

Rockland Central School District 2025-2026 Code of Conduct

SECURITY NOTICE

For the security and safety of our students, staff and visitors, this facility employs video surveillance equipment for security purposes. This equipment may or may not be monitored at any time.

I. Introduction

The Board of Education ("Board") is dedicated to maintaining a safe, orderly school environment where students can learn and staff can provide high-quality educational services without disruption. Achieving this goal requires responsible behavior from all members of the school community—including students, staff, parents/guardians, and visitors. Everyone is expected to collaborate in addressing behaviors that hinder the learning process.

The District has established clear expectations for student conduct both on school grounds and off campus when such conduct has a substantial impact on the school environment. These expectations are rooted in the core values of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity.

The Board recognizes the importance of clearly outlining acceptable behavior, identifying potential consequences for misconduct, and ensuring that any necessary discipline is administered fairly and promptly. To this end, the Board adopts this Code of Conduct ("Code").

Our approach to behavior management emphasizes teaching students how to act in ways that support academic achievement, personal growth, and future success. We strive to build a school culture grounded in mutual respect and shared responsibility among students, staff, and school personnel. All school personnel are expected to adhere to professional guidelines by consistently teaching, modeling, reinforcing, and monitoring appropriate behaviors to support a positive learning environment for everyone.

We believe that effective discipline is rooted in meaningful, instructive responses that help students learn from their mistakes, make amends, and positively contribute to the school community. Ongoing monitoring and documentation of behavior and discipline data are essential to ensure our practices remain fair, effective, and non-discriminatory.

Unless otherwise stated, this Code applies to all students, staff, parents/guardians, and visitors while on school property or participating in school functions. Please note that this Code is subject to change in accordance with updates to district policy, state regulations, or legal requirements.

II. Definition for Strengthening Understanding Within This Code

For purposes of this code, the following definitions apply:

- **Academic Dishonesty:** refers to any form of cheating, plagiarism, or misrepresentation in an academic setting. It involves violating the standards of integrity and honesty expected in educational work.
- **Bullying:** defined as a repeated and intentional act of aggression, intimidation, or harassment—whether physical, verbal, psychological, or electronic—that is directed at an individual or group and causes physical or emotional harm. It involves an imbalance of power, where the person bullying uses strength, popularity, or access to information or resources to control or harm others.
- **Consequence:** the results of a previous action that breaks the rules. Those responsible for administering a consequence take into account the behavior, the situation, the individual involved, and the best means for helping that individual.
- **Contraband:** Defined as alcohol, drugs and devices to include, but not limited to, the following: tobacco, tobacco products, prescription drugs, illegal drugs, controlled substances, synthetic or designer drugs, or any drug delivery systems such as cigarettes, e-cigarettes (vapes) or any e-cigarette/vape hardware including but not limited to the battery, tank, heating element, accessories or the vape juice, or any device or paraphernalia that could be used to store, conceal, inject, inhale, or consume any type of prescription drug, illegal drug, controlled substance, or synthetic or designer drug or substance.
- **Cyberbullying:** is a form of bullying that takes place through digital or electronic communication. It involves using technology—such as social media, text messages, email, apps, online forums, or gaming platforms—to harass, threaten, embarrass, or target another person.
- **Dignity for All Students Act (DASA):** School District policy and practice must ensure that no student is subject to discrimination or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex by school employees or students on school property, on a school bus, or at a school function.
- **Disruptive student behavior:** behavior from an elementary or secondary student under the age of 21, or an adult student enrolled in a program, who substantially disturbs or distracts from the educational process or interferes with the teacher's ability to manage and teach students.
- **Emotional harm:** takes place in the context of "harassment or bullying," meaning 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
- **Parent:** means parent, guardian or person in parental relation to a student.
- **School property:** means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a

public Elementary or Secondary school, or in or on a school bus/district owned vehicle, as defined in Vehicle and Traffic Law §142.

- **School function:** means any school-sponsored extracurricular event or activity.
- **Violent student:** means a student under the age of 21 whom:
 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, slingshot, 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, or other knife, device, instrument, material or substance that is used for, or readily capable of, causing physical injury or death. In addition, this code further prohibits the possession or display of any toy, facsimile or replica of a weapon.
- **School Bus:** means every motor vehicle owned 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 Section 11[1] and Vehicle and Traffic Law Section 142).
- **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 Section 11[4] and Executive Law Section 292[21]).
- **Employee:** means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby

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

- **Fair:** Doing what is reasonable and in the best interest of the individual and/or group.
- **Harassment:** means the creation of a hostile environment by conduct 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 wellbeing; 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, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal 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 or sex (Education Law Section 11[7]).
- **Hazing:** is any intentional act, whether physical, emotional, or psychological, that is directed against a student or group of students as a condition for initiation, admission, affiliation, or continued membership in a group, team, club, or organization—regardless of the student's willingness to participate.
- **Personal Conflict:** refers to a disagreement, tension, or dispute between individuals that arises from differences in opinions, values, beliefs, goals, or personal relationships. Unlike bullying or harassment, personal conflict does not inherently involve a power imbalance, repeated harmful behavior, or intent to cause harm.
- **Race:** means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/African-descent", "Asian", "Biracial", "Hispanics/Latinos" etc. to describe and classify the inhabitants of the United States.
- **Color:** means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.
- **Weight:** means aside from the obvious meaning in the physical sciences, the word is used in reference to a person's appearance "size".
- **National Origin:** means a person's country of birth or ancestor's country of birth.
- **Ethnic Group:** means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.
- **Religion:** means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.
- **Religious Practice:** means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.
- **Sex:** means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)

- **Gender:** A social construct used to classify a person as a man, woman, or some other identity. Fundamentally different from the sex one is assigned at birth; a set of social, psychological and emotional traits, often influenced by societal expectations
- **Gender Expression:** How one expresses oneself, in terms of dress, mannerisms and/or behaviors that society characterizes as "masculine" or "feminine" or "non-binary"
- **Gender, gender identity:** refers to a person's deeply held sense of their own gender, which may be male, female, a blend of both, neither, or something else entirely. It is a core aspect of a person's identity and may or may not align with the sex assigned to them at birth.
- **Sexual orientation:** An enduring emotional, romantic, or sexual attraction which includes (but is not limited to) attraction to one's same sex or a combination. Sexual orientation is fluid and can include pansexuality/omnisexuality and asexuality.
- **Transgender:** Used most often as an umbrella term, some commonly held definitions: 1. Someone whose gender, gender identity or expression does not fit (dominant-group social constructs of) assigned birth sex and gender. 2. A gender outside of the man/woman binary. 3. Having no gender or multiple genders.
- **Cisgender:** Denoting or relating to a person whose sense of personal identity and gender corresponds with their birth sex.
- **Principles:** core values that demonstrate how individuals should conduct themselves and relate to each other. They encompass a set of beliefs which provide the reasons for the rules and the motivation for following them.

Types of Responses to Behavior in Violation of the Code of Conduct:

- **Restitution:** the individual makes right what they did wrong. This is logically related to the behavior.
- **Conventional Consequences:** commonly used in practice (i.e. time-out, removal from a classroom, suspension etc).
- **Generic Consequences:** include reminders, warnings, choice options, and/or behavior plans brought into play when there is misbehavior.
- **Instructional Consequences:** teach and/or revisit the prosocial skills necessary for an individual to behave or respond in accordance with the Principles and Rules of the school.

III. Dignity for All Act

The purpose of the Dignity for All Students Act (DASA) is to ensure that every public school student is provided with a learning environment that is free from discrimination, harassment, and bullying. The Act also aims to promote civility throughout public schools.

DASA broadens the principles of tolerance, respect, and dignity by encouraging awareness and sensitivity in interactions among individuals of diverse backgrounds. This includes, but is not limited to, differences in race, weight, national origin, ethnicity, religion, religious practices, mental or physical ability, sexual orientation, gender, gender identity, and sex.

Each school building is required to have a designated DASA Coordinator responsible for reviewing and investigating concerns related to this law.

If you believe that you or your child is being bullied, harassed, or discriminated against—or if you witness this happening to someone else—please report the situation to a DASA Coordinator as soon as possible. The Coordinator will investigate the matter and take appropriate action to address it.

If you would like a copy of our Dignity for all Students Policies, please ask any of the Dignity Act Coordinators or refer to our website, www.RCSD.us.

School counselors will be serving as the Dignity Act Coordinators in each of their buildings:

- Elementary School Counselor: Meagan O'Sullivan (607) 498-4126 or meagan.edwards@rcsd.us
- Middle/High School Counselor – Chris Towsley – (845) 439-4400 ext: 1219 or christian.towsley@rcsd.us

If at any time, you have a question or concern around the Dignity for All Act, please feel free to contact the above Dignity Act Coordinators.

IV. Student Rights and Responsibilities

With every right comes a responsibility.

It is the student's right:→ It is the student's responsibility:

- 1) To attend school in the district in which one's parent or legal guardian resides.→To attend school daily, regularly and on time, perform assignments, and strive to do the highest quality work possible and be granted the opportunity to receive a good education.
- 2) To expect that school will be a safe, orderly and purposeful place for all students to gain an education and to be treated fairly. → To be aware of all rules and expectations regulating student's behavior and to conduct oneself in accordance with these guidelines.
- 3) To be respected as an individual. → To respect one another and to treat others in the manner that one would want to be treated.
- 4) To express one's opinions verbally or in writing.→ To express opinions and ideas in a respectful manner so as not to offend, slander, or restrict the rights and privileges of others.
- 5) To dress in such a way as to express one's personality.→ To dress appropriately in accordance with the dress code, so as not to endanger physical health, safety, limit participation in school activities or be unduly distracting.
- 6) To be afforded equal and appropriate educational opportunities. → To work with teachers (counselors and parents/guardians) through role playing, modeling and practice to develop stronger pro-social skills (i.e. dealing with anger, recognizing the feelings of

others, recognizing your own feelings, dealing with frustration, identifying a problem, problem solving skills, making a good decision, etc).

- 7) To take part in all school activities on an equal basis regardless of race, color creed, religion, religious practice, sex, sexual orientation, gender, gender identity, national origin, ethnic group, political affiliation, age, marital status, or disability. → To work to the best of one's ability in all academic and extracurricular activities, as well as being fair and supportive of others.
- 8) To have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance to students with serious personal problems. → To be aware of the information and services available and to seek assistance in dealing with personal problems, when appropriate.
- 9) To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender, gender, gender identity, sexual orientation, or disability, or any other categories of individuals protected against discrimination by federal, state or local law, employees or students on school property or at a school-sponsored event, function or activity. → To make a good faith effort to attempt to settle disagreements with respectable words, listening to others' perspectives, in the spirit of keeping an open mind and co-existing with respect, even when conflicts can not be resolved. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.
- 10) Access to use of technology as a means to facilitate learning. → To respect and adhere to acceptable use guidelines for electronic devices, internet safety, and social media use. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.

V. Essential Partners

A. Parents/Guardians

All parents/guardians are expected to:

1. Acknowledge that educating their child is a shared responsibility between the home and the school community.
2. Send their child to school prepared to learn and participate actively.
3. Ensure regular and punctual school attendance.
4. Provide valid reasons for any absences. ([See Attendance section.](#))
5. Ensure their child is dressed and groomed according to the student dress code.
6. Help their child understand that rules are essential for maintaining a safe and orderly environment in a democratic society.
7. Be familiar with school rules and reinforce their importance to their child.
8. Support education and the goals of the District through a positive attitude at home.
9. Foster respectful relationships with teachers, other parents/guardians, and their child's friends and/or peers.

10. Support their child in managing peer pressure effectively.
11. Inform school staff of any significant changes at home that may impact their child's behavior or performance.
12. Provide a suitable place for studying and ensure homework is completed.
13. Teach and model respect and dignity for all individuals, regardless of actual or perceived race, color, weight, national origin, ethnicity, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex. This helps build student confidence and supports a healthy learning environment, in line with the Dignity for All Students Act (DASA). Parents/guardians are also encouraged to report any witnessed or reported incidents that violate this climate to a school administrator or the DASA Coordinator promptly.
14. Ensure their child's attire reflects the values of respect, safety, responsibility, and professionalism, as outlined in the District's dress code policy (see the Dress Code section for full details). This includes:
 - Wearing clothing that is safe, appropriate, and does not disrupt the educational process.
 - Avoiding items that pose safety risks or interfere with learning.
 - Refraining from wearing extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front or back), see-through materials, excessively short skirts, or short-shorts.
 - Ensuring that underwear is fully covered by outer clothing.
 - Wearing footwear at all times (specific types may be required for certain programs).
 - Not wearing clothing that is vulgar, obscene, libelous, or demeaning to others based on race, color, religion, creed, national origin, gender, sexual orientation, or disability.
 - Avoiding apparel associated with gang affiliations, drug or alcohol references, or sexually explicit content.

B. Teachers

All District teachers are expected to:

1. Foster a respectful and inclusive classroom environment by treating all students and colleagues with dignity—regardless of actual or perceived race, color, weight, national origin, ethnicity, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex. Promote appropriate appearance, language, and behavior to help build students' self-esteem and confidence in their ability to learn.
2. Come to class prepared to teach.
3. Demonstrate professionalism and dedication by showing enthusiasm for teaching, staying informed about effective instructional strategies, and maintaining a strong commitment to student success. Arrive prepared each day to create a supportive learning environment.

4. Understand and consistently apply school policies and rules in a fair and equitable manner.
5. Clearly communicate expectations to students and parents/guardians, including: a) Course goals and requirements b) Grading policies and procedures c) Assignment deadlines d) Academic and behavioral expectations e) The classroom discipline plan
6. Maintain regular communication with students, families, and fellow educators regarding student progress and achievements.
7. Address incidents of harassment, bullying, or discrimination promptly, as well as any behavior—on or off school grounds—that may threaten the emotional or physical well-being of students, staff, or others connected to the school. This includes responding to conduct that could reasonably be expected to cause a substantial disruption in the school environment. "Threats, intimidation, or abuse" include both verbal and nonverbal actions.
8. Recognize and challenge personal biases to ensure all students are treated equitably in the classroom.
9. Report all known or suspected incidents of discrimination or harassment to the building administrator and/or the Dignity Act Coordinator (DAC) in a timely and responsible manner.
10. Model and enforce responsible technology use, including proper use of electronic devices, internet safety, and adherence to social media policies. Promptly report any misuse or abuse to the appropriate supervisor.

C. School Related Personnel

All school related personnel are expected to:

1. Provide a safe learning environment by ensuring physical safety (e.g., adherence to fire drills, emergency protocols) and promote emotional and psychological safety (e.g., prevent bullying, create inclusive classrooms).
2. Uphold professional conduct by acting ethically and maintain appropriate boundaries with students.
3. Support student well-being by identifying and responding to signs of emotional distress or abuse. Refer students to counseling or support services when needed.
4. Communicate effectively by maintaining regular, respectful communication with students, parents, and colleagues.
5. Promote equity and inclusion by treating all students fairly regardless of race, gender, background, or ability.
6. Demonstrate reliability and accountability by arriving on time, meet deadlines, and fulfill assigned duties.

D. School Counselors

All school counselors are expected to:

1. Promote and uphold a respectful, inclusive school environment for all students and staff—regardless of actual or perceived race, color, weight, national origin, ethnicity, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex. Model appropriate appearance, language, and behavior in a school setting to help strengthen students' self-esteem and foster their confidence in learning. Promptly report any incidents that violate this climate to the building administrator and/or Dignity Act Coordinator (DAC), whether witnessed directly or reported by others.
2. Guide and support students in managing conflict, harassment, bullying, and discrimination, including teaching appropriate responses and the importance of reporting such incidents to school officials.
3. Assist students in addressing peer pressure and navigating personal, social, and emotional challenges.
4. Initiate and participate in conferences involving teachers, students, and counselors—and include parents/guardians when needed—to address and resolve student concerns.
5. Hold regular discussions with students to review academic progress and career goals.
6. Provide relevant resources and guidance to help students with post-secondary and career planning.
7. Coordinate appropriate intervention support services by working collaboratively with students, parents/guardians, teachers, and the building principal.
8. Encourage student engagement in both academic and extracurricular programs to support holistic development.
9. Report all known or suspected incidents of discrimination or harassment to the building administrator and/or Dignity Act Coordinator (DAC) in a timely and responsible manner.

E. Principals, Assistant Principals and other Administrators

All administrators are expected to:

1. Foster and maintain a school climate grounded in mutual respect and dignity for all students and staff, regardless of actual or perceived race, color, weight, national origin, ethnicity, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex. Promote appropriate appearance, language, and behavior to strengthen students' self-image and build confidence in their learning abilities.
2. Address all forms of harassment, bullying, and discrimination, including any actions—on or off school grounds—that pose a threat to the emotional or physical safety of students, staff, or others in the school community, or that may foreseeably disrupt the school environment. "Threats, intimidation, or abuse" include both verbal and nonverbal actions.
3. Promote a safe, orderly, and engaging school environment that supports teaching, learning, and personal development, free from intimidation, harassment, or discrimination.
4. Ensure open lines of communication between students, staff, and the principal, encouraging individuals to bring forward concerns or grievances for appropriate resolution.

5. Regularly evaluate safety, behavioral, and school management practices to ensure they effectively support the school's instructional programs.
6. Encourage student involvement in extracurricular activities and support their development as part of a well-rounded educational experience.
7. Enforce the Code of Conduct consistently and equitably, ensuring all disciplinary matters are addressed promptly, fairly, and with appropriate documentation when required.
8. Collaborate with the Dignity Act Coordinator (DAC) to respond to any reports or observations of discrimination or harassment in a timely and thorough manner.
9. Act decisively and justly in response to any behavior that endangers the safety, well-being, or property of students, staff, administrators, or members of the school community.
10. Model and promote responsible use of technology, including compliance with electronic device policies, internet safety guidelines, and social media expectations. Promptly investigate and follow up on any incidents involving misuse or abuse of technology.

F. Superintendent

The superintendent is expected to:

1. Foster and support an environment of mutual respect and dignity for all students and staff, regardless of actual or perceived race, color, weight, national origin, ethnicity, religion, religious practices, disability, sexual orientation, gender, gender identity, or sex. Promote appropriate appearance, language, and behavior within the school setting to help build students' self-esteem and confidence in learning.
2. Create and maintain a safe, orderly, and engaging school environment that is free from intimidation, discrimination, and harassment, and that actively supports effective teaching and learning.
3. Collaborate with district administrators to review Board of Education policies and relevant state and federal laws concerning school operations and governance.
4. Keep the Board informed of educational trends and developments related to student discipline.
5. Foster and support instructional programs that address behavior issues proactively and are responsive to the needs of both students and teachers.
6. Partner with district administrators to enforce the Code of Conduct, ensuring that all incidents are addressed promptly, fairly, and consistently.

G. Board of Education

The Board of Education is expected to:

1. Work in collaboration with students, teachers, administrators, parent organizations, school safety personnel, and other staff to develop a Code of Conduct that clearly outlines behavioral expectations for students, district employees, and visitors on school grounds and at school-sponsored events.

2. Review and update the District's Code of Conduct at least once each year to assess its effectiveness and ensure it is applied fairly and consistently.
3. Create and maintain a safe, orderly, and engaging school environment that is free from intimidation, discrimination, and harassment.
4. Designate a Dignity Act Coordinator for each school building. These coordinators will receive comprehensive training in human relations, including areas such as race, color, weight, national origin, ethnicity, religion, religious practices, disability, sexual orientation, gender, gender identity, and sex. Coordinators will be available to support students and staff by providing guidance and consultation related to the Dignity Act.
5. Demonstrate leadership by modeling professionalism, respect, and courtesy during all board meetings.

VI. Student Use of Electronic Communication Devices

To ensure a focused, respectful, and distraction-free learning environment, Rockland CSD is implementing the statewide "bell-to-bell" ban on the unsanctioned use of smartphones and other personal electronic communication devices during the school day, as mandated by New York State legislation.

Expectations for Students:

1. No use during the school day: Students are not permitted to use personal devices (smartphones, smartwatches, earbuds, tablets, laptops, etc.) from the start of homeroom until dismissal, including class time, lunch, hallway transitions, and free periods.
2. Storage of devices: Devices must be turned off/silent and stored in the students locker/cubbies.
3. School-issued devices only: Use of school-issued devices for instructional purposes is allowed under staff supervision.
4. Medical or learning exemptions: Students with documented medical needs or disabilities requiring access to devices may be granted exemptions with proper documentation and administrative approval.
5. Communication with home: In case of emergency or urgent need, students may request access to a designated school phone through the main office. Parents/guardians needing to contact their child during the school day should call the school's main office directly.

VII. 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/guardians 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 while on school property or on school sponsored events, including jewelry (piercings), accessories (items that may endanger oneself or others), make-up, and nails, shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief and see through garments that overly expose an individual are prohibited.
3. Ensure that 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 shoes or sneakers with wheels (wheelies).
6. Head coverings should not include the wearing of winter hats/beanies, hoods, unless granted for religious purposes. Baseball/softball caps may be worn at the discretion of the teacher; for purposes of safety or work-related confidentiality they must be removed at the teacher's request.
7. Not include items that are vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
8. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
9. Recognize that extremely brief and see through garments that overly expose an individual are prohibited.
10. Ensure that undergarments are completely covered with outer clothing.
11. Bizarre items of attire (or "costumes") will be banned on the basis of their disruptive effect on the learning environment.
12. Outerwear (including hats, coats, purses, backpacks, book bags, etc) is to be kept in student lockers during school hours.

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.

Teachers and all other staff personnel should exemplify and reinforce acceptable student dress and behavior and help students develop an understanding of appropriate appearance and conduct in the school setting.

The responsibility for the dress and appearance of students rests with individual students and their parents/guardians. Student clothing, grooming and appearance must comply with health and safety standards and must not interfere with or distract from the educational process or infringe upon the rights of others. Specifically, clothing should not be overly brief or revealing and undergarments should be covered; appropriate footwear should be worn at all times; clothing should not be perceived as being associated with gang or other unlawful behavior; and clothing should be appropriate for the student's course of instruction. The administration may take action in instances where individual dress does not meet these stated requirements.

Exceptions to the dress code may be made for apparel purchased through a school sponsored club/activity. Such exceptions must be approved by the principal in advance and must display otherwise restricted content in a way that does not detract from the club's mission.

VIII. Prohibited Student Conduct

Our approach to managing student behavior emphasizes teaching students to behave in ways that contribute to academic achievement, school success and post-secondary success. Our intent is to support a school environment where students and school staff are responsible and respectful. We also emphasize the need for school staff to promote appropriate behaviors by teaching, modeling, reinforcing, and monitoring appropriate behaviors. We recognize that effective school discipline is anchored to meaningful, corrective instruction and guidance that offers students an opportunity to learn from their mistakes, make amends, and contribute to the school community. Ongoing monitoring and documentation of student management data is essential to record and adjust disciplinary practices in a fair and non-discriminatory manner.

Rockland upholds expectations for conduct on school property and at school functions based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. The Board of Education recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible reactions to unacceptable conduct, and to ensure that when disciplinary action is necessary, it is administered promptly and fairly. Choices have consequences and there are times when accepting consequences for those choices is part of learning how conduct impacts the expected school culture. When possible, students are expected to make restitution, but there are times when disciplinary consequences are required to promote and uphold the principles mentioned above. Students may be subject to disciplinary action, up to and including suspension from school or removed from a program, when they engage in conduct that is disorderly, insubordinate, disruptive, violent, and/or endanger the safety, morals, health or welfare of others.

Students who do not accept responsibility for their own behavior and violate school rules will be subject to disciplinary consequences, up to and including suspension from school, for the following conduct:

A. Engage in conduct that violates the attendance regulations.

Regular attendance is required. Attendance records become a part of the child's permanent record and the data becomes the basis for recommendations to future employers and institutions of higher learning. The State Education Law provides that all children in proper physical and mental condition shall attend school while it is in session.

Excused Absences:

1. Sickness
2. Death in family
3. Impassable roads or weather

4. Religious observance
5. Quarantine
6. Required to be in court
7. Music lessons
8. Remedial health treatment
9. Approved cooperative work program
10. Approved college visit
11. Military obligation
12. Doctor Appointment
13. Driver's Test

Any absence due to reasons other than above is unexcused, even when accompanied by a parent note.

Some barriers to attendance could include: depression, anxiety, transportation, child care, parent work schedule, family illness or other potential household struggles. Please contact your child's school counselor so we can assist your family to problem-solve any barriers to school attendance.

B. Engage in conduct that is disorderly.

Engaging in any act which disrupts the normal operation of the school community. Examples 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, intimidating or that incites others.
4. Congregating in the hall.
5. Obstructing vehicular or pedestrian traffic.
6. Engaging in any willful act which disrupts the normal operation of the school community.
7. Using profane, vulgar or abusive language (including racial, sexual, ethnic slurs)
8. Using (or attempting to use) any electronic, communication, or recording devices (including but not limited to cameras, video cameras, tape recorders, cell phones, iPods, smartphones (i.e. iPhones and/or Android devices), web-enabled devices of any kind, tablets (i.e. iPads and similar devices), or other mobile computing devices) to capture, record, and/or transmit the words or sounds (i.e. audio) and/or images (i.e. pictures or video) of any student, staff member, or other person, is prohibited unless expressly approved by a school administrator or other authorized school official. Regardless of authorization, it is never permissible to use such devices in lavatories, locker rooms, shower facilities, changing areas, or any other area where there is a reasonable expectation of privacy. Authorized possession of an electronic or communications device at school or during the course of any school-related activity is a privilege that may be forfeited, relinquished, or rescinded if the student fails to comply with the provision of this Code of Conduct.

9. Displays of affection such as kissing, hugging, walking with arms about one another and other such forms of behavior have no place in school and will not be allowed. Detention may be assigned and parents/guardians may be notified.
10. Trespassing/Loitering. Students are to be in regularly assigned areas only. Students not in approved and supervised after-school activities must leave the building upon dismissal.
11. Misusing computer/electronic communications devices, including any unauthorized or inappropriate use of computers, software, or Internet/intranet account; accessing inappropriate websites; evading the District's content filter; using an outside wireless network; or any other violation of the District Acceptable Use Policy.
12. Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system is prohibited.

C. Engage in conduct that is insubordinate.

Examples of insubordinate conduct include:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Truant From school
3. Missing or leaving school without permission
4. Insolence towards staff members.
5. Skipping detention. (Truant from detention)

D. Engage in conduct that is violent.

Examples of violent conduct include:

1. Committing an act of violence (such as hitting, kicking, biting, 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, biting, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. Engaging in harassing 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 well-being.
4. 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.
5. Displaying what appears to be a weapon.
6. Threatening to use any weapon.
7. 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.

8. Intentionally damaging or destroying District property, the personal property of a student, teacher, volunteer, contractor, vendor, administrator, other District employee or any person lawfully on District property, or at a District function including but not limited to graffiti or arson.
9. Communication by any means, including oral, written or electronic (such as through the Internet, email or texting) off school property, where the content of such communication (a) can reasonably be interpreted as a threat to commit an act of violence on school property; or, (b) results in material or substantial disruption to the educational environment.

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

Examples of such conduct include:

1. Bullying and intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort; for example, "play" fighting, extortion of money, overt teasing, etc.
2. Lying/Deceiving to school personnel.
3. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
4. 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. This can include posting or publishing video, audio recordings or pictures (written material, AI or similar platform, cell phones, Internet, YouTube, etc.)
5. Students who create emergencies/unsafe acts will be suspended. Students who interfere with the restoration of order, or who contribute to the hostile atmosphere, will be subject to sanctions as outlined [in the suspension from school section](#), parents/guardians and local police authorities may be notified. Such acts include, but are not limited to, situations that involve a large number of students disrupting the learning environment. In addition, there is no place in school for items such as balloons, squirt Guns, objects to be thrown, incendiary objects, etc., unless specifically authorized by the office.
6. Discrimination, based on a person's actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender, gender identity, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, or disability as a basis for treating another in a negative manner on school property or at a school function.
7. Harassment, the creation of a hostile environment by conduct 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 wellbeing based on a person's actual or perceived race, color,

weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender or sex.

8. "Internet bullying" (also referred to as "cyber bullying") including the use of instant messaging, AI or similar platform, email, websites, chat rooms, text messaging, or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees.
9. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
10. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
11. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliation with or maintaining membership in any school sponsored activity, organization, club or team.
12. Selling, using or possessing obscene material.
13. Using vulgar or abusive language, cursing or swearing.
14. Smoking a cigarette, electronic inhalation devices and the chemicals associated with their use, cigar, pipe or using chewing or smokeless tobacco.
15. Possessing, consuming, selling, attempting to sell, distributing or exchanging alcohol in any form, tobacco, tobacco products, electronic inhalation devices and the chemicals associated with their use, or illegal and/or controlled substances, or paraphernalia for use of such drugs or be under the influence of any such substances on school property or at a school function. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."
16. Inappropriately using or sharing prescription and/or over-the-counter drugs. Please refer to Health Office guidelines.
17. Gambling and gaming
18. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
19. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
20. Violating gender privacy when using school restroom facilities.

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, harassment, and discrimination will not be tolerated.

G. Engage in any form of academic misconduct.

Examples of academic misconduct include:

1. Plagiarism.
2. Cheating.
3. Copying.
4. Using an application to assist you in solving a problem or to identify a correct answer without learning the material.
5. Using other student's 1:1 devices in an inappropriate way or without their knowledge or consent.
6. Altering records.
6. Violation of the District Acceptable Use Policy for technology.
7. Using Artificial Intelligence (AI) to generate parts or the entirety of an assignment misrepresenting one's work and abilities.
8. Assisting another student in any of the above actions.

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.

IX. Reporting Violations

All students are expected to promptly report violations of the code of conduct to a teacher, school counselor, the building principal or his or her designee. Any student observing a bullying incident, hazing, harassment, 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 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.

School officials may contact a law enforcement agency and may assist in prosecuting the offender. Any and all confiscated chemicals and/or paraphernalia will be handed over to the law enforcement agency. If law enforcement is not needed, any and all evidence will become possession of the school district and may not be returned to the student and/or parents/guardians/guardians.

X. Disciplinary Consequences

A. 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/guardians, teachers and/or others, as appropriate.
6. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. However, there are violations of the code that are more serious in nature than others. The severity of an infraction will be taken into consideration when a penalty is assigned. 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.

B. Penalties

Students who are found to have violated the district's code of conduct may be subject to penalties within the following range of penalties, either alone or in combination, and in a progressive manner based on the severity of the infraction. 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/Phone call to parents/guardians/guardians – any member of the district staff
2. Written warning – bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, all building Principals and the Superintendent.
3. Written notification to parent/guardian – bus driver, aides, monitors, coaches, guidance counselors, teachers, all building Principals and the Superintendent.
4. Detention – teachers, all building Principals and the Superintendent.

5. Suspension from transportation – all building Principals and the Superintendent.
6. Suspension from athletic participation – coaches, all building Principals and the Superintendent.
7. Suspension from social or extracurricular activities – activity director, all building Principals and the Superintendent.
8. Suspension of other privileges – All building Principals and the Superintendent.
9. In-school suspension – All building Principals and the Superintendent.
10. Removal from classroom by teacher – teachers and all building principals
11. Short-term (five days or less) suspension from school – All building principals, the Superintendent, and Board
12. Long-term (more than five days) suspension from school –Superintendent, Board
13. Permanent suspension from school – Superintendent, Board.
14. Restoration of damage and/or payment for replacement or repair
15. Social probation
16. School service projects
17. Voluntary participation in counseling or specialized classes, including anger management or dispute resolution.

C. Minimum Periods of Suspension

1. Students who bring or possess a weapon on school property.
 - a. 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.
 - b. 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:
2. Students who commit violent acts other than bringing or possessing a weapon on school property.
 - a. 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 unless otherwise determined by the Superintendent.
3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interferes with the teacher's authority over the classroom.
 - a. 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 multiple occasions.

D. 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/guardians are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

After School Detention Policies

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 and the student has appropriate transportation home following detention.

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 parents/guardians will be provided with a reasonable opportunity for an informal conference with the building principal to discuss the conduct and the penalty involved.

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

Students who fail to meet academic, behavioral, or conduct expectations may face suspension from athletic participation, extra-curricular activities, and other school privileges. Such consequences are implemented to reinforce the importance of responsibility, discipline, and integrity both in and out of the classroom. Participation in these programs is considered a privilege, not a right, and must be earned through consistent adherence to school rules and standards. The length and terms of any suspension will be determined by school administration based on the nature and severity of the violation. Students and parents will be notified in writing regarding the suspension and any steps required for reinstatement.

In-School Suspension

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the results of a code of conduct violation in “in-school suspension.”

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

An In-school suspension supervisor is assigned to supervise these students in his/her room. The students are allowed to obtain their assignments for the day and are not penalized with an unexcused absence. These students spend the entire day completely isolated from other students. Students assigned to ISS will report to the ISS room immediately after reporting to homeroom. Students will be escorted to the bathroom/locker and cafeteria. Students should bring schoolwork to do. Talking, iPods, food/drink, playing cards, games, computer games, etc. are not permitted in ISSR. Students are not allowed to attend/participate in school activities while assigned to the ISSR. Teachers are responsible for getting homework to the students assigned ISSR.

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.

Any student who has been suspended from school is not allowed on school grounds and may not attend/participate in any school activity for the duration of the suspension. Any student found guilty of bringing a weapon, other than a pocket knife with a blade of less than 2.5 inches in length and/or school issued plastic knives from the cafeteria, onto school property would be subject to suspension from school for at least one year. The Superintendent of Schools and/or the Board of Education shall have the authority to modify this suspension requirement for each student on a case-by-case basis. The Board of Education may also condition a student’s early return to school and suspension revocation on the student’s voluntary participation in counseling or specialized classes, including anger management or dispute resolution, where applicable.

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/guardian 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.

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

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents/guardians 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/guardians. 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/guardians.

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/guardians 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/guardians. At the conference, the parents/guardians 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/guardians in writing of his or her decision. The principal shall advise the parents/guardians that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within ten business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within ten business days of receiving the appeal. If the parents/guardians are not satisfied with the superintendent's decision, they must file a written appeal to the Board of Education with the district clerk within ten business days of the Superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within thirty days of the decision.

B. Long-Term (more than five 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/guardians of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

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

An appeal of the decision of the superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within ten business days of the date of the superintendent's decision, unless the parents/guardians can show that extraordinary circumstances preclude them from doing so. The Board may adopt in whole, or in part, the decision of the superintendent. Final decisions of the Board may be appealed to the Commissioner within thirty 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. Teacher 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) sending a student to the principal's office for the remainder of the class time only; or (2) 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.

Any regular certified 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 forms. 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/guardians, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

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

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

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

The principal or his 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.

XI. Alternative Instruction

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

XII. Discipline of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities who violate the district's students code of conduct, and/or to temporarily remove a student with disabilities from the current placement because maintaining the student in that placement is substantially likely to result in injury to the student or to others, or to address disruptive or problem behavior. The Board also recognizes that students with disabilities deemed eligible for special education services under the IDEA and Article 89 of New York's Education Law enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the district follows suspension and /or removals procedures when disciplining students with disabilities that are consistent with the procedural safeguards required by applicable laws and regulations. Under certain conditions those protections extend, as well, to students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for discipline purposes.

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

A. Authorized Suspensions or Removals of Students with Disabilities

For Purposes of This Section of the Code of Conduct, the Following Definitions Apply:

Suspension: A "suspension" means a suspension pursuant to Education Law §3214. A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

Interim Alternative Education Setting: An "IAES" means a temporary educational placement for a period of up to forty-five days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. An IAES must allow a student to continue to receive educational services that enable the student to continue to participate in the general curriculum and progress toward meeting the goals set out in the student's individualized education program (IEP).

1. Procedures for Suspension or Removal of a Student with a Disability by School Personnel:

- The Board, superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting, or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - The superintendent may, order the placement of a student with a disability into an IAES, another setting, or suspension for up to ten consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - The superintendent may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - The superintendent may directly or upon the recommendation of a designated hearing officer order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than forty-five days, if the student:
 - carries or possesses a weapon to school, on school premises, or to a school function, or
 - the student knowingly possesses or uses illegal drugs or illegal substances or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function or
 - has inflicted serious bodily injury upon another person while at school, on school premisses or at a school function
1. "Weapon" means the same as "dangerous weapon" under 18 U.S.C. §930(g) which includes "a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except... [for] a pocket knife with a blade of less than 2 1/2 inches in length."
 2. "Controlled substance" means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
 3. "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or \that is legally possessed or used under the authority under the Controlled Substances Act or any other federal law.
 4. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."

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

Impartial Hearing Officer to Remove a Student with a Disability:

- An impartial hearing officer subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to forty-five days at a time, if it is determined that maintaining the student in the current educational placement poses a risk of harm to the student or others. This authority applies whether or not the student's behavior is a manifestation of the student disability

2. Disciplinary Change of Placement Procedures

- A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - For more than ten consecutive school days; or
 - For a period of ten 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 ten school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incident that resulted in a series of removals, and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
- The imposition of a suspension or removal by school personnel may not result in disciplinary change of placement of a student with disabilities that is based on a pattern of suspensions 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 Committee on Special Education (CSE) has determined
 - that the student's behavior was not a manifestation of the student's disability, or
 - the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury.

3. Procedures Regarding the Suspension or Removal of Students with Disabilities

The district's Committee on Special Education shall conduct:

A. Functional Behavioral Assessment

If the manifestation team determines that the student's conduct is a manifestation of the student's disability, the district will have Committee on Special Education will conduct a functional behavioral assessment of the student to determine why a student engages in a particular behavior, and develop, and implement, a behavioral intervention plan whenever the district is first suspending or removing a student with a disability for more than ten 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 IAES for misconduct involving weapons, illegal drugs, controlled substances, or serious bodily injury.

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

Students Presumed to Have a Disability for Discipline Purposes:

- The parents of a student who is facing disciplinary action, but who has not been identified as a student with a disability under the IDEA and Article 89 of New York's Education Law at the time of misconduct, has the right to invoke applicable procedural safeguards/protections set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred the student is therefore presumed to have a disability for discipline purposes.
- If it is claimed that the district had such knowledge the superintendent, building principal, or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability for discipline purposes.
- A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
 1. conducted an individual evaluation and determined that the student is not a student with a disability; or
 2. determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations; or
 3. the student's parent has not allowed an evaluation of the student; or
 4. the student's parent has refused services
- If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.
- However, if a request for an individual evaluation is made while the student is subjected to a disciplinary removal, an expedited evaluation of the student shall be conducted in accordance with applicable law and regulations. Until the expedited evaluation is completed, the student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

Parental Notification of a Disciplinary Change of Placement

- The district will provide the parents of a student with a disability notice of any decision is made to impose a suspension or removal that constitutes a disciplinary change in placement because of a violation of the student code of conduct, and the notice will be accompanied by a copy of the procedural safeguards.
- The district shall provide parents with notice of the disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs, controlled substances, or serious bodily injury, or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.
- The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
- Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
- The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than ten consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
- During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

B. Manifestation Determination Review:

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

1. The Superintendent to change the placement of a student to an IAES;
2. An impartial hearing officer to place a student in an IAES; or
3. The Board, the Superintendent, or Building Principal to impose a suspension that constitutes a disciplinary change in placement.

4. Expedited Due Process Hearings

- The district will arrange for an expedited due process hearing upon receipt of or filing of a due process complaint notice for such a hearing by:
 1. The district to obtain an order of a impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement; or
 2. The district during the pendency of due process hearing where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings: or
 3. The students parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability; or
 4. The students parent relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
- During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs, illegal substances, controlled substances, serious bodily injury or on grounds of dangerousness, or regarding a determination of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
- If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

An expedited due process hearing shall be completed within fifteen business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such a time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than forty-five calendar days after receipt of the request for a hearing, without exceptions or extensions. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code. .

5. Referral to Outside Agencies

1. The Guidance Office shall handle all referrals of students to counseling.
2. The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:
 - a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
 - b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.

- c. Knowingly and unlawfully possessing marijuana in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.
3. 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).
4. 4. The Superintendent is required to refer students age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

In accordance with the provisions of IDEA and its implementing regulations:

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

XIII. Corporal Punishment

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

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

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

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

XIV. Student - Staff Relations – Fraternization

Any student who believes that he/she has been subjected to inappropriate staff behavior, (i.e.; personal text messages, personal emails or any socializing outside of school, not school related) as well as students, 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 or either 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. Anonymous complaints of inappropriate fraternization of staff members with students shall also be investigated by the District. 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.

XV. Visitors to the Schools

The Board encourages parents/guardians and district residents to visit the school and classrooms to observe the work of students, teachers and other staff. Certain limits are set for such visits. The Principal or his or her designee is responsible for all persons in the building and on the grounds. The following rules apply to visitors to the schools:

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

All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

XVI. Random Drug Searches by Police Dogs

The Superintendent of Schools in consultation with the Board of Education determines that the District's commitment to the health and safety of students and staff may require it to utilize the services of local police agencies with police dogs to detect illegal drugs in school. This procedure is established to govern the use of such dogs for random drug searches on school property.

The building principal is designated as the contact person, and this individual will determine if and when and how often a police agency will be called to school property for the purpose of a search on school premises. When this decision has been made, the following procedures will apply:

1. In the case of a random school search, no person will be notified in advance of the arrival of the police except the Superintendent and other building principals.
2. Police officers and dogs will be accompanied on tours of school district property by the building principal.
3. Searches shall be conducted when students are in classrooms or outside of the school.
4. All areas of school buildings and school property are subject to search including, but not limited to, student lockers, vehicles, classrooms, student and faculty restrooms and staff, faculty and administrative offices.
5. Police officers and their dogs are not authorized to “sniff search” any individuals or their property such as book bags and carrying cases.
6. Should a police dog “alert” to a specific locker or other area mentioned above, the school administration shall conduct a search of the locker pursuant to appropriate provisions of Board policy. All persons whose school lockers, desks, storage cabinets, etc., are discovered to contain illegal drugs will be referred to the appropriate police agency. In addition, school disciplinary rules/regulations will be enforced.
7. Whenever dog searches are conducted in a school building or on school grounds, the principal will provide a written report of the investigation to the Superintendent of Schools.
8. Students, parents/guardians, faculty and staff must be made aware of this policy and the procedures for drug searches by police dogs.
9. Students, parents/guardians, faculty and staff must be made aware that a K-9 dog may alert on a locker in which narcotics are not located due to a variety of factors such as, but not limited to, the odor of narcotics within fabrics, book bags, and purses. The K-9 dog search is only a tool used to assist in the search for the discovery of narcotics.

XVII. Public Conduct on School Property

A. Public Conduct on School Property

The district is committed to providing an orderly, respectful environment that is conducive to learning. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner, and are expected to be properly attired for the purpose they are on school property. No person 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 actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender, gender identity and expression).
6. Enter the school premises without authorization or remain in the building or school 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, sell, distribute or exchange alcoholic beverages, controlled substances, 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. Gamble on school property or at school functions.
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. Distribute or post any written material, pamphlets, or posters without prior approval of the superintendent.

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. *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.

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

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.

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/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 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.

XVIII. Searches and Interrogations of Students

Students are protected by the Constitution from unreasonable searches and seizures. A student may be searched and contraband/prohibited items seized on school grounds or in a school building by an authorized School District official (as designated below) only when the School District official has reasonable suspicion to believe the student has engaged in or is engaging in proscribed activity which is in violation of the law and/or the rules of the school (i.e., the District Code of Conduct).

Factors to be considered in determining whether reasonable suspicion exists to search a student include:

- A. The age of the student;
- B. The student's school record and past history;

- C. The predominance and seriousness of the problem in the school where the search is directed;
- D. The probative value and reliability of the information used as a justification for the search;
- E. The school official's prior knowledge of and experience with the student; and
- F. The urgency to conduct the search without delay.

The Superintendent, Building Principals, Assistant Principals, and School Nurse are authorized to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will produce evidence that the student has violated or is violating the law and/or the Code of Conduct.

If reasonable suspicion exists to believe that a student has violated or is violating the law and/or school rules, it is permissible for an authorized school official to search that student's outer clothing, pockets, or property. The search may include, but is not limited to, the student's outer clothing such as a jacket or coat, pockets, backpack, and/or purse. Searches will be conducted by a staff member of the same sex as the student. Whenever possible, another staff member, also of the same sex, will be present as a witness.

Strip Searches

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. Strip searches are intrusive in nature and are not permissible. If school authorities believe there is an emergency situation that could threaten the safety of others, the student shall, to the extent practicable, be isolated and secured. Police and parents/guardians will be contacted immediately.

Searches and Seizure of School Property

Student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces loaned by the school to students remain the property of the school, and may be opened and inspected by school employees at any time. Students have no reasonable expectation of privacy with respect to school property; and school officials retain complete control over such property. This means that student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces may be subject to search and/or seizure of contraband/prohibited items at any time by school officials, without prior notice to students and without their consent.

Questioning of Students by School Officials

School officials have the right to question students regarding any violations of school rules and/or illegal activity. In general, administration may conduct investigations concerning reports of misconduct which may include, but are not limited to, questioning students, staff, parents/guardians/guardians, or other individuals as may be appropriate and, when necessary, determining disciplinary action in accordance with applicable due process rights. Should the questioning of students by school officials focus on the actions of one particular student, the

student will be questioned, if possible, in private by the appropriate school administrator. The student's parent/guardian may be contacted; the degree, if any, of parental/guardian involvement will vary depending upon the nature and the reason for questioning, and the necessity for further action which may occur as a result.

The questioning of students by school officials does not preclude subsequent questioning/interrogations by police authorities as otherwise permitted by law. Similarly, the questioning of students by school officials does not negate the right/responsibility of school officials to contact appropriate law enforcement agencies, as may be necessary, with regard to such statements given by students to school officials.

School officials acting alone and on their own authority, without the involvement of or on behalf of law enforcement officials (at least until after the questioning of students by school authorities has been conducted) are not required to give the so-called "Miranda warnings" (i.e., advising a person, prior to any custodial interrogations as defined in law, of the right to remain silent; that any statement made by the individual may be used as evidence against him/her; and that the individual has the right to the presence of an attorney, either retained or appointed) prior to the questioning of students.

If deemed appropriate and/or necessary, the Superintendent/designee may also review the circumstances with School District legal counsel so as to address concerns and the course of action, if any, which may pertain to and/or result from the questioning of students by school officials.

Law Enforcement Officials

It shall be the policy of the School District that a cooperative effort shall be maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on school premises or during a school sponsored activity, or to maintain the educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property.

Administrators have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions.

Interrogation of Students by Law Enforcement Officials

If police are involved in the questioning of students on school premises, whether or not at the request of school authorities, it will be in accordance with applicable law and due process rights afforded students. Generally, police authorities may only interview students on school premises without the permission of

the parent/guardian in situations where a warrant has been issued for the student's arrest (or removal). Police authorities may also question students for general investigations or general questions regarding crimes committed on school property. In all other situations, unless an

immediate health or safety risk exists, if the police wish to speak to a student without a warrant they should take the matter up directly with the student's parent/guardian.

Whenever police wish to question a student on school premises, administration will attempt to notify the student's parent/guardian.

If possible, questioning of a student by police should take place in private and in the presence of the Building Principal/designee.

Child Protective Services' Investigations

From time to time, Child Protective Services may desire to conduct interviews of students on school property. Such interviews generally pertain to allegations of suspected child abuse and/or neglect. School counselors or designee will be present during the interview for student support. The Board encourages cooperation with Child Protective Services in accordance with applicable Social Services Law.

XIX. 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, in an age-appropriate, plain-language version, at a general school assembly held at the beginning of each school year.
2. Making copies of the code available to all parents/guardians at the beginning of the school year.
3. Providing a summary of the code of conduct written in plain language to all parents/guardians 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/guardians 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/guardians, 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.

The District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website, if available. The District shall file a copy of its Code of Conduct and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.