

# **Edwards-Knox Central School District**

## **Code of Conduct**

*Approved by the Edwards-Knox Board of Education-August 2019*

# Table of Contents

I.	Introduction	3
II	Definitions	3
III.	Students Rights and Responsibilities	6
IV.	Essential Partners	8
V.	Student Dress Code	11
VI.	Prohibited Student Conduct	11
VII.	Reporting Violations	15
VIII.	Disciplinary Procedures, Penalties & Referrals	16
IX.	Alternative Instruction	23
X.	Discipline of Students with Disabilities	23
XI.	Corporal Punishment	26
XII.	Student Searches and Interrogations	26
XIII.	Visitors to Schools	28
XIV.	Volunteers and Chaperones	29
XV.	Public Conduct on School Property	30
XVI.	Technology Guidelines	32
XVII.	Publication, Distribution and Review	33

# Code of Conduct

## I. Introduction

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

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

The board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the board adopts this code of conduct.

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

## II. Definitions

For purposes of this code, the following definitions apply.

“Bullying”: a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror.

“Color”: the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

“Cyberbullying” means harassment/bullying, as defined under harassment/bullying below, through any form of electronic communication.

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

“Discrimination” means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

"Disruptive student" means an elementary student, middle school student, or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

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

“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 9- B of article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §11[4] and 1125[3]).

“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.

“Gender”: means actual or perceived sex and includes a person’s gender identity or expression. Gender is socially constructed roles, behaviors and activities that a given society considers appropriate for men or women. (MASCULINE and FEMININE denote “gender”).

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

“Gender identity”: one’s self conception as being male or female, as distinguished from actual biological sex or assigned sex at birth.

“Gender expression”: the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

“Gender non-conforming”: individuals who don’t follow the socially constructed roles for men or women.

“Harassment/bullying:” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying as defined in Education Law §11[8], that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. For purposes of this definition, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions (Education Law §11[7]).

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

- race
- color
- weight
- national origin
- ethnic group
- religion
- religious practice
- disability
- sex
- sexual orientation
- gender (which includes a persons’ actual or perceived sex, as well as gender identity and expression).

"National origin: means a person's country of birth or ancestor's country of birth".

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

"Questioning": individuals who are unsure, still exploring and/or concerned about applying a label to themselves regarding sexual orientation and/or gender.

"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", "Bi-racial", "Hispanics/Latinos", etc. to describe and classify the inhabitants of the United States.

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 dietary rules, refraining from certain activities, proselytizing, etc.

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

"School function" means a school-sponsored extra-curricular event or activity (Education Law §11[2]).

"School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus, (Education Law §11[1]) .

Sex means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex").

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

"Transgender": umbrella term for persons whose gender identity, expression or behavior does not conform to that typically associated with the sex to which they are assigned at birth.

"Violent student" means a student under the age of 21 who:

- Commits an act of violence upon a school employee, or attempts to do so.

- 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.

- Possesses, while on school property or at a school function, a weapon.

- Displays, while on school property or at a school function, what appears to be a weapon.

- Threatens, while on school property or at a school function, to use a weapon.

- Knowingly and intentionally damages or destroys the personal property of any school employee (including all school personnel) or any person lawfully on school property or at a school function.

- Knowingly and intentionally damages or destroys school district property.

- Harasses a school employee or any other person lawfully on school property or at a school function.

"Weapon" means a firearm as defined in 18 USC §921 for purposes of the GunFree Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, bow and arrow, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death. (For exceptions see XVII: A-10.)

"Weight" means aside from the obvious meaning in the physical sciences, the word is used in reference to a person's "size".

### **III. Student Rights and Responsibilities**

#### **A. Student Rights**

The district is committed to safeguarding the rights given to all students under state and federal law. All public elementary and secondary school students have the right to attend school in a safe, welcoming, considerate, and caring environment. In addition, to promote a safe, healthy, orderly and civil school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
4. Have their unique needs of transgender accommodated within the scope of the rights of other students, including issues such as locker rooms, restrooms, physical education classes/extracurricular sports, prom, and pronouns.
5. 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 identity, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event function or activity.

#### **B. Student Responsibilities**

All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Be responsible in controlling their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

12. To respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act.
13. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination.
14. To report any incidents of intimidation, harassment, or discrimination.

## **Dignity for All Students Act**

The intent of the Dignity for All Students Act (Dignity Act) is to provide all public school students with an environment free from discrimination and harassment, as well as to foster civility in public schools. It focuses on prevention of harassment and discriminatory behaviors through the promotion of educational measures meant to positively impact school culture and climate. The Dignity Act states that NO student shall be subjected to harassment or discrimination by employees or students on school property (including school bus) or at a school function based on their actual or perceived (including, but not limited to) race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

The Dignity Act emphasizes the importance of tolerance and respect for others by students and staff alike. Therefore, all members of the school community, including essential partners such as superintendents, school board members, parents, students, teachers, guidance counselors, principals/administrators, support staff and other school personnel have particularly important roles to play in its implementation.

### **Dignity Act Age-Appropriate Language for Students:**

The Dignity for All Students Act makes sure students are learning how to get along, work together, and respect differences in schools that are safe and welcoming to all. Everybody in the school district has the rights and responsibilities. We all work together to ensure that we learn and behave appropriately in school. We use positive behavioral supports to make sure our school is a great place to be!

Students have rights in school. Students have the right to:

1. An equal chance to participate in school activities
2. Tell your side of the story if someone thinks you broke a school rule
3. Ask questions if you do not understand school rules
4. Learn in a safe environment where no one is mean to you or excludes you based on the color of your skin, the size of your body, where you come from, what you believe in, if you are a boy or a girl, how you dress, or who you are attracted to.

Students also have responsibilities. Students are responsible to:

1. Be Respectful To:
  - a. All others with your words and actions, including those who are different from you
  - b. The school environment
2. Be Responsible By:
  - a. Keeping our school safe so everyone can learn
  - b. Knowing and following all school rules
  - c. Asking questions and asking for help in solving problems
  - d. Dressing appropriately
  - e. Admitting when you make a mistake
3. Be Ready to Learn By:
  - a. Coming to school every day, on time, with materials
  - b. Trying your best and setting goals

## **IV. Essential Partners**

### **A. Parents/guardians are expected to:**

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.
13. Teach their children respect and dignity for themselves, and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender/gender identity, sexual orientation, or disability, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act.

### **B. Teachers are expected to:**

Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self- concept and promote confidence to learn.

1. Be prepared to teach.
2. Demonstrate interest in teaching and concern for student achievement.
3. Know school policies and rules, and enforce them in a fair and consistent manner.
4. Communicate to students and parents:
5. Course objectives and requirements
6. Marking/grading procedures
7. Assignment deadlines
8. Expectations for students
9. Classroom discipline plan.
10. Communicate regularly with students, parents and other teachers concerning growth and achievement.
11. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function.
12. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
13. Report all incidents of discrimination, bullying, and/or harassment that are witnessed or receiving an oral or written report of such acts shall promptly orally notify the principal, superintendent, or their designee not later than one school day after witnessing or receiving a report of such acts, and shall also file a written report with the principal, superintendent, or their designee no later than two school days after making an oral report.

### **C. Guidance Counselors are expected to:**

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.



2. Initiate and appropriately document teacher/student/counselor conferences and parent teacher/student/counselor conferences, as necessary, as a way to resolve problems.
3. Regularly review with students their educational progress, career plans and graduation requirements.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Coordinate Intervention Support Services, as needed, with student, parent, Building Principals, and teachers.
7. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self- concept and promote confidence to learn.
8. Report all incidents of discrimination, bullying, and/or harassment that are witnessed or receiving an oral or written report of such acts, shall promptly orally notify the principal, superintendent, or their designee not later than one school day after witnessing or receiving a report of such acts, and shall also file a written report with the principal, superintendent, or their designee no later than two school days after making an oral report.

**D. School Psychologists are expected to:**

1. Provide the following services: psychological assessments for learning difficulties; consultation with teachers, parents, and administrators; assess the particular emotional or psychological difficulties which interfere with a child's effective learning; and furnish educationally relevant information to students, parents; and staff.
2. Address issues such as: academic failure, depression/suicide, divorce, drug/alcohol abuse, developmental/medical involvement, anxiety/panic, physical/sexual abuse, foster care, and family/dating violence.
3. Provide immediate crisis intervention within the school setting.
4. Correspond and link with community services such as: department of social services, probation, child protective, United Cerebral Palsy, ACCES-VR, St. Lawrence Alcohol and substance Abuse Counsel, St. Lawrence Psychiatric Center, Renewal House, Public Health, etc.
5. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self- concept and promote confidence to learn. Report all incidents of discrimination, bullying, and/or harassment that are witnessed or receiving an oral or written report of such acts shall promptly orally notify the principal, superintendent, or their designee not later than one school day after witnessing or receiving a report of such acts, and shall also file a written report with the principal, superintendent, or their designee no later than two school days after making an oral report.

**E. Other School Staff are expected to:**

1. Follow the Code of Conduct; know, abide by the enforce school rules in a fair and consistent manner.
2. Set a good example for student and other staff by demonstrating dependability, integrity and other standards of ethical conduct.
3. Assist in promoting a safe, orderly and stimulating school environment.
4. Maintain confidentiality about all personal information and education records concerning students and their families.
5. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self- concept and promote confidence to learn.
6. Report all incidents of discrimination, bullying, and/or harassment that are witnessed or receiving an oral or written report of such acts shall promptly orally notify the principal, superintendent, or their designee not later than one school day after witnessing or receiving a report of such acts, and shall also file a written

report with the principal, superintendent, or their designee no later than two school days after making an oral report.

**F. Principals are expected to:**

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
3. Evaluate on a regular basis all instructional programs.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self- concept and promote confidence to learn.
7. Provide a regular report, at least once during each school year, on data and trends related to harassment, bullying, and/or discrimination to the superintendent.
8. Shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after receipt of any written reports.

**G. Superintendent is expected to:**

1. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination, and harassment, supporting active teaching and learning.
2. Review with district administrators the policies of the board of education and state and federal laws relating to school operations and management.
3. Inform the board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after receipt of any written reports.

**H. Board of Education**

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
2. Adopt and review annually by October 15<sup>th</sup> the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Appoint a Dignity Act Coordinator in each school building. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, and sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.
4. Lead by example by conducting board meetings in a professional, respectful, courteous manner.

## **V. Student Dress Code**

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

### **A student's dress, grooming and appearance, including hair style/color, jewelry, make-up and nails, shall:**

- A. Be safe, appropriate and not disrupt or interfere with the educational process.
- B. Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back), tops that expose the midriff, see-through garments, as well as short shorts and short skirts may not be appropriate for school during regular school hours. (Exceptions to this rule could include special designated events. The principal will make decisions when questions or concerns arise regarding the appropriateness of an individual student's dress.)
- C. Ensure that underwear is completely covered with outer clothing.
- D. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
- E. Hat or visors will not be permitted in offices, in the cafeteria, during assemblies, at banquets, or programs. In classrooms, hats may be worn at the discretion of the teacher.
- F. Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
- G. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

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

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

## **VI. Prohibited Student Conduct**

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

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

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

Off-campus misconduct that endangers the health and safety of students or staff within the school or can reasonably be forecast to substantially disrupt the educational process is prohibited. Examples of such misconduct include, but are not limited to:

- Cyber-bullying (i.e., inflicting willful and repeated harm through electronic text).
- Threatening or harassing students or school personnel over the phone or other electronic medium.

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

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

1. Engaging in any act which disrupts the normal operation of the school community, running in hallways, making unreasonable noise, and using language or gestures that are profane, lewd, vulgar, abusive, intimidating, or that incite others.
2. Obstructing vehicular or pedestrian traffic.
3. Trespassing- students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
4. Computer/electronic communications misuse, including any unauthorized 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's acceptable use policy.
5. Unauthorized use of personal electronic devices/equipment (i.e., cell phones, MP3 devices, cameras, and other personal electronic devices deemed inappropriate by the administration.)
6. Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system is prohibited.

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

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving school without permission.
3. Failing to comply with school/class detention attendance requirements (ie. lateness for or absence without permission).

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

1. Failing to comply with the reasonable directions of teachers, district administrators or other district employees or otherwise demonstrating disrespect.
2. Endangering the health and safety of other students or staff or interfering with classes or District activities by means of inappropriate appearance or behavior as per District Code of Conduct.

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

1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonable 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 and persons specifically authorized by the school district 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 school district property.

**E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include, but are not limited to:**

1. Lying, deceiving or giving false information to school personnel.
2. Stealing district property or the property of other students, school personnel or any other person lawfully on school property or while attending a school function.

3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them. This can include posting or publishing video, audio recordings or pictures (written material, cell phones, Internet, YouTube, etc.).
4. Inappropriate Public Displays of Affection (PDA): Examples include any displays of affection which make others uncomfortable such as embracing and kissing.
5. Discrimination, based on a person's actual or perceived race, age, weight, 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 identity, marital or veteran status, or disability as a basis for treating another in a negative manner on school property or at a school function.
6. Harassment, the creation of a hostile environment by conduct or by verbal and/or non-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, 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 identity, marital or veteran status, or disability.
7. 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.
8. "Internet bullying" (also referred to as "cyberbullying") including the use of instant messaging, 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 and 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. This may include, but is not limited to, sexually degrading words or gestures; verbal sexual abuse; obscene phone calls, texts, emails or electronic postings; offensive sexual graffiti; pictures or cartoons; subtle pressure for sexual activity; leering or staring; insulting remarks to a person about his or her gender or sexual orientation; demands for sexual favors accompanied by implied or overt threats; and unwanted touching, patting, pinching or brushing.
10. Displaying signs of gang affiliation or engaging in gang-related behaviors that are observed to increase the level of conflict or violent behavior.
11. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
12. Selling, using, possessing or distributing obscene material.
13. Possessing, consuming, selling, attempting to sell, distributing, or exchanging alcoholic beverages, electronic cigarettes, tobacco, tobacco products, bath salts, synthetic drugs, or illegal and/or controlled substances, counterfeit and designer drugs, 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, bath salts, synthetic marijuana, and any substances commonly referred to as "designer drugs."
14. Inappropriately using, sharing, selling, attempting to sell, distributing or exchanging prescription and over-the-counter drugs.
15. Possessing, consuming, selling, attempting to sell, distributing, or exchanging "look-alike drugs"; or, possessing or consuming (without authorization), selling, attempting to sell, distributing or exchanging other substances such as dietary supplements, weight loss pills, etc.
16. Gambling and gaming.
17. Inappropriate touching and/or indecent exposure.
18. Initiating or reporting warning of fire or other catastrophe without valid cause, misusing 911, or inappropriately discharging a fire extinguisher.
19. Violating gender privacy when using school restroom facilities.

#### **F. Engage in misconduct while on a school bus.**

1. 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, but are not limited to:**

1. Plagiarism.
2. Cheating.
3. Altering records.
4. Accessing other users email accounts or network storage accounts and/or attempting to read, delete, copy, modify, and interfere with the transferring and receiving of electronic communications.
5. Violation of the District Acceptable Use Policy of Technology.
6. Assisting another student in any of the above actions.

## **Bullying**

Our school goal is to provide for the growth of healthy, educated, independent, and creative individuals who will continue to grow throughout their lives. This goal will be achieved through teaching and learning in an environment which is safe and positive, and which focuses on social, emotional, intellectual, and physical dimensions. This goal will be achieved through the cooperative efforts of students, parents, the community, the B.O.E., the professional staff and the support staff. Teachers and staff will regularly receive training on intervention strategies to effectively deal with bullying. The school will incorporate curricula on diversity and sensitivity into lessons on civility and citizenship.

### **Program components**

- Harassment/Bullying prevention/Character Education coordinating committee
- Committee and staff trainings
- Hold staff discussion group meetings
- Introduction of the school rules against harassment/bullying
  - We will not harass/bully others
  - We will try to help students who are harassed/bullied
  - We will include students who are left out
  - If we know somebody is being harassed/bullied, we will tell an adult at school and an adult at home.
- Involvement of parents
- Hold regular class meetings
- Hold meetings with student's parents
- Supervise student's activities
- Ensure that all staff intervene on-the-spot when harassment/ bullying occurs

The education of students on the topics of bullying and harassment at the PK-6 grade level will be supported through multiple means. The Second Step SEL program will be utilized grades PK-6. Second Step supports communication, coping, and decision-making skills, helping children make good choices and avoid pitfalls, such as peer pressure, substance abuse, and bullying. Students and staff will collectively participate in assemblies that instruct, emphasize and recognize positive character strengths. Classroom materials utilized for instruction include literature on topics that teach the skills of empathy, kindness, and citizenship. Elementary program components include (but are not limited to): committee and staff trainings, staff discussion group meetings, involvement of parents, regular class discussions, meetings with student's parents, and supervision of student activities.

The education of students on the topics of bullying and harassment at the 7-12 grade level will be addressed through the following avenues:

1. **Second Step classes in 7<sup>th</sup> & 8<sup>th</sup> grade** – a character education class that incorporates anti-bullying/harassment educational.
2. Health class in 8<sup>th</sup> and 10<sup>th</sup> grade – incorporates student relationships and includes anti-bullying/harassment education
3. Physical Education in grades 7-12 – incorporates character education as it relates to game play, sportsmanship, teamwork, losing gracefully, cooperation, accepting diversity, dealing with various levels of ability, etc.
4. Social Studies in grades 7-12 – discuss the issues of diversity and intolerance within a historical context and then relate it to civility, sensitivity, citizenship, and tolerance of people.
5. Special programs and assemblies

The education of the community on the topics of bullying and harassment will be through newsletters and evening programs.

## **VII. Reporting Violations**

### **A. Students**

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the superintendent.

Pursuant to Education Law section 13, retaliation by any student shall be prohibited against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination.

### **B. School Employees**

School employees who witness harassment, bullying, and/or discrimination or receive an oral or written report of such acts shall promptly orally notify the principal, superintendent, or their designee not later than one school day after such employee witnesses or receives a report of such acts, and shall also file a written report with the principal, superintendent, or their designee no later than two school days after making an oral report.

Pursuant to Education Law section 13, retaliation by any school employee shall be prohibited against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination.

District staff that 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.

The building principal or his or her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or his or her designee learns of the violation. Those notifications include any harassment, bullying or discrimination that is believed to be constituted as criminal conduct. The notification may be made by telephone, followed by a letter mailed on same day as the telephone call is made.

The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

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.

### **C. Dignity Act Coordinators**

In compliance with the Dignity for All Students Act (DASA), a Dignity Act Coordinator for each school shall be appointed by the Board of Education annually. The Dignity Act Coordinator for each school shall:

1. Ensure compliance with the requirements of the DASA policy.
2. Investigate and take appropriate action in response to complaints or allegations related to the bullying and/or harassment of students.
3. Prepare information to report incidents of bullying and/or harassment, in compliance with the requirements and procedures set forth by the New York State Education Department.

The following individual(s) are appointed to serve as the Dignity Act Coordinator(s) for each school:

Andrea Heller, (315)562-8181/[aheller@ekcsk12.org](mailto:aheller@ekcsk12.org) and the alternate is Sherry White, School Psychologist, (315)562-8131/[swwhite@ekcsk12.org](mailto:swwhite@ekcsk12.org).

## **VIII. Disciplinary Penalties, Procedures and Referrals**

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

Disciplinary action, when necessary, will be firm, fair and consistent so as to be reasonably calculated to end the student behavior, prevent a recurrence, eliminate the hostile environment and ensure the safety of the student(s). In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

- The student's age.
- The nature of the offense and the circumstances which led to the offense.
- The student's prior disciplinary record.
- The effectiveness of other forms of discipline.
- Information from parents, teachers and/or others, as appropriate.
- Impact on the student targeted.
- Other extenuating circumstances.

As a general rule, a sequential (progressive) form of discipline will be implemented to help children who have difficulty developing appropriate school behavior. A range of options is available to accomplish this goal. Some possibilities include:

- Corrective instruction that reemphasizes behavioral expectations or other relevant learning or service experience.
- Behavior plan written by the child and teacher to be sent home to the parent.
- Loss of classroom privileges and or exclusion from specific activities.
- "Time Out" within the classroom, in another classroom, or school location.
- Lunch detention.
- After school detention.
- Reflective activity.
- Special arrangement, on a case-by-case basis, may be made for children having serious behavior difficulty.



- Suspension from school, (In-school or out-of-school) in conjunction with supporting professional staff.

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

#### **A. Penalties**

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

1. Oral warning - any member of the district staff
2. Written warning - bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, principal, superintendent
3. Written notification to parent - bus driver, hall and lunch monitors, coaches, guidance,
4. counselors, teachers, principal, superintendent
5. Detention - teachers, principal, superintendent
6. Suspension from transportation - director of transportation, principal, superintendent.
7. Suspension from athletic participation - coaches, principal, superintendent
8. Suspension from social or extracurricular activities - activity director, principal,
9. superintendent
10. Suspension of other privileges - principal, superintendent
11. In-school suspension - principal, superintendent
12. Removal from classroom by teacher - teachers, principal
13. Short-term (five days or less) suspension from school - principal, superintendent, board of education
14. Long-term (more than five days) suspension from school- principal, superintendent, board of education
15. Permanent suspension from school – superintendent, board of education.

#### **B. Procedures**

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

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

##### **1. Detention:**

Teachers, principals and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate.

##### **2. Suspension from transportation:**

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

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

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

**4. In-school suspension:**

The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals and the superintendent to place students in "in-school suspension" as per the Board approved sequential discipline procedure. The in-school suspension teacher will be a certified teacher or teaching assistant.

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

**5. Teacher disciplinary removal of disruptive students:**

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to:

- 1) short-term "time out" in classroom or in an administrator's office;
- (2) sending a student into the hallway briefly;
- (3) sending a student to the principal's office for the remainder of the class time only; or
- (4) sending a student to a guidance counselor or other district staff member for counseling.

Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or on-going threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24-hours.

The teacher must complete a district-established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24-hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

The principal may require the teacher who ordered the removal to attend the informal conference.

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

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

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

The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

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

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

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

## **6. Suspension from school:**

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

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

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

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

### **a. Short-term (5 days or less) suspension from school**

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student is being 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 suspend at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

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

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the board of education with the district clerk within 10 business days of the date of the 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 30 days of the decision.

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

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

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

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

c. Permanent suspension

Permanent suspension is reserved for extraordinary circumstances such as when 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.

### **C. Minimum Periods of Suspension**

For the safety of students and school staff, some behaviors call for a minimum period of suspension. The student and parent/guardian will be notified of the disciplinary action and given an opportunity for an informal conference for short-term suspensions or a hearing for long-term suspensions.

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

#### **1. Students who bring a weapon to school**

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year, as defined by the Federal Gun Free Schools Act of 1994 (20 USC §8921). Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:

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

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

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

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

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the class room, 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 three or more occasions during a 20 week block. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

## **D. Referrals**

### **1. Counseling**

Counseling services are available through referral from an administrator, school psychologist, teacher, parent, or guardian. These referrals will be forwarded to the counselor, guidance office, or school psychologist according to availability and caseload.

Referrals for counseling will come through the building principal, school psychologist or the guidance office, accompanied by a permission form for the parent to sign in agreement for the service.

### **2. PINS Petitions**

A child under the age of 18 who does not attend school or behaves in a way that is dangerous or out of control or often disobeys his or her parents, guardians, or other authorities, may be found to be a person in need of supervision or PINS. All PINS proceedings are heard in Family Court

Any PINS petition filed by a school district must include the steps taken by the school district to improve the school attendance or conduct of the child in question (as defined in Chapter 57 of the Laws of 2005, PINS Reform Legislation – FCA 732(a))

Diversion services shall include documented diligent attempts to engage the youth and his or her family in appropriately targeted community-based services, but shall not be limited to:

(i) providing, at the first contact, information on the availability of or a referral to services in the geographic area where the youth and his or her family are located that may be of benefit in avoiding the need to file a petition under this article; including the availability, for up to twenty-one days, of a residential respite program, if the youth and his or her parent or other person legally responsible for his or her care agree, and the availability of other non-residential crisis intervention programs such as family crisis counseling or alternative dispute resolution programs.

(ii) scheduling and holding at least one conference with the youth and his or her family and the person or representatives of the entity seeking to file a petition under this article concerning alternatives to filing a petition and services that are available. Diversion services shall include clearly documented diligent attempts to provide appropriate services to the youth and his or her family before it may be determined that there is no substantial likelihood that the youth and his or her family will benefit from further attempts.

### 3. Juvenile Delinquents and Juvenile Offenders

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

Any student under the age of 16 who is found to have brought a weapon to school, or

Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).

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

## **IX. 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.

## **X. Discipline of Students with Disabilities**

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities have certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

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. Except as modified in this section, all procedures applicable to students without a disability also apply to students with a disability.

### **A. General Procedures for Suspensions and Removals of Students With Disabilities**

For purposes of this section of the code of conduct, the following definitions and procedures apply.

A “suspension” means a suspension from school pursuant to Education Law §3214.

An “IAES” means an “interim alternative educational setting” or a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student's current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

A “manifestation determination” is a review of the relationship between the student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the student’s disability. This review must be made immediately, if possible, but in no case later than 10 school days after (1) a decision is made by a superintendent of schools to change the placement of a student to an interim alternative educational setting for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances; (2) a decision is made by an impartial hearing officer to place a student in an interim alternative educational setting pursuant to a dangerous situation; (3) a decision is made by a board of education, district superintendent of schools, building principal or superintendent to impose a suspension or removal that constitutes a disciplinary change in placement.

A “manifestation team” shall include a representative of the school district knowledgeable about the student and the interpretation of information about child behavior, the parent and relevant members of the CSE as determined by the parent and the school district.

**Exception for pattern of suspensions or removals.**

A student with a disability may not be suspended or removed from his or her educational placement if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspensions or removals as determined by school personnel in accordance with the criteria set forth in section 201.2(e)(2) of Part 200 Commissioner’s Regulations, except where the manifestation team pursuant to section 201.4 of Part 200 Commissioner’s Regulations has determined that the behavior was not a manifestation of such student's disability, or the student is placed in an IAES as authorized for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances.

**Change in placement to an IAES for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances.**

A superintendent of schools, either directly or upon recommendation of a hearing officer designated to conduct a superintendent's hearing pursuant to Education Law, § 3214(3)(c), may order the change in placement of a student with a disability to an appropriate IAES, to be determined by the CSE, for up to 45 school days, but not to exceed the period of suspension ordered by the superintendent in accordance with Education Law, § 3214(3), where the student:

- (i) inflicts serious bodily injury, as defined in section 201.2(m) of Part 200 of Commissioner’s Regulations, upon another person while at school, on school premises or at a school function under the jurisdiction of the educational agency;
- (ii) carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the educational agency; or
- (iii) knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the jurisdiction of the educational agency.

The period of suspension or removal ordered by the superintendent may not exceed the amount of time that a nondisabled student would be suspended for the same behavior. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement consistent with the other requirements of Part 200 of Commissioner’s Regulations is appropriate for a student with a disability who violates a school district’s code of conduct.

**Authority of impartial hearing officer to order a change in placement to an IAES in a dangerous situation.**

An impartial hearing officer appointed pursuant to Education Law § 4404(1), in an expedited due process hearing conducted pursuant to section 201.11 of Part 200 of Commissioner’s Regulations, may order a change in placement of a student with a disability to an appropriate interim alternative educational setting (IAES) for not more than 45 school days, if the hearing officer determines that maintaining the current placement of the student is substantially likely to result in injury to the student or others. The procedures established in this section may be repeated if the school district believes that returning the student to the original placement is substantially likely to result in injury to the student or others. A school district shall not be required to commence disciplinary action against a student with a



disability as a prerequisite for initiating an expedited due process hearing to obtain an order of an impartial hearing officer pursuant to this section. A determination that the student's behavior is a manifestation of the student's disability shall not preclude an impartial hearing officer from ordering a change in placement to an IAES pursuant to this section.

**Provision of services during suspensions.**

During any period of suspension, a student with a disability shall be provided services to the extent required under this section and paragraph (e) of subdivision 3 of § 3214 of the Education Law. Nothing in this section shall be construed to confer a greater right to services than is required under Education Law, §3214(3)(e) and Federal law and regulations. During suspensions or removals for periods of up to 10 school days in a school year that do not constitute a disciplinary change in placement, students with disabilities of compulsory attendance age shall be provided with alternative instruction pursuant to Education Law, §3214(3)(e) on the same basis as nondisabled students. Students with disabilities who are not of compulsory attendance age shall be entitled to receive services during such suspensions only to the extent that services are provided to nondisabled students of the same age who have been similarly suspended. During subsequent suspensions or removals for periods of 10 consecutive school days or less, that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, regardless of the manifestation determination, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. School personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress in meeting the goals set out in the student's IEP.

During suspensions or other disciplinary removals, including suspensions or removals pursuant to section 201.7(e) of Part 200 of the Commissioner's Regulations, for periods in excess of 10 school days in a school year which constitute a disciplinary change in placement, regardless of the manifestation determination, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum, to progress toward meeting the goals set out in the student's IEP, and to receive, as appropriate pursuant to section 201.3 of Part 200 of the Commissioner's Regulations, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. The IAES and services shall be determined by the CSE.

**Expedited due process hearings.**

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
  - a. The district requests such hearing to obtain an order of an 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 other current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
  - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
    - 1) 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 or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation 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.

2) 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.

2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such 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 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

#### **B. Referral to law enforcement and judicial 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. Consistent with the Family Educational Rights and Privacy Act ("FERPA"), 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.

## **XI. Corporal Punishment**

Corporal Punishment means any act of physical force upon a pupil for the purpose of punishing that pupil. Corporal punishment shall not mean the use of reasonable physical force for any of the following purposes:

- a) to protect oneself, another student, teacher, or any person from physical injury; or
- b) to protect the property of the school or of others; or
- c) to restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of School District functions, powers or duties, if that pupil has refused to comply with a request to refrain from further disruptive acts, provided that alternative procedures and methods not involving the use of physical force cannot reasonably be employed to achieve the purposes set forth in a through b above.

Whenever a school employee uses physical force against a student, the school employee shall, within the same school day, make a report to the Superintendent describing in detail the circumstances and the nature of the action taken.

The Superintendent of Schools shall submit a written semi-annual report to the Commissioner of Education, with copies to the Board of Education, by January 15 and July 15 of each year, setting forth the substance of each written complaint about the use of corporal punishment received by the Edwards-Knox Central School authorities during the reporting period, the results of each investigation, and the action, if any, taken by the school authorities in each case.

## **XII. Student Searches and Interrogations**

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the board authorizes the superintendent and building principals to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in

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

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices and the student will be present when their possessions are being searched.

#### **A. Student Lockers, Desks, School issued e-mail accounts and other School Storage Places**

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks, school issued e-mail accounts and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

#### **B. Documentation of Searches**

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

1. Name, age and grade of student searched.
2. Reasons for the search.
3. Name of any informant(s).
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search.
6. Person conducting search and his or her title and position.
7. Witnesses, if any, to the search.
8. Time and location of search.
9. Results of search (that is, what items(s) were found).
10. Disposition of items found.
11. Time, manner and results of parental notification.

The building principal or the principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the items is turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

#### **C. Police Involvement in Searches and Interrogations of Students**

It shall be the policy of the Edwards-Knox Central 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. The School District's administrators shall at all times act in a manner that protects and guarantees the rights of students and parents.

Police authorities have no right to interview students in the school building without a warrant or probable cause for suspicion. If the police wish to speak to a student without a warrant or probable cause for suspicion, they should take the matter up directly with the student's parent/legal guardians.

If a student is to be questioned by police, it is the responsibility of the school administration to see that the interrogation takes place privately and in the presence of the parents/legal guardians and the building principal/designee. The building principal or his/her designee must be present with the student at all times during an interrogation and will be responsible for terminating the questioning in the event it becomes inappropriate.

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

- They must be informed of their legal rights.
- They may remain silent if they so desire.
- They may request the presence of an attorney.

#### **D. Child Protective Services Investigations**

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

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

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

### **XIII. Visitors to the Schools**

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

- a) Anyone who is not a regular staff member or student of the school will be considered a visitor.
- b) All visitors to the school must sign in at the main office upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the main office before leaving the building.
- c) Visitors attending school functions that are open to the public, such as parent—teacher organization meetings or public gatherings are not required to register.
- d) Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
- e) Teachers are expected not to take class time to discuss individual matters with visitors.
- f) Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants. If the person is a perceived intruder the emergency plan will be put into action.
- g) All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct. A pass for a student visitor must be obtained at least one school day in advance from the building principal.

#### **XIV. Volunteer and Chaperone Procedures**

People interested in being a volunteer and/or a chaperone must complete the school volunteer form and/or the school chaperone form.

- a) Implementation of the Volunteer Program -General administration of the volunteer program in the District shall be the responsibility of the Superintendent or his/her designee.
- b) The need for volunteers will be determined by the building principal in cooperation with the faculty and other personnel as may be appropriate.
- c) An application shall be filled out by each prospective volunteer and forwarded to the District Office for evaluation. All regularly scheduled volunteers will, at a minimum, complete an application, provide authorization for a reference check, and shall be screened and interviewed by the building principal or his/her designee. Occasional volunteers will be screened by the building principal in a manner of his/her choosing. Fingerprints may be required depending on the extent of the volunteer's position. NY State Law requires finger printing of any individual solely responsible for a group of children.
- d) The building principal will forward his/her decisions concerning selection, placement and replacement of volunteers to the Superintendent for final evaluation. Following approval from the Superintendent of Schools, volunteers selected for work in the District shall be placed on the list of approved volunteers. However, the Superintendent retains the right to approve or reject any volunteer application submitted for consideration.
- e) Principals shall assume final responsibility for the assignment of volunteers from the approved list as needed. Assignment of a volunteer must be acceptable to the staff member to whom the volunteer will be assigned.
- f) Orientation and in-service training will be provided by appropriate staff as determined by the principal.
- g) Volunteers will work under the supervision and direction of appropriate staff and are expected to comply with all rules and regulations set forth by the District.
- h) So that appropriate recognition may be made from time to time, an accurate list of volunteers shall be kept by each principal or supervisor and forwarded to the Superintendent. Additionally, a copy of each building's volunteer registry file will be forwarded to the Personnel Office in order to keep a complete listing of all school volunteer personnel.

- i) The District does not carry health/accident insurance or Workers' Compensation on volunteers. They are covered for their actions or omissions within the scope of their approved authority under the liability section of the District's umbrella policy. However this is not the case for visitors to the school who do not act in a volunteer capacity.
- j) Volunteers must sign in and out in the school office or alternate area designated for this purpose, unless determined otherwise by the building principal.
- k) Principals shall assume the same general authority over volunteers in their school as they maintain over the employees of their building.
- l) Each school will keep a volunteer register which will include, but not be limited to, the following information: Name, address, telephone number, emergency contact.
- m) Volunteers must wear appropriate identification to insure immediate recognition as persons whose specific purpose is helping students and staff. Appropriate identification will be determined by the Superintendent or building principal/supervisor, or designee.
- n) Volunteers who satisfactorily perform duties will be reappointed yearly and need not apply again. A letter will be sent to anyone who does not get reappointed.

#### Chaperone Guidelines for field trips

- 1. The field trip supervisor must be a faculty or staff member of the institution taking the trip.
- 2. All chaperones must be at least 21 years of age and a member of the school faculty/staff or a district registered volunteer.
- 3. Overnight chaperones must assume a 24-hour day responsibility for students from the time they leave until the time they return.
- 4. The level of student supervision of students while on a field trip is no less than the level of supervision of students required when students are on campus, participating in class, or participating in other school or school board activities. (Recommended 1:6 ratio on overnight trips.)
- 5. Chaperones are expected to be familiar with the Student Code of Conduct and Discipline and shall report all suspected violations to the field trip supervisor immediately.
- 6. Chaperones may correct misbehavior of students while on a field trip. Elevated levels of discipline must come from the field trip supervisor.
- 7. Issues among chaperones and staff members must be resolved by the field trip supervisor, outside the presence of students.
- 8. Tobacco products may not be used by chaperones during the time they are on duty and/or in the presence of students.
- 9. Drinking of alcoholic beverages and/or use of illegal drugs by a chaperone at any time during a field trip is prohibited.
- 10. Chaperones must actively supervise and keep an accurate check on members assigned to them.
- 11. Overnight chaperones may not retire until all students are in their rooms, all visiting between rooms has stopped, and the chaperones are sure the students are secure.
- 12. Gender of the group members shall be considered when assigning chaperones and floor assignments.
- 13. Chaperones will not be permitted to bring siblings of participating students or other persons on a field trip.
- 14. Parents or student relatives who are not chaperones or student participants in a field trip will not be permitted to join a field trip at its destination unless they are approved volunteers by E-KCS. Such individuals will be assigned a specific group of students in addition to their child/relative to supervise.
- 15. Chaperones must wear appropriate clothing at all times. Appropriate clothing is defined as being dressed from neck/shoulder area to mid-thigh or knee area.
- 16. Medical release waivers for each student shall be carried on all field trips. In case of an accident, the medical release waivers shall be presented to the treating physician. A student's permission slip shall be attached to the student injury incident report which is required with an accident.
- 17. Chaperones may only dispense medication, over-the-counter and/or prescription, with the direction of the school nurse and/or field trip supervisor.
- 18. Chaperones are required to report any illness of students to the field trip supervisor immediately.

## **XV. Public Conduct on School Property**

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

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

### **A. Prohibited Conduct**

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs, Board of Education meetings or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, 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 and procedures while on school property or while at a school function.

### **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 removal.
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 removal and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.

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

### **C. Enforcement**

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

When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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

## **EDWARDS-KNOX CENTRAL SCHOOL**

### **TECHNOLOGY GUIDELINES FOR ACCEPTABLE STUDENT USE**

We are pleased to offer the students of Edwards-Knox Central School access to the district computer network for Internet access. To gain independent access (the use of the Internet during a student's free time) all students must obtain parental permission and must sign and return this form to the school.

Access to the Internet will enable students to explore thousands of libraries, databases, and bulletin boards throughout the world. Families should be warned that some material accessible via the Internet may contain items that are illegal, defamatory, and inaccurate or potentially offensive to some people. While our intent is to make Internet access available to further educational goals and objectives, students may find ways to access other materials as well. We believe that the benefits to students from access to the Internet, in the form of information resources and opportunities for collaboration, exceed any disadvantages. Edwards-Knox Central School teachers who utilize the Internet for instruction will review the guidelines for its use. Parents and guardians should help set and convey the standards that their children should follow when using media and information sources. To that end, Edwards-Knox Central School supports and respects each family's rights to decide whether or not to apply for independent access. However, by not approving Internet access a student's ability to research information will be limited.

**Guidelines for Acceptable Use - Users are expected to follow these rules of network etiquette:**

1. Users are to be polite and use appropriate language. Abusive and/or vulgar messages are not allowed.



2. Users are not to engage in illegal activities including sexually explicit material, gambling, and hate websites.
3. Users are not to reveal anyone else's address, phone number or personal information out over the Internet.
4. Users cannot hold the district responsible for materials that he/she acquires on the network.
5. Users files are NOT private. The District has access to all files and can monitor computer activity at all times.
  - Any messages relating to or in support of illegal activities may be reported to the authorities.
6. Users are not to use the network in any way that will be disruptive to other users.
7. Users are not to access, alter, or destroy any files.
8. Users may access the network ONLY for educational intent.
9. Users are not to investigate, download or play Internet games that are not approved by a teacher, use chat rooms (ICRs) or use Multi-Dimensions (MUDS).
10. Users are not to download or install any software to the computers.
11. Users are not to give out their username and password to anyone, nor are they to use another person's username and password to access the network.
12. Users will credit all materials in their work in keeping with copyright laws.
13. Users are not to employ the network for commercial purposes.
14. Users are to report any misuse of the system according to these rules to the administration.
15. Users are to treat the equipment with care and not abuse it.
16. Users are to follow printing guidelines and ARE NOT allowed to print in color unless given permission by an EK staff member and should only be done for academic purposes.
17. Users are not to use Proxy servers to access the Internet.
18. Users in grades 7-12 will have access to a school provided e-mail account and are expected to use this account within the intent of these guidelines. Grades K-6 will not have permission to access or use any e-mail accounts.
19. If you have any questions about using a computer not consistent with these guidelines, please ask a staff member.

**The following are possible consequences depending on the severity of the offense and the impact it may have on others:**

- Loss of privileges for 30 days.
- Loss of privileges for remainder of semester or 60 days.
- Loss of privileges for remainder of the year or 90 days.
- Students may be removed from the Network by the Network Administrator for inappropriate use of the network/Internet.
- A discipline referral needs to be filled out by faculty/staff to report violations.

**Additional disciplinary action may be determined at the building level for infractions that may violate existing practices (i.e. inappropriate language.) When applicable, law enforcement agencies may be involved.**

## **XVI. Publication, 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 at the beginning of the school year.
3. Providing a summary of the Code of Conduct written in plain language to all parents of District students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current Code of Conduct when they are first hired.
6. Making copies of the Code available for review by students, parents and other community members and provide opportunities to review and discuss this Code with the appropriate personnel.

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, via a committee of representative stakeholders, will review this Code of Conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the code's provisions have been and whether the Code has been applied fairly and consistently. The board may appoint an advisory committee to assist in reviewing the Code and the District's response to Code of Conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

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

The 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.