

CODE OF CONDUCT

BY-LAW REGARDING STUDENT CONDUCT AND DISCIPLINE

The following by-law is enacted in accordance with the Regulations of the Commissioner of Education, Part 100.2 (I).

Section I: Bill of Rights and Responsibilities of Students

Students of this district shall have the rights afforded to students under the provisions of the Federal and State constitutions and the laws of the State of New York. Although the rights of students are not identical to the rights of adults, it is recognized that a student's private, non-school sponsored and non-program related conduct cannot be regulated unless the educational community is affected by such conduct.

Responsibilities

A student shall not act in such a manner which disrupts the rights of others or which causes disorder or invades the rights of others.

A school is a place of learning. Learning involves the expansion of knowledge as well as acting in a manner considerate of the rights and feelings of others. Students learn from each other. Students must be conscious that younger students follow the leadership of upper class students. Such examples should enhance the school environment.

Students are expected to show respect for faculty and other members of the school community. A relationship based upon respect creates a harmonious environment.

Sections V: Student Dress Code

A student's dress, grooming, and appearance, including jewelry, make-up, and nails, shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process;
2. Recognize that extremely brief garments such as tube tops, midriff baring garments, net tops, halter tops, spaghetti straps, shirts with less than 1" shoulder strap, short shorts, very short skirts, skorts, skirts with inappropriately high slits, plunging necklines (front and/or back), see-through garments and sunglasses (inside the building) are not appropriate. The basic guideline for skirt and short length will be the fingertip test. When arms are allowed to hang freely to a person's side, skirt or short length should reach or extend beyond the person's fingertips.
3. Ensure that underwear is completely covered with outer clothing;
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed;
5. Not include the wearing of head coverings, except for medical or religious purpose;
6. Not include items that are vulgar, obscene, libelous, or denigrating to others on account of race, color, religion, creed, national origin, gender, sexual orientation, or disability;
7. Not promote and or endorse the use of alcohol, tobacco, or illegal drugs and /or encourage other illegal or violent activities.
8. Not include the wearing of bandanas

Students who violate the dress code shall be required to change or cover the offending item. Failure to do so may result in discipline. Continued violation of the dress code may result in further disciplinary action.

Section VI: Prohibited Student Conduct

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

- A. Engage in conduct that is disorderly. Examples of disorderly conduct can be found in the full version of the Code of Conduct.
- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct can be found in the full version of the Code of Conduct.
- C. Engage in conduct that is disruptive. Examples of disruptive conduct can be found in the full version of the Code of Conduct.
- D. Engage in conduct that is violent. Examples of violent conduct can be found in the full version of the Code of Conduct.
- E. Engage in any conduct that endangers the safety morals, health or welfare of others. Examples of such conduct can be found in the full version of the Code of Conduct.
- F. Engage in misconduct while on the school bus.
- G. Engage in any form of academic misconduct. Examples of academic misconduct can be found in the full version of the Code of Conduct.

If a student engages in prohibited student conduct that may constitute a crime, the building principal or designee must notify the appropriate local law enforcement agency as soon as possible.

Section VIII: Penalties

In assessing disciplinary penalties, school personnel will consider the following:

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

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. Discipline penalties will be assessed in compliance with IDEA and New York State Law where the student is a student with a disability. Students found to have violated the District's code of conduct may be subject to one or more of the following penalties:

1. Oral warning – any member of the district staff
2. Written warning – any member of the district staff
3. Written notification to parent – any member of the district staff
4. Detention – teachers, principal, superintendent
5. Suspension from transportation – director of transportation, principal, superintendent
6. Suspension from athletic participation – coaches, principal, superintendent
7. Suspension from social or extracurricular activities – activity director, principal, superintendent
8. Suspension of other privileges – principal, superintendent
9. In school supervision – principal, superintendent
10. Removal from classroom by teacher – teachers, principal
11. Short term (5 days or less) suspension from school – principal, superintendent, BOE
12. Long term (more than 5 days) suspension from school – principal, superintendent, BOE
13. Permanent suspension from school – superintendent

Note: Students who are suspended are to be excluded from all school sponsored extracurricular and social activities during their disciplinary action. These activities include, but are not limited to, participation in athletic practices and contests, and attendance at any school-sponsored events.

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. Parents will be notified by telephone within 24 hours of a decision to suspend a child, and by letter in all instances of suspension/ISS.

Section VIII: Minimum Periods of Suspension

1. Students who bring a weapon to school will be subject to suspension from school for at least one calendar year unless otherwise determined by the superintendent.
2. Students who commit violent acts other than bringing a weapon to school shall be subject to suspension from school for at least five days unless otherwise determined by the superintendent.
3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interferes with the teacher's authority over the classroom will be suspended from school for at least five days. For purposes of the Code of Conduct, "repeatedly substantially disruptive means engaging in conduct that results in the student being removed from the classroom pursuant to Education Law 32314 (3) (a), and this Code on multiple occasions.

Section VIII (D): Referrals

1. Guidance shall handle all referrals of student to counseling
2. PINS Petitions may be filed on any student under the age of 18 who demonstrates he or she requires supervision by:
 - a. Being habitually truant and not attending school as required (part 1 of Article 65 Ed. Law);
 - b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school;
 - c. Knowingly and unlawfully possessing marijuana in violation of the Penal Law.
3. The superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:
 - a. Any student under the age of 16 who brings a weapon to school
 - b. Any student 14 or 15 years old who qualifies for juvenile offender status.
4. The superintendent is required to refer students age 16 or older to the appropriate law enforcement officials.

Section XIII: Visitors to the School

The building principal or designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to all visitors to the school:

1. Anyone not a regular staff member or student will be considered a visitor.
2. All visitors must sign the visitor's book at the Main Office. Anyone visiting a student/and or teacher must first secure permission from the Building Principal. Visitors will not be granted extended visitation which might disrupt normal instruction. All visitors must be issued and

must wear a visitor's identification badge. Visitors must sign out and return the badge upon leaving the premises.

3. Visitors attending school functions that are open to the public are not required to sign in.
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher.
5. Teachers are **not** expected to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the principal. Unauthorized persons will be asked to leave. The police will be contacted if necessary:
7. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

Section XIV: Public Conduct on School Property

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

No person shall, either alone or with others:

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;
3. Disrupt the orderly conduct of classes, school programs, or other school activities;
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program;
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation, or disability;
6. Enter any portion of the school premises without authorization or to 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;
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 other to commit any of the acts prohibited by this code;
15. Violate any federal or state statute, local ordinances, or board policy while on school property or while at a school function;

Section XVI (B): Penalties

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

1. Visitors will have their authorization to remain on school property revoked and they will be directed to leave the premises. If they refuse to leave, they will be ejected, and the appropriate authorities will be contacted.
2. Students will be subject to disciplinary action as the facts may warrant.

Employees may be subject to disciplinary measures as detailed by law and as dictated by the facts.