle presence in an area without authorization.	I - I I	
27. Minor Altercation	Minor verbal and/or physical altercation between student and one or more other individuals that does not result in serious injury.		
28. Photo/Video Recording	Video/audio recording or photographing another student or District employee without consent.	I- II I	
29. Physical Altercation	Assault, or aggressive physical action, directed at students, staff, or others, including a situation where a staff member is intervening in a fight or other disruptive activity.	II - III	
30. Possession of Disruptive Items	Unauthorized possession of a sound box, laser pointer, squirt gun, water balloon, personal audio device, or any other disruptive item.	I - I I	
31. Possession of Skateboards, Roller blades/ Scooters	Unauthorized use or unauthorized possession of a skateboard, scooter, or roller blades on school property.	I - I I	
32. Sexting	Sending, receiving or forwarding sexually suggestive written text or nude or nearly nude photos through text message, email or other electronic/digital means.	I - I I I	
33. Sexual contact with another student	Any form of sexual contact between students.	I I -	

		I I I	
34. Sexual Harassment	Unwanted and inappropriate verbal, written, or physical conduct of a sexual nature directed toward another person.	I - I I I	

35. Tardiness	Lateness to school or class.	I - II
36. Theft	Taking or obtaining property of another without permission of the owner.	II - III
37. Threat to Staff, Student or Other Person	Expression, conveyed by word or action, of intent to abuse, intimidate, coerce, or injure a staff member, student, or other person.	I - III
38. Tobacco Violation	Possessing, purchasing, using, distributing, exchanging, consuming, or selling of any Tobacco Product as defined in this Code.	I - III
39. Trespassing	Unauthorized presence on school property, including while on suspension.	I - II
40. Truancy	Unlawful absence without parental knowledge and/or permission.	I - II
41. Unacceptable Language	Using vulgar or abusive language, cursing, or swearing.	I II
42. Unauthorized Possession of Electronic Devices	Unauthorized use of cellular phone, computer or other electronic devices	I-II
43. Weapon Possession	Possession of a weapon as defined in this Code.	II - III

E. TEACHER REMOVAL OF DISRUPTIVE STUDENTS

The District has a long-standing set of expectations for school behavior, based upon the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. These expectations apply to all members of the school community. Accordingly, teachers maintain classroom environments reflective of good management techniques, and students behave in accordance with the Code of Conduct. Occasionally, students exhibit disruptive behavior, which warrants removal from class by the teacher. In these cases, the following procedures apply.

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

Procedures for Disruptive Students:

If a student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must explain to the student why they will be removed from the classroom and give the student an opportunity to respond with their version of events. Only after the informal discussion may the teacher remove the student from the classroom.

If the student does pose a danger or ongoing threat to the academic process, the teacher may remove the student immediately. The teacher must explain the reason to the student and give the student an opportunity to present their version of events within 24 hours.

The teacher must complete a District established referral form and meet with the Building Administrator as soon as possible, but not later than the end of the school day, to explain the removal and present the referral forms. If the Building Administrator is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the Building Administrator prior to the beginning of classes on the next school day.

Within 24 hours after removal, the Building Administrator must notify the student's parents, in writing, explaining that the student has been removed and why. The notice must also inform the parent, that upon request, they may have an informal conference with the Building Administrator (or their designee) to discuss the reasons for removal. The notice must be provided to the last known address of the parent, by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt within 24 hours of the student's removal. Where possible, the notice should also be provided by telephone if the school has been provided with the telephone number(s) for the purpose of contacting the parent(s).

If at the informal meeting the student denies the charges, the Building Administrator must explain why the student was removed and give the student and parent(s) the opportunity to present the student's version of events. The informal meeting must be held within 48 hours of the student's removal. The informal meeting may be extended by mutual agreement between the parent and the Building Administrator.

The Building Administrator (or their designee) may overturn the removal of the student from class only if there is a finding of any 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 or the District's Code of Conduct.
3. The conduct warrants suspension from school, and suspension will be imposed.

The Building Administrator (or designee) must make a determination as to whether to overturn the removal before the close of business on the day after the day of the informal meeting. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the Building Administrator makes the 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 they are permitted to return to the classroom. Removal of a student with disabilities may, under certain circumstances, constitute a change in placement. Accordingly, no teacher may remove a student with a disability from their classroom until it has been verified with the Building Administrator 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.

Each teacher must keep a complete log, on a District provided form, for all cases of removal of students from their class. The Building Administrator must keep a log of all removals of students from class.

Nothing in this section abridges the customary right or responsibility of a Building Administrator to suspend a student. Nothing in this Code shall abridge the customary right and responsibility of a teacher to manage student behavior in the classroom. The removal process should not become a substitute for good classroom management.

F. STUDENTS WHO ARE REPEATEDLY SUBSTANTIALLY DISRUPTIVE

Any student, who engages in conduct which results in the student being removed from a classroom by any teacher on four or more occasions in a semester, will be suspended from school for three days. Upon the 5th removal from class, other educational options may be considered. In addition, there may be an occasion when it will be appropriate to refer a disruptive student to a school counselor or psychologist who in turn may refer a student (and parent) to appropriate human services organizations outside the school.

G. SUSPENSION FROM SCHOOL

1. 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 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.

2. Long-Term (more than 5 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. The building principal may recommend to the superintendent that a suspension of more than five days be warranted. 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 of Education, which 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 30 calendar days of the date of the Superintendent's decision.

There will be no personal appearances before the Board; the appeal will be considered solely in writing. The Board will not convene to consider and decide an appeal unless the full record of the appeal has

been compiled and provided to the Board, and within reasonable time prior to the next scheduled Board of Education meeting. If the written appeal is not received and the appeal record has not been compiled in full and provided to the Board within a reasonable time before the next scheduled Board meeting, then the appeal will not be considered and decided at that meeting. It will instead be considered at a later Board meeting.

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.

H. MINIMUM 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 in accordance with the Gun-Free Schools Law, the Gun-Free Schools Act of 1994, and Education Law, 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:

- a. The student's age;
- b. The student's grade in school;
- c. The student's prior disciplinary record;
- d. The Superintendent's belief that other forms of discipline may be more effective;
- e. Input from parents, teachers and/or others; and/or
- f. 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 5 days.

If the proposed penalty is the minimum 5-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all student's subject to a short-term suspension. If the proposed penalty exceeds the minimum 5-days suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all student's subject to a long-term suspension.

The Superintendent has the authority to modify the minimum 5-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors in modifying the one-year suspension for possession of a Weapon.

I. REFERRALS

1. Counseling

The Guidance office shall handle all referrals of students to counseling and appropriate human services agencies as necessary.

When any student is beyond the scope of the District's resources, a referral to appropriate human service agencies may 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

Students who have brought a Weapon or Firearm (as defined in 18 U.S.C. § 930(g)(2) and 18 U.S.C. § 921, respectively the Gun-Free Schools Act) to school will be referred by the Superintendent to either a presentment agency (the agency with the authority responsible for presenting a juvenile delinquent proceeding) or to appropriate law enforcement officials. Such referrals will be made as follows:

- a. A student who is under the age of sixteen (16) and who is not fourteen (14) or fifteen (15) who qualified for juvenile offender status under Criminal Procedure Law § 1.20(42) will be referred to a presentment agency for juvenile delinquency proceedings.
- b. A student who is sixteen (16) years old or older or who fourteen (14) or fifteen (15) who qualified for juvenile offender's status, will be referred to the appropriate law enforcement agencies.

J. DISCIPLINE OF STUDENTS WITH DISABILITIES

At times it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. Students with disabilities are afforded certain procedural protections whenever school authorities intend to impose discipline upon them. Procedures followed for suspending, removing, or otherwise disciplining students with

disabilities must be consistent with the procedural safeguards required by applicable laws and Part 201 of the Regulations of the Commissioner of Education.

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

1. CHANGE OF PLACEMENT RULE

- a. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - For more than 10 consecutive school days; or
 - For a period of 10 consecutive school days or less, if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed, and he proximity of the suspensions or removals to one another.
- b. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

However, the District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability.

2. SPECIAL RULES REGARDING THE SUSPENSION OR REMOVAL OF STUDENTS WITH DISABILITIES

- a. The District's Committee on Special Education shall conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the District is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an Interim Alternative Educational Setting for misconduct involving weapons, illegal drugs or controlled substances.

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to as suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more members of the CSE believe that modifications are needed, the District shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

VI. REPORTING VIOLATIONS OF THE CODE OF CONDUCT

All students are expected to promptly report violations of the Code of Conduct and any potential criminal activity 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 building Principal, the 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, including volunteers, who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct and any potential criminal activity 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, stored in a safe, secure area, and promptly turned over to the law enforcement agency after that agency has been notified. This shall be 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.

The building Principal or his or her designee should immediately notify the appropriate local law enforcement agency of those code violations, and any other conduct that occurs on school property or at a school function or in travel to and from school, that is criminal in nature and substantially affects the physical, mental or emotional well-being of a student or the order, security or overall safety of the school, and, in the absence of extenuating circumstances, such notification should occur no later than the close of business the day the Principal or his or designee learns of the conduct. The notification should identify the persons involved in the conduct, the names of any victims and witnesses and an explanation of the conduct that may constitute a crime.

Minor offenses which involve conduct such as stealing, damaging property and physical violence that do not result in serious injuries are matters that may be handled by the administration without the assistance of law enforcement. Whenever criminal conduct occurs, school staff shall not discourage or prevent crime victims from filing a complaint with local law enforcement.

Whenever conduct involves drugs, assaults where there are serious injuries or inappropriate sexual acts, immediate notification to law enforcement by the building Principal or his or her designee should be made.

Certain acts of misconduct which occur may require the exercise of reasonable judgment by staff in consultation with the Principal or Superintendent in order to determine whether referral to law enforcement officials is appropriate, or whether the matter will be handled solely through the District's Code of Conduct and student discipline system.

A. Reporting Discrimination, Harassment and Bullying

The School Principal is the school employee charged with receiving all reports of harassment, bullying and discrimination; however, 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.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator. The staff member / administrator to whom the 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 School Principal shall lead or supervise a thorough investigation of the alleged harassing, bullying and/or retaliatory conduct. The Principal or the Principal's designee shall verify 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 verify 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.

In the event that the Principal is the alleged offender, the report will be directed to the Superintendent of Schools.

All complaints of alleged harassing, discriminatory, bullying and/or retaliatory conduct shall be:

1. promptly investigated in accordance with the terms of District policy;

2. forwarded to the school building's DAC for monitoring; and
3. treated as confidential and private to the extent possible within legal constraints. 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.

B. Reporting Sex Crimes

If school staff members learn of child abuse in an educational setting, they shall prepare a written report of the allegations and transmit it to the school administrator. The written report from the mandatory reporter must be completed and turned in immediately upon learning of the conduct. Upon receipt of a written report of allegations of child abuse in the educational setting the school administrator must determine if there is reasonable suspicion to believe that the abuse has occurred. Upon making such a positive determination the report must be forwarded to the appropriate law enforcement agency. When an incident on school property or at school event involves allegations of child sexual abuse or any other sexual conduct, whether that conduct involves only students or an adult and a student - the matter shall be immediately referred to the SIRO. In the absence of the SIRO, such conduct shall be immediately reported to the Abused Persons Unit of the Onondaga County Sheriff's Office. The Superintendent or Deputy Superintendent should also be notified. School staff should not ordinarily conduct an interview beyond the initial intake of the complaint, or take affidavits from the victim, witnesses or the potential suspect. Until further notice from the Superintendent or Deputy Superintendent, this should initially be left in the hands of the law enforcement agency.

VII. REMEDIAL RESPONSES TO VIOLATIONS OF CODE OF CONDUCT

Students who violate this Code may also be referred for remedial action as the facts may warrant, including but not limited to any of the measures listed below:

- a. peer support groups; corrective instruction or other relevant learning or service experience;
- b. supportive intervention;
- c. behavioral assessment or evaluation;
- d. behavioral management plans, with benchmarks that are closely monitored; and/or
- e. student counseling and parent conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation may also be utilized. These strategies may include:

- a. school and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- b. adoption of research-based prevention programs;

- c. modification of schedules;
- d. adjustment in hallway traffic and other student routes of travel;
- e. targeted use of monitors;
- f. staff professional development;
- g. parent conferences;
- h. involvement of parent-teacher organizations; and/or
- i. peer support groups.

VIII. STAFF-STUDENT RELATIONS

Staff members are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District up to and including termination of employment.

Any student who believes that he/she has been subjected to inappropriate staff behavior, as well as school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member, the employee's supervisor, the student's Principal or the District's designated Complaint Officer. In all events such reports shall be forwarded to the designated Complaint Officer for further investigation.

Investigations of allegations of inappropriate staff-student relations shall follow the procedures utilized for complaints of harassment within the School District. Allegations of inappropriate staff-student behavior shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

Any employee having knowledge of or reasonable suspicion that another employee may have engaged in inappropriate conduct with a student that may constitute child abuse (specifically, child abuse in an educational setting) must *also* follow the District's reporting procedures for such allegations; and such information will be reported by the designated administrator as required by state law to law enforcement officials, the State Education Department and/or Child Protective Services as may be applicable.

If a student initiates inappropriate behavior toward a staff member, that employee shall document the incident and report it to his/her Building Principal or Supervisor.

The District shall promptly investigate all complaints of inappropriate staff-student relations, and take prompt corrective action to stop such conduct if it occurs.

IX. VISITORS TO THE SCHOOLS

All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct and associated Board Policies.

1. Anyone who is not a regular staff member or student of the school is considered a “visitor.”
2. Except for those who are attending public gatherings or meetings, visitors must sign in and report to the main office upon arrival at the school.
3. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the building administrator and classroom teacher(s), so that class disruption is kept to a minimum, and to abide by Board Policy 3210, “School and Classroom Visitation,” and its corresponding Administrative Regulation.

The administration has authority to determine whether the visitor has an appropriate reason for being in the building. If the visitor is judged by the administrator not to have an appropriate reason, the visitor will be asked to leave. The police may be notified if the situation warrants.

X. 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 establish rules for public conduct on school property and at school functions. Dress and behavior will be appropriate to the school environment and will not detract from the educational process. For purposes of this section of the Code, “public” shall mean all persons when on school property or attending a school function including students, parents/guardians, teachers and District personnel. Such rules, as well as consequences for violation of such rules, are contained in this Code as well as Board Policy 3410, “Code of Conduct on School Property” and related Administrative Regulations.

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, overly revealing, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school environment.
5. Threaten, intimidate, harass or discriminate against any school staff member or other person(s) on the basis of a person’s actual or perceived race, color, weight, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, gender (including gender identity and expression), or other legally protected status.

6. Enter any portion of the school premises, playing field (home or away) or other related school location 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, purchase, use, consume, sell, distribute or exchange illegal substances, or be under the influence of same on school property or at a school function.
10. Possess, purchase, use, consume, sell, distribute, or exchange tobacco products on school property or at a school function.
11. Possess or use firearms or 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 Board of Education (or its designee).
12. Loiter on or about school property.
13. Gamble on school property or at school functions.
14. Refuse to comply with any reasonable order of identifiable school District officials performing their duties.
15. Willfully incite others to commit any of the acts prohibited by this Code.
16. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

B. Consequences

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

1. Visitors - 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 and/or arrest.
2. Students - shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members - shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a, or any other legal rights that they may have.
4. Staff members in the classified service of the civil service who are entitled to the protection of Civil Service Law §75 shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 4 and 5 - shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they 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 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 "Consequences" section above. In addition, the District reserves its right to pursue a civil or criminal legal action against any person violating the Code.

XI. TRANSPORTATION OF STUDENTS

The East Syracuse Minoa Central School District furnishes transportation to those students whose disability or distance from the school make the service essential. Except as otherwise mandated in a student's Individualized Education Program (IEP), riding these buses is a privilege and may be withdrawn if the student does not comply with the rules and regulations set forth in this District.

Bus drivers shall be held responsible for reasonable and acceptable behavior of students while riding the school bus. Students riding school buses are expected to conform to the rules of conduct in order to permit the bus driver to transport his/her passengers safely.

The Board of Education, the Superintendent and/or his/her designee has the authority to suspend the transportation privileges of children who are disorderly and insubordinate on buses. Generally, parent(s)/guardian(s) will be required to make alternative transportation arrangements for their children who have been suspended from riding the bus. However, the effect of a suspension from transportation on the student's ability to attend school will be considered. If a suspension from transportation effectively results in a suspension from attendance because of the distance between the home and the school and the absence of alternative public or private means of transportation, the District shall make appropriate arrangements to provide for the student's education.

If a student with a disability who receives transportation as a related service as part of his/her Individualized Education Program is being considered for suspension from transportation, and that suspension would effectively result in a change in placement, the student shall be referred to the Committee on Special Education.

XII. IN-SERVICE EDUCATIONAL PROGRAMS

The Board will provide in-service education programs for all District staff members for the effective implementation of this Code, to promote a safe and supportive school climate while discouraging, among other things, harassment, bullying and discrimination against students by students and/or school employees and to include safe and supportive school climate concepts in the curriculum and classroom management. In-service education programs shall also include training on the social patterns of harassment, bullying and discrimination, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex, the identification and mitigation of harassment, bullying and discrimination, and strategies for effectively addressing problems of exclusion, bias and aggression in educational settings. 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 following are suggested programs that may be utilized for in-service education for all staff members for effective implementation of this Code: (1) School-oriented programs developed at the District and building level; (2) Superintendent's workshop days; and (3) faculty meetings.

XIII. DISSEMINATION AND REVIEW

The Board will work to inform the community about this Code of Conduct by:

1. Providing copies of an age-appropriate version of the summary of the Code to all students, written in plain language so that students may understand the standards of respect and appropriate behavior that the school community expects from them. This shall take place at a general assembly held at the beginning of each school year and on an on-going basis at registration for those students who enter the District after the beginning year meeting.
2. Making copies of the Code available to all parents, students and community members throughout 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.
7. Posting the Code of conduct on the District's web site.

This Code shall be reviewed by the Board of Education on an annual basis and shall be amended when appropriate. 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 making 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. Amendments to the Code will be filed with the Commissioner of Education no later than thirty days after adoption.

IV. PROHIBITION OF RETALIATION

Any person having reasonable cause to suspect that a student has been subjected to discrimination or harassment by an employee or student, on school grounds or at a school function, who acting reasonably and in good faith, either reports such information to school officials, to the commissioner, or to law enforcement authorities or otherwise initiates, testifies, participates or assists in any formal or informal proceedings under this subdivision, shall have immunity from any civil liability that may arise from the making of such report or from initiating, testifying, participating or assisting in such formal or informal proceedings. Relatedly, neither the District, nor an employee or student thereof shall take, request or cause a retaliatory action against any such person who, acting reasonably and in good faith, either makes a report or initiates, testifies, participates or assists in such formal or informal proceedings.

ESM Disruptive Student
East Syracuse Minoa Central School District

Form A
Teacher Report of a Disruptive Pupil

To: _____
(Building Principal)

Date: _____

Building: _____

Time: _____

From: _____
(Name of Teacher)

Grade/Class/: _____

Name of Student: _____

Classified student: _____ Yes _____ No

I am referring to you the above-named pupil who was disruptive on _____ at _____
. I have removed this student from my class because: (Describe in detail the events, specify the particular conduct, what you did, what was said by you, the pupil, others.)

List witnesses to this event:

The student has a history of disruptive behavior: Yes No

If yes, have you removed
this student from your
class previously

Yes No

The pupil was accompanied by Yes No
an adult to the Principal's Office

Number of days/blocks to be removed (Including day of removal)
from class: _____
(circle one)

Dates of removal:

Yes

No Within 24 hours I provided the student with an
explanation of the basis for the

removal and allowed the pupil to informally present the pupil's version of the relevant events.

Specify what you believe would be the appropriate additional action to be taken:

Yes

No

I have attached to this form the class and
homework assignments to be completed by the

Date: _____

pupil for the period of the student's exclusion from
my class.

Signature: _____

ESM

East Syracuse Minoa Central School District

Disruptive/Violent Student

(CIRCLE) Law Enforcement

Contacted

Yes

No

Person Called: _____

Date/Time: _____

Form B
Building Principal Report

Student Name: _____ Date of Referral: _____ Time: _____

Teacher Name: _____ Grade/Class: _____

Removal Period: From _____ (date) to _____ (date)

Building: _____ Location: _____

The notification of the pupil's removal and reasons for removal were given to the person in parental relationship within 24 hours of _____ on _____ (date/time) the removal by _____.

The person in parental relationship requested an informal conference to discuss the reasons for removal.

YES NO

Summary of Informal Conference:

Those who attended:

Offense:

Consequence(s):

cc: _____ Building Principal
Student file, Counselor (if appropriate), Removing Teacher, Parent

Date