

EAST ROCHESTER UNION FREE SCHOOL DISTRICT

CODE OF CONDUCT Rights, Responsibilities, Rules and Reactions



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CODE OF CONDUCT

All members of the school community have the responsibility to maintain a safe and orderly school environment conducive to learning and respectful to all people and property. The East Rochester Union Free School District values an environment that fosters student academic and behavioral success. Every member of our school community is expected to work together to correct and support behaviors that interfere with the learning process.

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, discrimination, bullying or cyberbullying by employees or students based on their actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender/gender identity by school employees or students on school property, at a school function, or off school property where such acts create or would foreseeably create a risk of substantial disruption within the school, environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

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 the superintendent, school board members, parents, students, teachers, support staff, principals, administrators and other school personnel have particularly important roles to play in its implementation.

The Values and Beliefs of our school community will be clarified, supported and implemented by all buildings through this Code of Conduct.

I. STATEMENT OF VALUES AND BELIEFS

The East Rochester school community believes in and is committed to providing an environment in which mutual respect is evident for all. We believe that every member of our school community has a right to achieve their potential and to be heard. Behavior that is contrary to these beliefs will be handled in a way that respects individuals and supports the rights of the whole to learn and achieve. Within the East Rochester school community, we will uphold an atmosphere where education and learning can thrive in a safe, respectful and caring environment.

A. Our District's Mission

The Mission of the East Rochester School District is to prepare students to be college and career ready and to provide a quality education in a safe environment where all students develop the abilities, attitudes and values necessary for responsible, productive citizenship.

B. Our District's Vision

The Vision of the East Rochester School District is that students will learn through the highest quality instruction which recognizes each student's strengths, talents, interests, learning styles and rates of learning, using developmentally appropriate methods.

C. Our District's Core Values - S.O.A.R.S

Students First: Students are our first priority. We dedicate ourselves to holistic student development in a safe, nurturing environment.

Opportunity: We provide every student equal access to strong academic programs, clubs, teams and events that enable students to reach their fullest potential.

Achievement: Everyone can improve. We collaborate to learn, observe, measure and grow. We proudly celebrate achievements.

Responsibility: We are all accountable to ourselves, to our students and to each other. Our shared responsibility is to be respectful.

Strength: Together, we will accomplish excellence.

II. STRENGTHENING UNDERSTANDING WITHIN THIS CODE

- **Academic Honesty**-- Academic honesty is integral to the academic experience in school. All students shall do their own work at all times. Collusion, plagiarism and other forms of academic dishonesty are prohibited.
- **Consequence** -- the results of a previous action that violates the rules. Those responsible for administering a consequence take into account, the behavior, the situation, the individual's prior behavior, and the best means for helping that individual.

Types of Consequences:

- **Logical Consequences (Restitution)** -- where the individual makes right what they did wrong. This is logically related to the behavior and may include remuneration for any damage to property.
 - **Conventional Consequences** -- those commonly used in practice (i.e. time-out, removal from a classroom, suspension etc).
 - **Generic Consequences** -- include reminders, warnings, choice options, and/or success/behavior plans brought into play when there is misbehavior.
 - **Instructional Consequences** -- teach and/or revisit the pro-social skills necessary for an individual to behave or respond in accordance with the Principles and Rules of the school.
- **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 shall 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. (N.Y. Executive Law § 292.21)
 - **Disruptive student behavior** -- behavior from an elementary or secondary student 21 years of age or under that substantially disturbs or distracts from the educational process or interferes with the teacher's ability to manage and teach students.
 - **"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 nine-B of article five of the social services law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact. (N.Y. Education Law § 1125.3)
 - **Essential Partners** include all paid school personnel, volunteers, parents/guardians, and Board of Education members.

- **Fair** -- Doing what is reasonable and in the best interest of the individual and/ or group.
- **Firearm** -- is defined in 18 USC §921 for the purposes of the Gun-Free Schools Act.
- **Gender** means actual or perceived sexual orientation, and a person’s gender identity or expression. (N.Y. Education Law § 11.6)
- **Gender Identity and expression** means having or being perceived as having a gender identity, self-image, appearance, behavior or expression whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the sexual orientation assigned to that person at birth. (N.Y. AB 5039/SB 2873 (2011) “GENDA”)
- **Harassment or bullying** means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse, including cyber-cyberbullying as defined in Education Law section 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 and/or physical well-being; including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or reasonably causes or would reasonably be expected to cause physical injury to a student or cause the student to fear for his or her physical safety. Such definition shall include acts of harassment or bullying that occur: on school property, at a school function or off school property where such acts create or would foreseeably create a risk of substantial disruption with the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The term “threats, intimidation or abuse” shall include verbal and nonverbal actions. Acts of harassment and bullying shall include, but not be limited to, acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) (N.Y. Education Law § 11.7)
- **Hazing**-- Any humiliating or dangerous activity expected of a student to join a group, regardless of their willingness to participate. Hazing behaviors include, but are not limited to, the following general categories:
 - Humiliation (socially offensive, isolating or uncooperative behaviors);
 - Substance abuse (abuse of alcohol, tobacco or illegal drugs); or
 - Dangerous hazing (hurtful, aggressive, destructive, and disruptive behaviors).

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

It is important to note that a single negative act as enumerated above may also constitute “bullying” or “cyberbullying” (if not more serious misconduct) based upon the particular circumstances such as the seriousness of the act and/or the intent of the actor. Administration will use discretion reviewing each incident independently in the context of the situation.

- **Intervention** -- the modification of an event by school personnel to promote a safe physical and psychological environment for all members of the school community.
- **Parent** -- guardian or person in parental relation to a student.
- **Positive Behavioral Interventions and Supports (PBIS)**-- is a proven, research and evidence-based discipline program that emphasizes school-wide systems of support that include strategies for defining, teaching, modeling and supporting appropriate student behaviors to create positive school environments.

- **Principles** -- core values that demonstrate how individuals should conduct themselves and relate to each other. They encompass a set of beliefs which provide the reasons for the rules and the motivation for following them.
- **Rules** -- based on our core values, they identify acceptable and unacceptable behavior that is observable, clear, specific and enforceable.
- **School bus**—every motor vehicle a) owned by a public or governmental agency or private school and operated for the transportation of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities or b) privately owned and operated-for-compensation for the transportation of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.
- **School function** -- any school-sponsored extracurricular event or activity. Including events or activities that take place on school vehicles and on or off of school property.
- **School property** -- 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, as defined in Vehicle and Traffic Law §142.
- **Sexual Orientation** means actual or perceived heterosexuality, homosexuality, or bisexuality. (N.Y. Education Law § 11.5)
- **Theft and Vandalism**-- Students involved in acts of theft, vandalism or destruction of District property will be subject to discipline by school authorities and legal action. Students shall also be subject to discipline by District authorities and legal action for similar acts involving the property of other individuals while on school property or during school sponsored events.
- **Violent student behavior** -- behavior occurring on or around school property or at a school event or activity, before, during or after the school day that endangers self, others or property.
- **Weapon** -- refers to the definition of firearm in the Gun-Free Schools Act. Any item that could cause physical harm to someone depending on intent and use (can include but is not limited to: BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb or other device, instrument, material or substance).

III. RIGHTS AND RESPONSIBILITIES

All students, district personnel and other Essential Partners of the school community are entitled to expect proper regard for their rights and welfare.

A. Student Rights

Every student has the right to attend a safe, healthy, orderly and civil school environment safeguarding the rights given all students under state and federal law. These rights include (but are not limited to):

- Participation in all district activities on an equal basis regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Presentation of individual accounts and details of events to school personnel in connection with the imposition of a consequence.

- Ongoing communication directly to them or through their parent from administrators, teachers and support staff regarding course objectives, grade level expectations, requirements and assignments.
- An explanation of marking/grading procedures.
- A copy of the school and classroom behavior expectations.
- Request and/or receipt from school personnel of an explanation of school rules that are unfamiliar or confusing.
- Asking questions when they do not understand (applies to content or directives).
- Considering themselves representatives of the district when participating in or attending school sponsored extracurricular events.
- A school community that is drug and alcohol free.
- Walking in the hallways from one location to the next without fear or impediment.
- Knowing that attending classes in assigned buildings will not be considered trespassing.
- Use of computers, software and the internet/intranet accounts with authorization /approval by staff/administration.
- Redress from or grievances to appropriate school personnel.

B. Student Responsibilities

All students have the responsibility to maintain a safe and orderly school environment conducive to learning and respectful to all people and their property

School is a place where students learn that they are responsible for their actions and that their way is not the only way. These responsibilities include (but are not limited to):

- Knowing and following rules set up by the district for the school and for the classroom.
- Attending school on a daily basis consistent with the school year calendar, unless legally excused.
- Being in class, on time with materials and supplies and leaving class or the school building only with staff knowledge and permission.
- Following instructional and /or safety directions given by teachers, administrators and other school personnel.
- Working with teachers (counselors and parents) through role playing, modeling and practice to develop stronger pro-social skills (i.e. Dealing with Anger, Recognizing the Feelings of Others, Recognizing Your Own Feelings, Dealing with Frustration, Identifying a Problem, Problem Solving Skills, Making a Good Decision, etc).
- Knowing when to ask for help from administration, staff and parents and then doing it.
- Wearing shoes during all school activities unless otherwise instructed due to the nature of an activity (i.e. use of mats, swimming, etc).
- Walking from location to location.
- Completing assignments as given.
- Permitting and promoting open pedestrian and vehicular traffic.
- Settling a disagreement in a non-violent and respectful manner.
- Remaining drug and alcohol free for the duration of their time as members of the East Rochester School Community.
- Respect and adhere to acceptable use guidelines for electronic devices, internet safety, and social media use.
- Maintain a climate of mutual respect and dignity for all regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Respond to incidents of harassment, bullying and/or discrimination, by reporting to school personnel.

IV. ESSENTIAL PARTNERS

All essential partners of the school community are entitled to expect proper regard for their rights and welfare.

A. Parent/Guardian Rights

Every parent has the right to assist their child in realizing their goal of academic and behavioral success within the school environment. These rights include (but are not limited to):

- Participation in all district activities on an equal basis regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Presentation to school personnel on behalf of their child, individual accounts and details of events in connection with the imposition of a consequence.
- Ongoing communication directly to them or through their child from administrators, teachers and support staff regarding course objectives, grade level expectations, requirements and assignments.
- An explanation of marking/grading procedures.
- A copy of the school and classroom behavior expectations.
- Request and/or receipt from school personnel of an explanation of school rules that are unfamiliar or confusing.
- Asking questions when they do not understand (applies to content or directives).
- Excusing (in writing) their child as they deem necessary from attending classes due to illness, family emergency or obligations.
- A school community that is drug and alcohol free.
- Walking in the hallways from one location to the next without fear or impediment.
- Knowing that attending functions for the sake of supporting their child's school activities in assigned buildings will not be considered trespassing.
- Redress from or grievances to appropriate school personnel.

B. Parent/Guardian Responsibilities

All parents are expected to recognize that the education of their child is a joint responsibility of the parents and the school community.

School is a place where parental involvement and support is essential for affecting change and achieving success for students. These responsibilities include (but are not limited to):

- Sending their child to school ready to participate and learn (necessary supplies, rested, well nourished).
- Ensuring their child attends school regularly and on time according to the school calendar.
- Providing a place of study for their child and making certain homework assignments are completed to the best of the child's ability.
- Informing school officials of changes in the home situation that may affect their child's conduct or performance.
- Informing school officials of changes in contact information, such as phone numbers, address, contact information, and/or emergency contacts.
- Knowing the school rules and helping their child understand their meaning and purpose.
- Modeling for their child a supportive attitude toward education and the school community as a whole.
- Insisting that their child be dressed and groomed in a manner that demonstrates the respectful, non-threatening values of the East Rochester School community:
 - Be safe, appropriate and not disrupt or interfere with the educational process.
 - Not include items that could be considered weapons such as heavy chains or "studs".

- Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back), see-through garments, excessively short skirts and short-shorts are not appropriate or permitted.
- Ensure that underwear is completely covered with outer clothing.
- Include footwear at all times. Footwear that is a safety hazard will not be allowed.
- Not include items that are vulgar, obscene and libelous or that denigrate others because of race, color, religion, creed, national origin, gender, sexual orientation or disability.
- Not promote, display, endorse and/or encourage the use of alcohol, tobacco, illegal drugs and/or other illegal or violent activities.
- Model positive behavior for students and school community.
- Teach their children respect and dignity for themselves, and other students regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Teach and model for their children how to constructively manage and respond to incidents of harassment, bullying and/or discrimination including reporting such incidents, either experienced or witnessed, to school officials.
- Teach and model acceptable use for electronic devices, internet safety, and social media.

C. Teachers and Support Staff Rights

All district teachers and support staff are expected to maintain a climate of mutual respect and dignity that will strengthen students' self-concept and promote confidence to learn.

Both teachers and support staff have a right to an orderly, respectful environment that is conducive to instruction in all areas of learning. These rights include (but are not limited to):

- Working in a climate of mutual respect and dignity for regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Intervening with any action that endangers the health, welfare and safety of self or others.
- Reporting to supervisors any behaviors or actions that threaten a respectfully safe educational learning environment within this school community.
- Expecting the opportunity to teach to be without ongoing distracting or disrupting behaviors.
- Requesting a student to temporarily leave the classroom to reduce the impact of an anxiety producing situation and/or give the student an opportunity to regain composure and self-control.
- Assigning homework to support the instructional lessons.
- Setting course objectives, grade expectations, requirements and assignments.
- Determining classroom behavior intervention plans.
- Ongoing training to enhance academic and management skills within the school community.

D. Teacher and Support Staff Responsibilities

All educational staff has a responsibility to create an orderly and stimulating teaching and learning environment

Schools are where teaching and learning evolves and develops through mutual respect, conscientiousness and accountability. Responsibilities include (but are not limited to):

- Maintain a climate of mutual respect and dignity for all regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.

- Define, supervise, teach model and support appropriate student behaviors to create positive school environments.
- Arriving on time for building meetings and classroom instruction.
- Knowing, demonstrating through modeling and implementing school policies and rules.
- Communicating regularly and in an on-going manner with students, parents, administrators, and other teachers about student growth, achievement, behavior and/or concerns.
- Model positive behavior for students and school community.
- Communicating with students and parents:
 - Course objectives, grade level expectations, requirements and assignments.
 - Marking/grading procedures.
 - Classroom management/intervention plan.
 - Expectations for students.
- Being prepared to teach and expand (their) professional knowledge in the areas of instruction and classroom management through specialized reading and participation in available trainings/in-services.
- Demonstrating interest in teaching, knowledge of current instructional methods, concern for student achievement.
- Referring to appropriate personnel/leadership any academic or behavioral concerns or questions regarding any member of or happening within the school community.
- Confront issues of harassment, bullying and/or discrimination, in any situation that threatens the emotional or physical health or safety of any students, school employees or any person who is on school property or at a school function or off school property where such acts create or would foreseeably create a risk of substantial disruption with the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The term “threats, intimidation or abuse” shall include verbal and nonverbal actions.
- Report incidents of harassment, bullying and/or discrimination, that are witnessed or otherwise brought to a teacher’s attention to the building administrator and /or Dignity Act Coordinator in a timely manner
- Teach, model, and adhere to acceptable use for electronic devices, internet safety, and social media policies and regulations. Report incidents of misuse or abuse of technology to the appropriate supervisor.

E. Administrators’ Rights

As leaders within our school, all district administrators are expected to bring groups of people together, creating a common vision convincing, encouraging, motivating and modeling the best practices of all who are part of the East Rochester school community.

School is a place where district administrators are educators, role models, friends and visionary leaders who have the right to an orderly, respectful environment that is conducive to leadership instruction in all areas of learning. These rights include (but are not limited to):

- A workplace of mutual respect and dignity for all regardless of a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Evaluation on a regular basis of all instructional programs.
- Enforcing the Code of Conduct on a case by case basis which takes into account:
 - Student’s age.
 - Nature of the misbehavior and the circumstances surrounding it.
 - Student’s self-defeating pattern of behavior.
 - Effectiveness of previously tried intervention strategies.

- Information from parents, teachers and /or others as appropriate.
- Impact of a disability or suspected disability on patterns of behavior.
- Other variables and/or circumstances that would assist in or influence a fair decision process.
- Creating and developing standards that address circumstances that may not be covered by the Code of Conduct.
- Removing from school for the balance of an instructional day or longer any student who threatens the philosophy and practices of this school community.
- Referring a student to the building-level support teams for review, counseling and /or intervention by appropriate support staff.
- Putting into action detention and in- or out-of-school suspension as indicated to change behavior, set example of consequences, and for the physical and psychological safety of all members of the school community.
- Referring students with extensive, consistently warranted documentation and need to the district Committee on Special Education.
- Recommending students with extensive, consistently warranted documentation and need for alternative educational placement in programs either in or out of the district.

F. Administrators' Responsibilities

All educational leaders have a responsibility to create an orderly, safe, environment where all members of the school community can depend on them to promote success, accommodate differences, and motivate teaching and learning.

School is a place where leadership thrives through the development of mutual respect, conscientiousness and accountability. Responsibilities include (but are not limited to):

- Maintain a school climate of mutual respect and dignity for all regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Define, teach, model and support appropriate student behaviors to create positive school environments.
- Providing regular opportunities for staff and students to communicate with the principal.
- Listening to all untoward complaints.
- Responding to redress of grievances.
- Giving feedback to staff that contains knowledge of results for improvement and/or continuation of effective instructional approaches both academically and behaviorally.
- Responding swiftly, fairly and efficiently to acts of any kind that threaten the safety and well-being of students, staff, administration or any immediate member of the school community or their property.
- Delegating assignments to staff to encourage growth and leadership development within a building.
- Accommodating differences among staff and students (fair versus same) allowing for variations in style, approach, output and final performance.
- Model positive behavior for students and school community.
Follow up on any incidents of harassment, bullying and/or discrimination which are witnessed or otherwise brought to a Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator.
- Teach, model, and adhere to acceptable use for electronic devices, internet safety, and social media policies and regulations. Follow up on any incidents of misuse or abuse of technology.

- Confront issues of harassment, bullying and/or discrimination, in any situation that threatens the emotional or physical health or safety of any students, school employees or any person who is on school property or at a school function or off school property where such acts create or would foreseeably create a risk of substantial disruption with the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The term “threats, intimidation or abuse” shall include verbal and nonverbal actions.

G. Board of Education Rights and Responsibilities

As governing leadership of the school community, the Board of Education for the East Rochester School District is expected to establish the foundation for a common vision for the best practices of all who are part of the East Rochester school community.

School is a place where safety, order and a stimulating teaching and learning environment are the right of all. To fulfill this expectation the Board of Education rights include (but are not limited to):

- Adopting and reviewing at least annually the district’s Code of Conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.

V. STUDENT DRESS CODE

All parents are expected to recognize that the education of their child is a joint responsibility of the parents and the school community.

All students are expected to give proper attention to personal cleanliness and to dress for school and school functions in a manner that is in line with the values of the East Rochester school community regarding respect for self and others. 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.

At the beginning of the school year, each building principal or his/her designee shall be responsible for informing all students and their parents of the Student Dress Code for their child’s building. Parents and students will be updated as needed on any revisions to the dress code.

The purpose of the student dress code is to reinforce the district’s mission of preparing all students to be life-long learners and help prepare them for their post-graduation endeavors. Student attire should be a reflection of an atmosphere of mutual respect supported by the district and should not be a distraction to the learning environment. As such, all students are expected to follow the guidelines below:

Acceptable

- All underwear that is completely covered by the outermost garment at all times. This includes, but is not limited to bra straps and boxer shorts.
- Shirts and tops that have straps that are at least 2 inches wide.
- Necklines that cover cleavage, and do not expose any undergarments.
- Dresses, skirts, and shorts that extend to at least the mid-thigh or the tips of a student’s fingers when arms are extended at the sides.
- The wearing of hats will be left up to the discretion of building administrators. However, there may be times during school events or activities that students may be asked to remove their hats. Hats will be allowed for religious requirements and/or for medical conditions with proper documentation.

Not Acceptable

- Clothing that promotes, displays, endorses, and/or encourages the use of alcohol, tobacco, drugs, and/or illegal or violent activities.

- Clothing that contains messages that are vulgar, obscene, libelous, sexually explicit, potentially disruptive, or that denigrate others because of race, religion, creed, national origin, gender, sexual orientation, disability.
- Athletic uniforms that are not consistent with the school dress code should not be worn during the school day.
- Clothing that is see-through, backless, or leaves a student's mid-section exposed.

Safety

- Items that could be considered weapons such as heavy chains or "studs" are prohibited.
- Footwear is expected at all times. Certain classes require a particular type of shoes- for example sneakers for PE and closed-toed shoes for labs, Art, Tech. etc. Bedroom shoes are not appropriate school attire.
- Hoods and any garment that covers the face or side of the face are not acceptable. Exceptions will be made for religious dress requirements and/or for medical conditions with proper documentation.

Building Administration has final discretion.

Students who violate the Student Dress Code of their building 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.

Following the dress code is not optional.

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.

In this school community, we believe that the best discipline is self-imposed. Students 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, understandable and in line with the district's philosophy. The rules of conduct listed below are intended to provide examples of behaviors that jeopardize the district's focus on safety and respect for the rights and property of others. Individuals or groups who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences for their conduct.

Examples of such behavior could include (but not be limited to):

- Committing an act of violence against a school employee, or attempting to do so.
- Committing, while on school property or at a school function, an act of violence against another student or any other person lawfully on school property or at a school function, or attempting to do so.
- Engaging in bullying, harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical well-being on school property or off school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property
- Displaying and/or possessing a weapon while on school property or at a school function.
- Threatening, while on school property or at a school function, to use a weapon.

- Knowingly and intentionally damaging or destroying district property and/or personal property of any school employee or any person lawfully on school grounds or at a school function.
- Engaging in public displays of unambiguous excessive affection.
- Violating the technology acceptable use regulations and policies.

VII. VIOLATIONS OF THE CRIMINAL CODE

Our school is a place where other students, district personnel and other members of the school community have a right to feel safe from verbal or physical attack. Any violation of criminal code including, but not limited to, the following may result in referral to the appropriate law enforcement agency:

- Threat to, or intimidation of, any staff members or students.
- Inappropriate use of electronic devices that violates criminal code (harassment, inappropriate content, and/or intentional malicious damage to devices, etc)
- Sexual misconduct.
- Gambling.
- Extortion.
- Forgery.
- Arson.
- Bomb Threat.
- False reporting to 911.
- Possession, sale or use of a weapon.
- Possession, sale, manufacture or use of drugs or alcohol.
- Possession, sale or use of fireworks or other substance that endangers the health and safety of students and/or staff.
- Assault on a staff member or student.
- Vandalism (district will seek restitution).
- Disorderly Conduct

VIII. POSITIVE SUPPORTIVE INTERVENTION

School is a place where everyone has a right to feel safe in an environment of teaching and learning and where everyone is responsible for their actions. Interventions may include (but are not limited to):

- Peer support groups
- Parent conferences
- Corrective instruction or other relevant learning or service experience
- Supportive intervention
- Behavioral assessment or evaluation
- Behavioral management plans, with benchmarks that are closely monitored
- Student counseling

Environmental remediation strategies may include (but are not limited to):

- Supervisory systems which empower school staff with prevention and Intervention tools to address incidents of bullying and harassment;
- School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- Adoption of research-based, systemic harassment prevention programs;
- Modification of schedules;
- Adjustment in hallway traffic and other student routes of travel;
- Targeted use of monitors;
- Staff professional development;
- Parent workshops;

- Involvement of parent - teacher organizations; and
- Peer support groups.

IX. DISCIPLINARY INTERVENTION: 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 and self-awareness. The Dignity Act's underlying premise is that preventive and non-punitive intervention, in response to incidents of discrimination and/or harassment, is the best way to achieve school environments free from harassment and discrimination. Understanding discipline as a "teachable moment" is fundamental to a positive approach to discipline. The goal is to prevent or deal with conflict before it escalates; build relationships and empower community members to take responsibility for the well-being of others; increase the social skills of those who have harmed others; address underlying factors that lead youth to engage in inappropriate behavior and build resiliency; provide wrong doers with opportunities to be accountable to those they have harmed; and enable them to repair the harm to the extent possible.

A. Administrative Responses

School is a place where all members benefit from adherence to the rights, responsibilities and rules set forth in the district's Code of Conduct. Failure to follow this code could result in administrative responses, either alone or in combination, which may include (but are not limited to):

- Conference with staff member(s) and student.
- Conference with staff member(s), student and parent(s).
- Lunch detention
- After school detention.
- Removal from school for balance of instructional day.
- Removal of student privileges.
- In-school suspension.
- Out-of-school suspension followed by re-entry conference with student and parent/guardian.
- Referral to Building Special Services Team for review, counseling and/or intervention by appropriate support personnel.
- Change of student daily schedule.
- Seeking alternative opportunities to allow for course/grade level completion.
- Recommendation for placement in an alternative educational program either in or out of district.
- Superintendent's Hearing.

B. Procedures

School is a place where everyone has a right to feel safe in an environment of teaching and learning and a responsibility for their actions. Each member of the school community has equal worth and an opportunity to be heard by others. It is the duty of all members of the school community to support an environment that consistently upholds these rights and responsibilities.

Students who are to be given consequences beyond an oral warning, written warning or written notification to their parents may be entitled to present their version of the facts to school personnel before the consequence is required. In all cases, regardless of the event and the consequence, the school personnel authorized to set and carry out the intervention, must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. These possible options for consequences are explained below.

a. Detention.

- i. During or after school

b. Individual riding privileges suspended.

- i. Will not be allowed to arrive by bus and parent should transport or if the transportation suspension interferes with attendance then the district will provide for a tutor.
 - ii. 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.
- c. Suspension from athletic participation/extracurricular activities or other privileges.**
- i. A student subjected to a suspension from athletic participation, extracurricular 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. (Please refer to Policy #5179.)
- d. In-school suspension.**
- i. Student attends school but is not permitted to participate in classroom instruction or school activities. The in-school suspension teacher will be a certified teacher.
 - ii. 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.
- e. Teacher use of behavior management strategies. Such practices may include, but are not limited to:**
- i. Implementing short-term "time out" in an elementary classroom or in an administrator's office.
 - ii. Sending a student into the hallway briefly.
 - iii. Sending a student to the principal's office for the remainder of the class time only.
 - iv. 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.
 - v. If traditional classroom management techniques and/or administrative responses are not sufficient for dealing with this inappropriate student behavior, a classroom teacher may remove a student from the classroom for up to four school days or its equivalent under a block schedule. The removal from class applies to the class of the removing teacher only.
 - vi. If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.
 - vii. 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 twenty-four hours.
 - viii. 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 next scheduled meeting of the class from which the student has been removed.
 - ix. Within twenty-four 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.

- x. The written notice must be mailed within twenty-four hours via first class mail. Notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.
- xi. The principal may require the teacher who ordered the removal to attend the informal conference.
- xii. 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 forty-eight hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.
- xiii. The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:
 - The misbehavior of the student is not supported by evidence.
 - The student's removal is otherwise in violation of law.
 - The seriousness and/or safety issue of the student's conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.
- xiv. 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.
- xv. 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.
- xvi. 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.

f. **Suspension from school.**

- i. A severe penalty, which may be imposed only upon students who through their actions, threaten and endanger the safety, morals, health or welfare of others as described in the principles and rules of this Code of Conduct.
- ii. Periods of Suspension May Range from One Day to at Least One Calendar Year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The superintendent has the authority to modify the one-year suspension on a case-by-case basis.
- iii. The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals.
- iv. Any staff member may recommend to the superintendent or the principal that a student be suspended.
- v. Recommendations and referrals for suspension shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases, documentation is to be prepared as soon as possible by the staff member recommending the suspension.
- vi. Upon receiving a recommendation or referral for suspension or when processing a case for suspension, 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.
- vii. Suspensions may be characterized as:
 1. **Short-term** (5 days or less) suspension from school.
When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the

student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority or the designee must notify the student's parents by phone within one school day of the decision to propose suspension via the telephone number(s) provided for the purpose of contacting the parents. The suspending authority or the designee must also notify the student's parents in writing. The written notice must be provided by first class mail and shall be sent within one school day of the decision to impose suspension.

The notice shall provide a description of the events that resulted in this action 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 will take place prior to the suspension of the student unless the student poses a continuing danger to persons or property or is an ongoing threat of disruption to the academic process. In that case, the student's notice and opportunity for an informal conference will take place as soon after the suspension as is reasonably practical.

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 superintendent's 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.

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

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

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

An appeal of the decision of the superintendent may be made to the board 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.

3. **Permanent suspension.**

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

C. Referrals

a. Counseling.

The principal or principal's designee shall process all referrals of students to counseling.

b. PINS Petitions.

The district may file a PINS (Person In Need of Supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- i. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- ii. Engaging in an ongoing or continual course of conduct that makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
- iii. Knowingly and unlawfully possesses marijuana in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.
- iv. Juvenile Delinquents and Juvenile Offenders.

X. ALTERNATIVE INSTRUCTION

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

XI. DISCIPLINE OF STUDENTS WITH DISABILITIES

The board 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 enjoy 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.

A. Authorized Suspension or Removal of Students with Disabilities

- a) For purposes of this section of the Code of Conduct, the following definitions apply.

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

A “**removal**” means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an Interim Alternative Educational Setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

An *Interim Alternative Educational Setting (IAES)* means 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.

- b) School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
- i. The board, the district (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - ii. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (i) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - iii. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - iv. The superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student possesses and/or carries a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
 - “Weapon” means the same as “dangerous weapon” under 18 U.S.C. § 930(g)(w) which includes “a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except ...[for] a pocket knife with a blade of less than 2 1/2 inches in length.”
 - “Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
 - “Illegal drug” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
- c) Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement

A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either:

- a. More than 10 consecutive school days; or
- b. A period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they accumulate to more than 10 school days in a school year. This takes into account such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.

NOTE: School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

C. Special Rules Regarding the Suspension or Removal of Students with Disabilities

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

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

If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.
 - b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
 - a. The superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
 - b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
 - Conducted an individual evaluation and determined that the student is not a student with a disability, or
 - Determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

3. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.
The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. 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 a 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 or her current educational placement, or pending the 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.
 - i. Pending 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.
 - ii. If school personnel propose to change the student's placement after expiration of an IAES placement, pending 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.

E. 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. 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.

XII. CORPORAL PUNISHMENT

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student and is strictly forbidden by any district employee. However, New York State Law states situations where alternative procedures and methods have been unsuccessful when the use of reasonable therapeutic physical intervention would not be considered corporal punishment. These circumstances include:

- Protecting someone from hurting themselves.
- Protecting oneself, another student, teacher or any person from physical injury.
- Protecting the property of the school or others.
- When a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, refuses to refrain from further disruptive acts or to leave the area when directed to do so.

Note: The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

XIII. VISITORS TO THE SCHOOLS

The board encourages parents and other district citizens to visit the district's schools support the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principals or their designees are responsible for all persons in the building and on the grounds. For these reasons, the following criteria and expectations apply:

- Anyone who is not a regular staff member or student of the school will be considered a visitor.
- All visitors must report to the main office and sign-in upon arrival. They may be required to produce official photo identification and will be issued a visitor's identification label which must be worn at all times while in the school or on school grounds. If the visitor does not have official photo identification, a building administrator must authorize the visit. The visitor must return to the main office and sign-out before leaving the building.
- Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.

- 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.
- Teachers are not expected to take class time to discuss individual matters with visitors.
- 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.
- All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

XIV. PUBLIC CONDUCT ON SCHOOL PROPERTY

The district is committed to providing an orderly, respectful environment that is conducive to learning.

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

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

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

A. Consequences for Prohibited Conduct Under this Code

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

1. **Visitors.** Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. **Students** shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. **Tenured faculty members** shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. **Staff members** in the classified service of the Civil Service entitled to the protection of Civil Service Law §75 shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. **Staff members other** than those described in subdivisions 3 and 4 shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

B. Implementation

School District administrators or their designees shall be responsible for requiring the conduct stipulated by this code.

When a school district administrator 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 administrator or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The administrator 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 administrator 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, and as stated in the above section B. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

XV. DISSEMINATION AND REVIEW

A. Dissemination of Code of Conduct

The board will work to ensure that the community is aware of this Code of Conduct by:

1. Reviewing summary of the code with all students at the beginning of each school year.
2. Providing summary statements from Code in the main offices within the District.
3. Including a notice in the annual back to school newsletter that a copy of the Code of Conduct is available online for review by parents, students, and community members.
4. Informing all current teachers and other staff members that a copy of the Code of Conduct is available online.
5. Informing all new employees when hired, that the Code of Conduct is available online.

B. Review of Code of Conduct

The Board of Education will review this Code of Conduct every year and update it as necessary.

District's Shared Decision Committee may assist in reviewing the code and the Board of Education may appoint an advisory committee to review the district's response to Code of Conduct violations. Representatives on this committee may include representatives of the student, teacher, administrator, and parent communities as well as school safety personnel.

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

The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.