



Code of Conduct

2022-2023

The New Paltz Central School District
Code of Conduct
Approved by the Board of Education ~~6/2/2021~~ TBD

I. INTRODUCTION

The New Paltz Board of Education hopes that our students will become passionate learners who are empowered to achieve their dreams and act as good citizens of the world.

To achieve that goal, the Board strives to provide safe schools for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex and prohibit denigration of a student’s physical size/shape where all members of the school community behave with personal responsibility, **give and** mutual respect, **and accept accountability for their actions**. The Board recognizes that to maintain such an environment, we must all live within certain boundaries and that inappropriate action by one person can infringe upon the rights of another. When conflicts arise, we are committed to nonviolent resolutions that encourage personal growth, responsibility and that treat each individual with respect and dignity.

This Code of Conduct describes the behavior that the Board expects from all members of the school community, identifies interventions if those standards are not met, and establishes procedures to ensure that discipline, when necessary, is prompt, fair and effective.

Attachment A defines the terms used in this Code.

II. STUDENT RIGHTS AND RESPONSIBILITIES

Students have a right to:	Students have the responsibility to, and are held accountable for:
A free education that will prepare them for active citizenship in a democracy.	Attend classes, observe school rules and work for satisfactory achievement.
A safe and secure environment that promotes learning.	Refrain from violence. Notify an adult of the presence of drugs, alcohol, weapons, harassment and other violent acts or threats of violence.
Speak and be heard.	Listen to others.
Take part in any school activity on an equal basis.	Participate and support others in school events.
Be treated with courtesy and respect.	Be courteous and respectful.
Freedom from bullying, harassment and other abuse or discrimination based on, for example, actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual	Speak up about and refrain from bullying, harassment and other abuse or discrimination based on, for example, actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual

orientation, gender or sex and prohibit denigration of a student's physical size/shape.	orientation, gender or sex and prohibit denigration of a student's physical size/shape.
Academic and emotional support.	Ask for help when it is needed, and offer help to peers when needed
Express themselves through their choices in clothing.	Adhere to the school dress code.
Communicate thoughts and beliefs that do not interfere with the rights of others or school operations.	Show consideration for people whose beliefs differ from their own.
Assemble peacefully.	Get permission from appropriate school personnel before assembling.
Learn strategies that develop cooperation, tolerance, and conflict resolution.	Use cooperative solutions.
Be informed of school policies and rules.	Abide by the Code of Conduct.

III. EXPECTED BEHAVIOR

All members of the school community should respect the rights and welfare of others, act ethically, and care for school facilities and equipment. The Board expects respectful behavior and civil conduct on all school property, including buses, and at all school functions, whether on or off school property.

The Board will not tolerate condone:

- Possession or use of weapons or illegal materials.
- Possession, distribution, use, or being under the influence of alcohol or illegal substances (including synthetic drugs).
- Behaviors **whether in person or online** that infringe on the physical, mental or emotional well-being of others, or that disrupt the safe and supportive educational environment.
- Intimidation, harassment or discrimination on the basis of, for example, actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, and prohibit denigration of a student's physical size/shape or for any other reason, **including acts committed via social media**.
- Academic misconduct (e.g., plagiarism, cheating, copying, altering records, assisting another student in any of these actions).
- Damage to school property, including buses, or the property of others.
- The distribution of materials that are obscene, advocate illegal action or appear libelous **including distribution on social media**.
- Entering or remaining on school property without authorization.
- Violation of any federal, state or local law, or Board policy.

Attachment B describes the specific expectations for staff, parents/legal guardians and visitors. **Attachment C** describes the specific expectations for students. **Attachment D** describes interventions for infractions of the Code.

IV. DIGNITY FOR ALL STUDENTS ACT

The Board of Education recognizes that a learning environment that is safe and supportive can increase student attendance, **enhance student social emotional well-being**, and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting, hazing and intimidation. The District will strive to create an environment free of discrimination and harassment and will foster civility in the schools **including conduct on social media** to prevent and prohibit conduct which is inconsistent with the District's educational mission.

The District condemns and prohibits all forms of discrimination and harassment of students based on but not limited to actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex and prohibit denigration of a student's physical size/shape by school employees or students on school property or at school-sponsored events and activities that take place on or off of school property. In addition, any act of discrimination or harassment outside of school-sponsored events, including cyberbullying, which can reasonably be expected to materially and substantially disrupt the educational process where it is foreseeable that the conduct might reach school property, may be subject to discipline. See **Attachment E** - DASA Policy

V. DRESS CODE

All students and staff should show healthy and respectful attention to their personal cleanliness and clothing. Adults should model and reinforce acceptable dress for students. **Attachment F** lists the specific dress code rules.

VI. REPORTING CODE VIOLATIONS

Each individual in the school community has the responsibility to report code violations that he or she witnesses. Violations involving weapons, alcohol or illegal substances (including synthetic drugs such as synthetic cannabinoids) must be reported immediately. Students should report violations to the building principal or a school counselor, social worker, teacher or any adult they trust. Adults should report violations in accordance with District Policy 7310. When code violations break not only school policy but the law, the school principal or designee must promptly notify the appropriate law enforcement agency.

VII. DISCIPLINE

The Board believes that the best discipline is self-imposed. Adults should model self-discipline and help students accept responsibility for their actions.

Disciplinary action should be used only when necessary and in accordance with applicable contracts, laws, regulations and policies. Such actions should not just **punish discipline**, but should encourage personal growth and individual responsibility. Staff members authorized to impose discipline should act in a prompt, fair and problem-solving manner.

School personnel administering student discipline should consider:

- The student's age, and prior disciplinary record.
- The nature and circumstances of the offense.
- The effectiveness of any prior discipline.
- Information from parents/legal guardians, teachers or others, as appropriate.
- Other extenuating circumstances.

Interventions. For students, these can range from an oral warning to permanent school suspension. Disciplinary action for staff will conform to law and applicable contracts. Visitors will be asked to leave the building. **Attachment D** more fully describes the possible interventions.

Procedures. All disciplinary action should adhere to District contracts, regulations and policies. Students accused of misconduct should be told by authorized personnel of the nature of the accusation. If necessary, authorized school staff should investigate the facts surrounding the alleged misconduct. Students will have an opportunity to tell their version of the events. Depending on the nature of the misconduct, students may be entitled to additional rights before an intervention is imposed. **Attachment G** more fully describes disciplinary procedures.

Minimum suspensions. A student who brings a weapon to school (including but not limited to a weapon under the Gun Free Schools Act) will be suspended for at least one calendar year, unless the Superintendent modifies the penalty based upon the student's age, prior disciplinary record, the belief that other forms of discipline may be more effective, other relevant information from parent(s)/legal guardian(s), teacher(s) or others, or other extenuating circumstances. A student who commits any other violent act or who repeatedly and substantially disrupts the educational process will be suspended for at least five days, unless the Superintendent modifies the penalty, based upon the factors listed above. **Attachment H** more fully describes minimum suspensions.

Alternative instruction for disciplined students. The District will provide immediate, alternative instruction to all students removed from classes by teachers or suspended from school.

Referrals. Students may be referred for counseling, a Person in Need of Supervision (PINS) petition through Family Court, or juvenile delinquency proceedings. **Attachment I** describes when students may be referred to such counseling or proceedings.

Disciplining students with disabilities. Students with known or suspected disabilities who are determined to have committed an act of misconduct may be referred to the District’s Committee on Special Education (CSE). A student will not be punished disciplined if the CSE determines that the conduct stems from the student’s disability. But when the CSE determines that discipline is allowed, it will conform to the federal and state laws and regulations governing the discipline of students with disabilities. Such students will not receive harsher punishments disciplinary interventions than students who are not disabled. **Attachment J** describes the specific policies for disciplining students with disabilities.

Use of physical force. Corporal, or physical punishment, is strictly forbidden. However, reasonable physical force may be used to:

- Protect oneself or others from physical injury.
- Protect another student, teacher or any other person from physical injury.
- Protect the property of the school or of others.
- Restrain or remove a disruptive or violent student who refuses to refrain from disruptive or violent acts where methods not involving the use of physical force cannot be reasonably employed to achieve the aforementioned purposes.

The District will file reports on incidents of the use of physical force with the Commissioner of Education in accordance with Commissioner’s Regulations. The Building Principal or designee is responsible for enforcing these rules, as described in **Attachment K**.

VIII. STUDENT SEARCHES AND INTERVIEWS

Searches. The superintendent, building principals and assistant principals, may search students and their possessions for illegal matter, matter that threatens the health, safety, welfare or morals of fellow students or matter that violates this code, if there is reasonable individualized suspicion to believe a student is violating a law or this code of conduct Code of Conduct. If a search is warranted, it must be reasonable in scope.

School computers, desks, lockers and storage spaces are school property and may be opened and inspected by school officials from time to time without prior notice or student consent, but mindful of the student’s rights and the nature of the school as an educational institution.

Questioning. School officials may question students about possible violations of school rules. The student’s parents/legal guardians may be contacted, however, there is no right for a student’s parents/legal guardians to be contacted while school officials are investigating violations of school rules.

Law enforcement may enter the schools if a crime has been committed on school property, if they have an arrest or search warrant, or if they have been invited by school officials. Prior to questioning students, law enforcement must give students their “Miranda rights” and school administrators or law enforcement must diligently try to notify the student’s parents/legal guardians and give them the opportunity to be present.

Child Protective Services (CPS) may interview students on school property without notification to the parents/legal guardians regarding allegations of suspected child abuse, maltreatment or neglect (including educational neglect).

Attachment L more fully describes the rules governing student searches and questioning.

IX. SCHOOL VISITORS

The Board encourages parents/legal guardians and other community members to visit our schools to observe the work of students, teachers and other staff. All visitors must first report to the office and obtain authorization for being on school premises. The building principal or ~~his or her~~ **their** designee is responsible for all persons in the building and on the grounds. **Attachment M** more fully describes the policy governing school visitors.

X. PUBLIC CONDUCT ON SCHOOL PROPERTY

The District is committed to providing an orderly, respectful and safe environment that is conducive to learning. All persons on school property or attending a school function, whether on or off of school property, shall conduct themselves in a respectful and orderly manner.

No person, either alone or with others, while on school property or attending a school function, shall:

- Intentionally injure or threaten to injure any person.
- Intentionally damage or destroy school property or the property of others, or remove or use such property without authorization.
- Disrupt the orderly conduct of classes, school programs and activities.
- Distribute or wear materials that are obscene, advocate illegal action, appear libelous, obstruct the rights of others or are disruptive to the school program.
- Intimidate, harass or discriminate against any person on the basis of, for example, actual or perceived race, color, creed, weight, national origin, ethnic group, religion, religious practice, age, gender, sexual orientation or disability, prohibit denigration of a student's physical size/shape or any other discriminatory reason.
- Harass, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements (verbal, by electronic or other means), an identifiable individual or group which is intended to be, or which a reasonable person would perceive as ridiculing or demeaning.
- Intimidate, which includes engaging in actions or statements that put an individual in fear of bodily harm, including threats.
- Enter any school property without authorization or remain in any school premises after it is closed.
- Obstruct the free movement of any person.
- Violate traffic laws, parking regulations or other vehicle restrictions.
- Possess, consume, solicit a sale, sell, buy, distribute or exchange alcoholic beverages, any form of tobacco including but not limited to, cigarettes, smokeless tobacco, e-cigarettes and electronic smoking devices, or controlled substances (including but not limited to synthetic drugs such as synthetic cannabinoids), or be under the influence of the above.
- Possess, display or use weapons (unless specifically authorized by the District).
- Loiter, gamble, litter or spit.
- Refuse to comply with reasonable directives of school officials while they are performing their duty.
- Willfully incite others to commit any acts prohibited by the Code of Conduct.
- Violate any federal or state law, local ordinance or Board policy.

XI. DISSEMINATION AND REVIEW OF CODE

The school district will educate the community about this Code of Conduct by:

- Providing a summary of the code to all students and parents/legal guardians at the beginning of each school year, including a form encouraging comments on how to improve or change the code.
- Providing the code to all students and parents/legal guardians at the beginning of each school year.
- Providing a summary of the Code of Conduct written in a plain-language age-appropriate manner to students at a school- or grade-level assembly or within the classroom held at the beginning of the school year.

- Providing copies of the code, including any amendments, to all school personnel as soon as practical after adoption.
- Providing new employees with a copy of the code when they are hired.
- Providing copies of the code to any student, parent/legal guardian, or community member who asks for one.

Copies of the complete code are available on the District website. **Attachment N** more fully describes the district's plan for educating the community about the Code of Conduct.

ATTACHMENT A: DEFINITIONS

For the purposes of this code, the following definitions apply:

- **Bullying (including cyberbullying):** A form of harassment (see below) that consists of persistent or severe coercion, cruelty, insults, intimidation, or threats.
- **Cheating:** Using the ideas, works, creations or words of another in completing examinations, projects, reports (and includes Plagiarism, below).
- **Controlled substance:** A drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in federal and state law and in regulations applicable to this policy (including but not limited to synthetic drugs such as synthetic cannabinoids).
- **Disruptive person:** Anyone who substantially disrupts the educational process or substantially interferes with the teacher's classroom authority.
- **Gender:** Actual or perceived sex and includes a person's gender identity or expression.
 - **Gender Expression:** The manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.
 - **Gender Identity:** The internal, deeply-held sense of one's gender which may be the same as or different from one's sex assigned at birth. A person's gender identity may be male, female, neither or both, i.e., non-binary or genderqueer. Gender identity is not the same as sexual orientation or gender expression.
- **Harassment:** the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse, including via social media, that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression) and prohibits denigration of a student's physical shape/size.
- **Hazing:** A form of harassment that occurs while initiating a student into a school organization or activity, which involves committing an act against the student or coercing the student into committing an act against someone else that risks emotional, physical or psychological harm to the student or another person. The fact that the person harmed may consent to the act does not excuse the behavior or lessen the offense.
- **Illegal substances:** These include but are not limited to amphetamines, cocaine, heroin, inhalants, LSD, look alike drugs, synthetic drugs, marijuana, PCP, steroids, alcohol, any substances commonly referred to as "designer drugs" as well as the unauthorized use of prescription medication.
- **Parent:** Parent, legal guardian or person in parental relation to a student.
- **Plagiarism:** The use or close imitation of the language and ideas of another author and representation of them as one's own original work. This includes copying from electronic sources, the Internet, **World Wide Web**, even with minor alterations.
- **School Property:** The area 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.
- **School Function:** Any school-sponsored extracurricular event or activity whether on or off school property.
- **Sexual Orientation:** An individual's actual or perceived romantic, physical or sexual attraction to other persons, or lack thereof, on the basis of gender. A continuum of sexual orientation exists and includes, but is not limited to, heterosexuality, homosexuality, bisexuality, asexuality, and pansexuality.
- **Student:** Any child between the ages of 3 and 21 years of age enrolled in the New Paltz Central School District educational programs
- **Violent person:** Any person, while on school property or at a school function who:
 - Commits an act of violence upon a school employee, another student, or any other person or attempts to do so.
 - Possesses or threatens to use a weapon, or displays what appears to be a weapon.
 - Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
 - Knowingly and intentionally damages or destroys school district property.
- **Weapon:** A firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act or anything else that can cause physical injury or death when used to cause physical injury or death.
- **Visitor** – Any community member or other individual who comes to our schools, including but not limited to school buildings, school grounds and school events either on or off site.

ATTACHMENT B:
BOARD EXPECTATIONS FOR STAFF, PARENTS/LEGAL GUARDIANS AND VISITORS

Parents and legal guardians are expected to:

- Recognize that education is a joint responsibility of parents/legal guardians and the school community.
- Send their children to school ready to participate and learn.
- Ensure their children attend school regularly and on time and that absences are excused.
- Ensure that their children are dressed and groomed in a manner consistent with the student dress code.
- Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
- Know the District Code of Conduct and school rules and help their children understand them.
- Convey to their children a supportive attitude toward education and the school community.
- Build good relationships with teachers, other parents/legal guardians and their children's friends.
- Help their children deal effectively with peer pressure.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Provide a place for study and ensure homework assignments are completed.
- Provide accurate and updated emergency information.
- **Report violations of the Code of Conduct**
- **Check elementary school student cell phones and social media status**

All school personnel are expected to:

- Promote a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, and prohibit denigration of a student's physical size/shape which will strengthen each student's positive self-image.
- Teach common courtesies by precept and example.
- Treat students in an ethical, responsible and nondiscriminatory manner.
- Help students to reach their maximum potential.
- Demonstrate desirable standards of behavior through personal example.
- Report violations of the code of conduct to the building principal or acting building principal.
- Immediately report and refer violent students to the principal or superintendent of schools.
- Address issues of harassment (including bullying **and cyberbullying**) or any situation that threatens the emotional or physical health or safety of any student, employee or other person lawfully on school property or at a school function.
- Address personal biases that may prevent equal treatment of all students and staff.
- Maintain confidentiality in accordance with federal and state law.

Teachers are also expected to:

- Be prepared to teach.
- Demonstrate interest in teaching and concern for student achievement.
- Know school policies and rules, and enforce them in a fair and consistent manner.
- Communicate to students and parents/legal guardians:
 - Course objectives and requirements.
 - Marking/grading procedures.
 - Assignment deadlines.
 - Expectations for students.
 - Classroom discipline plan.
- Communicate regularly with students, parents/legal guardians and other teachers concerning growth and achievement.
- Read, understand and comply with a student's IEP, §504 Plan and behavior improvement plan.
- Comply with state law and regulations regarding corporal punishment, mandated reporting of suspected child abuse in the domestic setting and in the educational setting.

Dignity Act (or Bullying Prevention) Coordinators are also expected to:

- Promote a safe, orderly and stimulating school environment supporting active teaching and learning for all students regardless of, for example, actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, and prohibit denigration of a student's physical size/shape;
- Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources;
- Coordinate training in support of the District's Bullying Prevention and Intervention Policy;
- Be responsible for monitoring and reporting on the effectiveness of the District's Bullying Prevention and Intervention Policy;

Building administrators are also expected to:

- Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students.
- Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
- Ensure that students and staff receive training in the **code of conduct Code of Conduct** and anti-harassment policies
- Support the development of student participation in appropriate extra-curricular activities.
- Be responsible for communicating expectations and for enforcing the **code of conduct Code of Conduct**, ensuring that all cases are resolved promptly and fairly.
- Evaluate all instructional programs on a regular basis.
- Evaluate student attendance at least annually and make recommendations to the Board and superintendent to increase attendance.
- Empower and create success for disenfranchised and disengaged students.
- Maintain confidentiality in accordance with federal and state law

The superintendent and district administrators are also expected to:

- Promote a safe, orderly and stimulating school environment supporting active teaching and learning for all students.
- Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
- Inform the **board Board** about educational trends relating to student behavioral interventions.
- Work to create instructional programs that maximize student learning and performance by engaging students and staff in meaningful academic exercises.
- Work with district administrators in enforcing the Code of Conduct, the Dignity for All Students Act, and ensuring that all cases are investigated properly and resolved promptly and fairly.
- Maintain confidentiality in accordance with federal and state law.

Members of the Board of Education are also expected to:

- Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of *individuals to create an invigorating learning community*.
- Adopt and review at least annually the District Code of Conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
- Lead by example by conducting Board meetings in a professional, respectful, courteous manner.
- Maintain confidentiality in accordance with federal and state law.

ATTACHMENT C: PROHIBITED CONDUCT

(Numbers indicate the possible interventions, as defined in attachment D)

Disorderly or disruptive conduct, such as but not limited to:

1. Running in hallways. (1)*
2. Making unreasonable noise. (1,2)
3. Using language or gestures that are abusive, lewd, obscene, or profane. (All)
4. Obstructing vehicular or pedestrian traffic. (1,5)
5. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building. (All)
6. Unless authorized by a district administrator for use as academic technology, **responding to pagers** or using cell phones, using digital music players or other personal entertainment devices is prohibited. Misusing computer or electronic devices, including unauthorized use of computers, software, or an internet or intranet account; accessing inappropriate websites, or any other violation of the district's acceptable use policy is prohibited. In addition, communication devices must be silenced and cannot be used at any time during an emergency situation to ensure the safety of all individuals in the school building, unless authorized to do so.(All)
7. **Using cell phone cameras to take photos of students or staff without permission.**
8. Failing to comply with the reasonable directions of teachers, school administrators or other school employees.(All)
9. Trading or selling cards. (4,9,10)
10. Engaging in any willful act that disrupts the normal operation of the school community. (All)

B. Insubordinate conduct, such as but not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees. (All)
2. Showing disrespect to district employees. (All)
3. Arriving late, leaving early, or missing school without permission. (4,9)
4. Skipping detention. (9)

C. Violent conduct, such as but not limited to:

1. Committing, attempting to commit or threatening to commit an act of violence (such as hitting, biting, kicking, punching, spitting, or scratching) upon a student, any school employee, or any other person lawfully on school property. (11,12)
2. Threatening to commit an act of violence upon the school (terroristic threat), whether the threat be made on school grounds or off school grounds or by written word, spoken word or electronic means. (12,13)
3. Possessing a weapon, unless express written permission is given by the superintendent or designee. (12)
4. Possessing or displaying what appears to be a weapon (11,12)
5. Threatening to use a weapon. (12, 13)
6. Using a weapon. (12)
7. Intentionally damaging or destroying school district property or the property of others. (3-12)
8. Conduct that intimidates, promotes, or conspires to cause or causes physical or emotional injury to others (All).

D. Conduct that endangers the morals, health or welfare of others, such as but not limited to:

1. Lying to school personnel. (All)
2. Littering or spitting on property. (1-11)
3. Stealing. (6>)
4. Defamation, which includes violating the privacy or making false statements or misrepresentations about an individual or group of individuals that harm the reputation of the person or group by demeaning them. (All)

5. Discrimination, or the negative or offensive treatment of an individual or group based on, for example, actual or perceived color, creed, disability status, gender, sex, sexual orientation, weight, race, national origin, ethnic group, religion, religious practice, and prohibit denigration of a student's physical size/shape or other discriminatory classification or using any of the above as a basis for treating another in a negative or offensive manner. (6>)
6. Harassment, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be or which a reasonable person would perceive as ridiculing or demeaning. (11>)
7. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or retaining (unless for the purpose of reporting/evidence) sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature. (All)
8. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team. (11-12)
9. Bullying, which consists of inappropriate persistent physical, verbal and/or nonverbal behavior including threats or intimidation of others treating others cruelly, terrorizing, coercing, or habitual put-downs.(11-12)
10. **Cyber bullying** **Cyber bullying** while on school grounds or off school grounds, including, but not limited to, the use of instant messaging, email, websites, social networking sites, text messaging or use of any electronic or digital communication when such use infringes upon the general health, safety and welfare of District students and employees. (11-12)
11. Selling, distributing, using or possessing obscene material.(11-12)
12. Possessing, using, solicitation of sale, selling, buying any form of tobacco including but not limited, cigarettes, smokeless tobacco, e-cigarettes and electronic smoking devices. (6-All)
13. Possessing, consuming, solicitation of sale, selling, buying, distributing or exchanging look- a- like drugs, synthetic drugs, drug paraphernalia, alcoholic beverages or illegal substances, or being under the influence of either. Possessing, consuming, solicitation of sale, selling, buying, distributing, exchanging or sharing prescription and nonprescription drugs. (All)
14. Gambling or extortion. (6>)
15. Exposure of one's genitals, **buttocks** or breasts. (11>)
16. Making a false alarm about a fire, bomb threat, or other emergency, or inappropriately calling 911 or discharging a fire extinguisher or an automatic external defibrillator. In addition, no communication devices can be used at any time during an emergency situation, to ensure the safety of all individuals in the school building In addition, communication devices must be silenced and cannot be used at any time during an emergency situation to ensure the safety of all individuals in the school building, unless authorized to do so. (AED). (12)
17. Reckless or unauthorized operation of a motor vehicle on and around school property. (All)
18. Engaging in or displaying unacceptable physical or sexual contact. (All)

E . Misconduct on school buses, such as but not limited to:

1. Any activity or conduct that distracts the bus driver. (All).
2. Any activity or conduct not allowed in school or at school functions. (All)

F. Academic misconduct, such as but not limited to:

1. Plagiarism. (14)
2. Cheating. (14)
3. Copying. (14)
4. Altering records. (14)
5. Assisting another student in any of the above actions. (14)
6. Failure to return documents or school property in a timely fashion (14)

G. Off campus misconduct: A student may be subject to discipline for conduct constituting a crime which is committed off of school premises or at non-school sponsored activities to the extent that the superintendent of schools or Board of Education reasonably believes that the continued attendance in school of the student would adversely affect the educational

process (e.g., disrupts the operation of the school) or constitutes an endangerment to the health, safety, welfare or morals of the student and/or others in our schools:

G. Off-campus misconduct:

A student may be subject to discipline for conduct constituting a crime which is committed off of school premises or at non-school sponsored activities to the extent that the superintendent of schools or Board of Education reasonably believes that the continued attendance in school of the student would adversely affect the educational process (e.g., disrupts the operation of the school) or constitutes an endangerment to the health, safety, welfare or morals of the student and/or others in our schools.

A student may be subject to discipline for off-campus misconduct that does not involve criminality that the superintendent of schools or Board of Education reasonably believes has a nexus to the educational process (e.g., student-student, student-personnel, interactions that foreseeably would have a detrimental or disruptive effect upon school programs or activities).

Repeat infractions will lead to more severe **disciplinary** interventions including, for chronic repeat serious infractions, up to and including permanent suspension.

The administration reserves the right to implement disciplinary action for incidents not specifically identified above.

ATTACHMENT D: INTERVENTIONS

Students

Students who violate the District's Code of Conduct are subject to the following interventions, either alone or in combination. The school personnel identified after each consequence are authorized to impose that consequence, consistent with the student's right to due process.

1. Oral warning: any member of the ~~district~~ District staff
2. Written referral: bus drivers, coaches, ~~guidance~~ school counselors, hall and lunch monitors, teachers, principals and assistant principals, and the superintendent
3. Written notification to parents/legal guardians: bus drivers, coaches, school counselors, hall and lunch monitors, teachers, principals and assistant principals, and the superintendent
4. A referral to a school counselor for three or more meetings to address and learn from the code violation and refer student as needed to appropriate human service agencies such as counseling, substance abuse treatment and social services.
5. Detention: teachers, principals, and the superintendent
6. Suspension from transportation: the director of transportation, principals, and the superintendent
7. Suspension from athletic participation: coaches, principals, athletic directors, and the superintendent
8. Suspension from social or extracurricular activities: activity director, principals, and the superintendent
9. Suspension of other privileges: principals and the superintendent
10. In-school suspension: principals and the superintendent
11. Removal from classroom: teachers
12. Short-term (five days or less) suspension from school: principal and acting principal
13. Long-term (more than five days) suspension from school: the superintendent or the Board of Education
14. Permanent suspension from school: superintendent or the Board of Education, after a hearing
15. All incidents of academic misconduct could result in a grade of zero and other academic interventions.

Staff

Staff who violate this code will be subject to discipline consistent with Board policy and applicable collectively negotiated agreements.

Visitors

Parents/legal guardians and visitors who violate this code will be asked to leave the premises.

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

Repeat infractions will lead to more severe interventions including, for chronic repeat serious infractions, up to and including permanent suspension.

ATTACHMENT E – DASA POLICY 7370

DIGNITY FOR ALL STUDENTS: PROHIBITING DISCRIMINATION AND HARASSMENT OF STUDENTS

The District seeks to create an environment free of harassment, bullying, and discrimination; to foster civility in its schools; and to prevent conduct that is inconsistent with its educational mission. The District, therefore, prohibits all forms of harassment and bullying of students by employees or other students on school property and at school functions. The District further prohibits discrimination against students, including, but not limited to, discriminatory acts based on a person's actual or perceived race, color, weight, body type national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender, and gender presentation by school employees or other students. In addition, other acts of harassment, bullying, or discrimination that can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline or other corrective action.

Dignity Act Coordinators

In each of its schools, the District will designate at least one employee holding licenses or certifications as required by the Commissioner of Education to serve as the Dignity Act Coordinator (DAC). Each DAC will be thoroughly trained to handle human relations in the areas of race, color, weight, body type, national origin, ethnic group, religion, religious practice, disability, sexual orientation, sex, gender, and gender presentation, and sex. Training will also be provided for DACs which addresses: the social patterns of harassment, bullying, and discrimination, including, but not limited that to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender, and gender presentation; the identification and mitigation of harassment, bullying, and discrimination; and strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings. All DAC appointments will be approved by the Board.

The District will widely disseminate the name, designated school, and contact information of each DAC to all school personnel, students, and parents/legal guardians by:

- a) Listing it in the *Code of Conduct* as **attachment O**, with updates posted on the District website; and
- b) Including it in the *Code of Conduct's* plain language summary provided to all parents/legal guardians to students before the beginning of each school year; and
- c) Providing it to parents/legal guardians in at least one District or school mailing or other method of distribution, including, but not limited to, electronic communication and/or sending information home with each student. If the information changes, parents/legal guardians will be notified in at least one subsequent District or school mailing, or other method of distribution as soon as practicable thereafter; and
- d) Posting it in highly visible areas of school buildings; and
- e) Making it available at the District and school-level administrative offices.

If a DAC vacates their position, the District will immediately designate an interim DAC, pending approval from the Board within thirty (30) days. In the event a DAC is unable to perform their duties for an extended period of time, the District will immediately designate an interim DAC, pending the return of the previous individual to the position.

Training and Awareness

Each year, all employees will be provided with training to promote a supportive school environment that is free from harassment, bullying, and discrimination, and to discourage and respond to incidents of harassment, bullying, and discrimination. This training may be provided in conjunction with existing professional development, will be conducted consistent with guidelines approved by the Board, and will:

- a) Raise awareness and sensitivity to potential acts of harassment, bullying, **cyberbullying** and discrimination;
- b) Address social patterns of harassment, bullying, and discrimination and the effects on students;
- c) Inform employees on the identification and mitigation of harassment, bullying, **cyberbullying** and discrimination;
- d) Enable employees to prevent and respond to incidents of harassment, bullying, **cyberbullying** and discrimination;
- e) Make school employees aware of the effects of harassment, bullying, **cyberbullying**, and discrimination on students;
- f) Provide strategies for effectively addressing problems of exclusion, bias, and aggression;
- g) Include safe and supportive school climate concepts in curriculum and classroom management; and
- h) Ensure the effective implementation of school policy on conduct and discipline.

Rules against harassment, bullying, and discrimination will be included in the *Code of Conduct*, publicized District-wide, and disseminated to all staff and parents/legal guardians. Any amendments to the *Code of Conduct* will be disseminated as soon as practicable following their adoption. The District will provide new employees with a complete copy of the current *Code of Conduct* upon beginning their employment, and distribute an age-appropriate summary to all students at a school assembly at the beginning of each school year.

Reports and Investigations of Harassment, Bullying, **Cyberbullying and/or Discrimination**

The District encourages and expects students who have been subjected to harassment, bullying, or discrimination; parents/legal guardians whose children have been subjected to this behavior; other students who observe or are told of this behavior; and all District staff who become aware of this behavior to timely report it to the principal, superintendent, DAC, or designee.

The principal, superintendent, DAC, or designee will lead or supervise a timely and thorough investigation of all reports of harassment, bullying, and discrimination. The DAC or other individual conducting the investigation, may seek the assistance of the District's Civil Rights Compliance Officer in investigating, responding to, and remedying complaints. The findings of the initial investigation may be appealed to the superintendent in writing, by either the target or the accused within ten (10) days of receipt of the findings. If the superintendent conducted the initial investigation the findings may be appealed to the Board of Education. The superintendent's findings may be appealed to the Board of Education, by either the target or the accused within ten (10) days of receipt of the superintendent's findings. The Board's findings may be appealed to the Commissioner of Education by either the target or the accused within thirty (30) days of receipt of the Board's findings.

Where necessary, the District will take immediate steps to protect the person harmed pending the final outcome of an investigation, including academic accommodations and other interim measures. These measures may include altering academic or bus schedules for either the person harmed or the alleged person who caused the harm, changing locker locations, allowing the complainant to withdraw from or retake a class without penalty, providing an escort to ensure that the person harmed can move safely between classes or other activities, and providing academic support (e.g., tutoring).

In the event any investigation verifies that harassment, bullying, **cyberbullying** and/or discrimination occurred, the District will take prompt action reasonably calculated to end it, to eliminate any hostile environment, to create a more positive school culture and climate, **through restorative justice and restorative circles**, to prevent recurrence of the behavior, and to ensure the safety of the student or students against whom the harassment, bullying, or discrimination was directed.

The superintendent, principal, DAC, or designee will notify the appropriate local law enforcement agency when there is a reasonable belief that an incident of harassment, bullying, or discrimination constitutes criminal conduct.

The District will timely collect information related to incidents involving harassment, bullying, and discrimination; provide required internal reports; and complete and submit any required report to the State Education Department in the manner and within the timeframe specified by the Commissioner.

Prohibition of Retaliatory Behavior (Whistle-Blower Protection)

Any person who has reasonable cause to suspect that a student has been subjected to harassment, bullying, **cyberbullying** or discrimination by an employee or student, and who acts reasonably and in good faith in reporting it to school officials, the Commissioner, or law enforcement authorities, or who otherwise initiates, testifies, participates, or assists in any formal or informal proceedings, will have immunity from any civil liability that may arise from making that report, or from initiating, testifying, participating, or assisting in those proceedings. The District also prohibits any retaliatory behavior directed against any complainant, victim, witness, or any other individual who participated in the reporting or investigation of an incident of alleged harassment, bullying, or discrimination.

Publication of District Policy

At least once during each school year, all District employees, students, and parents/legal guardians will be provided with a written or electronic copy of this policy, or a plain-language summary of it. The policy or summary will include information relating to how students, parents/legal guardians, and District employees may report harassment, bullying, **cyberbullying** or discrimination. Additionally, the District will maintain a current version of this policy on its website at all times.

Application

Nothing in this policy or its implementing regulations should be interpreted to preclude or limit any right or cause of action provided under any local, state, or federal ordinance, law or regulation including, but not limited to, any remedies or rights available under the Individuals with Disabilities Education Act, Title VII of the Civil Rights Law of 1964, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990.

Education Law §§ 10-18, 801-a, 2801 and 3214
8 NYCRR § 100.2

NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board, #3410 -- Code of Conduct, #3420 -- Non-Discrimination and Anti-Harassment in the District, #5670 -- Records Management, #6411 -- Use of Email in the District, #7550 -- Sexual Harassment of Students, #7552 -- Student Gender Identity, #7553 -- Hazing of Students, #8242 -- Civility, Citizenship and Character Education/Interpersonal Violence Prevention Education
Adopted: 7/11/12, Revised: 12/19/12, Revised: 11/06/13, Revised: 4/10/19

ATTACHMENT F: DRESS CODE

A person's dress is a reflection of our school, community, parents/legal guardians, faculty, staff and students. All students are expected to adhere to the Dress Code while on school property or any school activity or event.

The Primary Purpose of the Dress Code is:

To maintain a safe learning environment for all students and to ensure that all students are treated equitably regardless of actual or perceived race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type/size.

The Goals of the Dress Code are:

- Ensure the ongoing participation of students/staff in the school and not result in unnecessary barriers to participation
- Allow students to wear clothing of their choice that is comfortable
- Allow students to wear clothing that expresses their self-identified gender
- Allow students to wear religious attire without fear of discipline or discrimination
- Prevent students from wearing clothing or accessories with offensive images or language, including, but not limited to, profanity, curses, vulgarity, obscenity, hate speech, lewdness and pornography
- Prevent students from wearing clothing or accessories that denote, suggest, display or reference alcohol, drugs or related paraphernalia or other unlawful or illegal conduct or activities
- Prevent students from wearing clothing or accessories that do, or are reasonably foreseen to -, interfere with the operation of the school or that do, or are reasonably foreseen to, disrupt the educational process
- Prevent students from wearing clothing or accessories that are, or reasonably can be construed as being or including, content that is racist, - or that reasonably can be construed as containing fighting words or speech that incites others to imminent lawless action, defamatory speech or true threats to others

Basic Principles:

1. Certain body parts must be covered at all times. Clothes must be worn so that genitals, buttocks, and nipples are fully covered with opaque fabric. There is no requirement for cleavage coverage. All items listed in the "must wear" and "may wear" categories must meet these basic principles.
2. All attire must support a safe learning environment for all.

Classes that include attire as part of the curriculum, may include assignment-specific attire, but should not focus on covering bodies in a specific way or promoting culturally-specific attire.

Must wear attire that is consistent with the Basic Principles as specified previously in this document:

- Shirt (with fabric in the front, back and the sides under the arms), AND
- Pants/jeans/skirt or the equivalent (for example, sweatpants, leggings, shorts, or dresses) AND
- Shoes, including, but not limited to, boots, slides, flip flops, heels.

May wear attire that is consistent with the Basic Principles as specified previously in this document:

- Hats as long as the entire face is visible
- Cultural or religious headwear or cultural or religious attire
- Hoodie sweatshirts, as long as face and ears are visible to school staff
- Fitted pants, including leggings, yoga pants and skinny jeans
- Pajamas, consistent with Basic Principles and Goals, set forth above
- Ripped jeans as long as underwear and buttocks are not exposed
- Tank tops, including spaghetti straps and tube tops
- Athletic attire
- Visible waistbands on undergarments or visible straps on undergarments worn under clothing.

The following, although not an exhaustive listing, are deemed to be inappropriate, either because they interfere with the health and safety of our students or staff or are disruptive to the educational process.

- Violent language or images on clothing
- Images or language depicting drugs or alcohol on clothing
- Hate speech, profanity or pornography on clothing
- Images or language that creates a hostile or intimidating environment based on any protected class or historically marginalized group on clothing. Swimsuits, except as required in class or athletic practice/performance
- Accessories that could be dangerous or can be used as a weapon
- Any item that obscures the face or ears, except as a religious observance

Enforcement

School staff shall be trained and able to use body positive language to explain the Dress Code and to address violations. To ensure effective and equitable enforcement of the Dress Code, school staff shall enforce the Dress Code consistently and shall not have the discretion to vary the requirements in ways that lead to discriminatory -impact. Any student found to have violated the Dress Code may be asked to put on their own alternative clothing, if available, or may be given temporary school clothing to be in compliance with the Dress Code for the remainder of the day. If necessary, students' parents/legal guardians may be called to bring alternative clothing for the student to wear.

It is essential that students not be shamed or required to display their bodies in front of others in school.

Shaming includes but is not limited to:

- Kneeling or bending over to check attire fit
- Measuring straps or skirt length
- Asking students to account for their attire in front of others
- Calling out students in open spaces in front of others about perceived Dress Code violations
- Asking students to correct sagging bra straps or pants
- Accusing students of distracting other students with their clothing

Students at the Middle/High School level should contact the Principal, Assistant Principal, or any member of the Counseling staff to discuss any concerns related to the Dress Code.

Students at the Elementary schools should contact the Principal, Coordinator of Student Support Services, the Social Worker or School Psychologist to discuss any concerns related to the Dress Code.

ATTACHMENT G: PROCEDURES

Students who are to receive interventions other than an oral warning, written referral or written notification to their parents/legal guardians are entitled to additional rights before the consequence is imposed. These additional rights are explained below:

- 1) **Detention:** Teachers, building administrators, principals and the Superintendent may impose after-school detention where removal from the classroom or suspension would be appropriate. Detention will be imposed only after the student's parent/legal guardian has been notified to confirm that there is no parental objection and the student has appropriate transportation home following detention.
- 2) **Suspension from Transportation¹:** Bus drivers should inform building principals and the director of transportation about any serious behavior problems. In such circumstances, the principal or transportation director can suspend the student's bus privileges, and the student's parents/legal guardians will be responsible for providing or arranging timely and safe transportation to and from school. If the parents/legal guardians cannot provide such transportation, the district will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214 but the student and/or the student's parents/legal guardians will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension from transportation to discuss the conduct and the consequence prior to the suspension being imposed.

- 3) **Suspension from athletic participation, extra-curricular activities and other privileges:** A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges (including but not limited to class trip, prom, graduation) is not entitled to a full hearing pursuant to Education Law §3214. However, the student and/or the student's parents/legal guardians will be provided with a reasonable opportunity for an informal conference with the **district** District official imposing the suspension to discuss the conduct and the *consequence* involved prior to the suspension being imposed.

- 4) **In-School Suspension:** The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom. Therefore, the Board authorizes building principals and the superintendent to place students, who would otherwise be suspended from school as the result of a Code of Conduct violation in, "in-school suspension." The in-school suspension room will be under the supervision of a certified teacher.

A student subjected to an "in-school suspension" is not entitled to a full hearing pursuant to Education Law §3214. However, the student and/or the student's parents/legal guardians will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the consequence involved prior to the suspension being imposed.

- 5) **Teacher removal of disruptive students:** A student's behavior can undermine a teacher's ability to teach and other students' ability to learn. Teachers can usually control behavior by using good classroom management including, in some cases, briefly removing the student from the classroom by, for example, giving the student a "time-out" in the hallway or with a school administrator, social worker or **guidance** school counselor. Such techniques do not constitute disciplinary removals for purposes of this code.

However, when a student substantially disrupts the educational process or interferes with the teacher's classroom authority by persistently refusing to comply with the teacher's instructions or repeatedly violating classroom rules, the teacher may remove the student for longer periods of time.

¹ See Section X – Discipline of Students with Disabilities

Secondary students (grades 6 through 12) may be removed for the remainder of the class upon the first event and for two days of class upon the second or third event. At the fourth or subsequent event of removal, a suspension is required by law. Elementary students (kindergarten through grade 5) may be removed for a lesson not to exceed 45 minutes per incident for the first three events. For the fourth event or subsequent event of removal, a suspension is required by law

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

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

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 of the removal, 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 principal** or designee prior to the beginning of classes on the next school day.

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

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

The principal may require the teacher who ordered the removal to attend the informal conference. If 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/legal guardians a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parents/legal guardians and principal.

The principal or the principal's designee may overturn the student's classroom removal if he or she determines that:

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

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

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

Each teacher must keep a log (on a District-provided form) for all cases of students removed from his or her class.

The principal must keep a log on all removals of students from the class.

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

6) **Suspension from School:** Suspension from school may be imposed only upon students who are insubordinate, disorderly, disruptive or violent, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

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

Any staff member may recommend to the superintendent or the principal that a student be suspended. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases the person recommending the suspension should write the referral as soon as possible.

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

a. **Short-term (5 school days or less) Suspension from School:** When the superintendent or principal (the "suspending authority") proposes to suspend for five school 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 explain the basis for the proposed suspension. The suspending authority must also notify the student's parents/legal guardians in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents/legal guardians. Where possible, notice should also be provided by telephone if the school has a contact phone number.

The notice shall provide a description of the alleged incident and the charges against the student and inform the parents/legal guardians of their right to an informal conference with the principal and their right to question complaining witnesses at the informal conference. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents/legal guardians. At the conference, the parents/legal guardians shall be permitted to ask questions of complaining witnesses under procedures established by the principal.

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

After the conference, the principal shall promptly advise the parents/legal guardians in writing of his or her decision. If the parents/legal guardians wish to pursue the matter, they must file a written appeal to the superintendent within thirty calendar days of the principal's decision, unless they can show extraordinary circumstances preventing 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/legal guardians are not satisfied with the superintendent's decision, they must file a written appeal to the Board of Education with the district clerk within 30 calendar days of the date of the superintendent's decision, unless they can show extraordinary circumstances preventing them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 calendar days of the Board's decision.

b. **Long-term (more than 5 school days) Suspension from School:** When the superintendent or building principal determines that a suspension for more than five school days may be warranted, he or she shall give reasonable notice to the student and the student's parents/legal guardians of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, question witnesses against him or her, and present witnesses and other evidence on his or her behalf.

The superintendent shall personally hear and determine the proceeding or 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. An audio recording shall be deemed a satisfactory record. If a hearing officer is designated, 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, any or none thereof.

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

c. **Permanent Suspension:** Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a very real 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.

ATTACHMENT H: MINIMUM PERIODS OF SUSPENSION

1. **Students who bring a weapon to school:** Any student found guilty of bringing a weapon onto school property will be suspended for at least one calendar year, unless the Superintendent modifies the suspension. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. In deciding whether to modify the suspension, the superintendent may consider the following:

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

A student with a disability may be suspended only in accordance with the requirements of state and federal law and there are circumstances in which a student with a disability is prohibited from being suspended from school for at least one calendar year for bringing a weapon onto school property.

2. **Students who commit violent acts other than bringing a weapon to school:** Any student, other than a student with a disability in certain circumstances, who is found to have committed a violent act, other than bringing a weapon onto school property, will be suspended from school for at least five days, unless the superintendent modifies the suspension. In addition, the student may be subject to a suspension for more than five school days after a §3214 hearing is conducted. If the proposed suspension is for just five school days, the student and the student's parents/legal guardians will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed suspension is for more than five school days, the student and the student's parents/legal guardians will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. In deciding whether to modify the consequence, the superintendent may consider the same factors considered in modifying a one calendar year suspension for bringing a weapon onto school property.

3. **Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere with the teacher's authority over the classroom:** Any student, other than a student with a disability in certain circumstances, who repeatedly and substantially disrupts the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school at least five days, unless the Superintendent modifies the suspension. For purposes of this ~~code of conduct~~ **Code of Conduct**, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214(3-a) and this **Code** code on four or more occasions during a semester. If the proposed suspension is for just five school days, the student's parents/legal guardians will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed suspension is for longer than five school days, the student and the student's parents/legal guardians will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. In deciding whether to modify the suspension, the superintendent may consider the same factors considered in modifying a one calendar year suspension for bringing a weapon onto school property.

ATTACHMENT I: REFERRALS

1. Counseling: The Social Worker, School Counselor, Nurse, and/or School Psychologist shall **meet with the student to provide in-school supports, as well as** handle referrals of students to appropriate human service agencies such as counseling and social services.

2. PINS Petitions: The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.
- c. Knowingly and unlawfully **possessing** ~~possesses~~ marijuana **or any substances determined to be illegal under state or federal laws**, in violation of Penal Law §221.05. A single violation of §221.05 will be sufficient basis for filing a PINS petition.

3. Juvenile Delinquents and Juvenile Offenders: The superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before Family Court:

Any student under the age of 16 who is found to have brought a weapon to school, or any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20(42)

The superintendent is required to refer students aged 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20(42) who has been found to have brought a weapon to school to the appropriate law enforcement authorities.

ATTACHMENT J: DISCIPLINE OF STUDENTS WITH DISABILITIES

It may sometimes be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. Students with disabilities are entitled to certain procedural protections beyond those available to students without disabilities whenever school authorities intend to impose discipline upon them. The school is committed to ensuring that the procedures 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 Suspensions or Removals of Students with Disabilities.

- 1) For purposes of this section of the Code of Conduct, the following definitions apply.
 - a) A “suspension” means a suspension from school pursuant to Education Law §3214.
 - b) 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/herself or others or placement in an IAES for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances or other disciplinable behaviors.
 - c) An “IAES” means a temporary educational placement, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to receive educational services so as to enable the student to continue to participate in the general curriculum, although in another setting, and to progress towards meeting the goals set out in such IEP, and receive, as appropriate, a functional behavioral assessment and intervention services and modifications that are designed to address the behavior violation so that it does not recur.
- 2) School personnel may, following the procedures set forth in Education Law Section 3214, order the suspension or removal of a student with a disability from his or her current educational placement as follows:
 - a) The School Board, the district BOCES Superintendent, 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.
 - b) 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 in subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - c) 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 pattern which is equivalent to a change of placement when considering the proximity of time and duration of such suspension. If those suspensions constitute a change of placement for a student, then only if a manifestation is not found can the student be suspended and placed in an IAES as determined by the Committee on Special Education (CSE).
 - d) 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 school days, when the conduct is a manifestation of the student's disability, and the student possesses 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 or has inflicted serious bodily injury upon another person while at school, on school premises or at a school function.

1. “Weapon” means the same as “dangerous weapon” under 18U.S.C. §930 (g)(w) which includes “a weapon, device, instrument, materials 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 ½ inches in length.”
2. “Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
3. “Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
4. “Serious bodily injury” means bodily injury which involves a substantial risk of death, extreme physical pain, protracted or obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
5. 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 school days at a time, if the IHO:

- e). determines that the District has demonstrated by substantial evidence that maintaining the current placement of the student is substantially likely to result in injury to the student or others.
- f). 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, including a suspension of more than 10 consecutive school days, when the conduct is found not to be a manifestation of the student’s disability.

B. Change of Placement Rule

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

- a) for more than 10 consecutive school days; or
- b) for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the similarity of the student’s behavior in previous incidents, 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.

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 manifestation team 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, or behavior resulting in serious bodily injury.

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, as appropriate, to determine why a student engages in behaviors that impede learning and how the student’s behavior relates to the environment, 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, controlled substances or serious bodily injury. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that constitutes a disciplinary change in placement, the members of the manifestation team 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 meeting

of the manifestation team shall include the modification of such plan and its implementation, to the extent the committee determines necessary.

2) A manifestation team shall conduct a determination review of the relationship between the students' 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, controlled substances or serious bodily injury or a decision is made by an IHO to place a student in an IAES in a dangerous situation or a decision is made to impose a suspension that constitutes a disciplinary change in placement.

- a) A manifestation team shall include a representative of the District knowledgeable about the student and the interpretation of information about child behavior, the parents/legal guardians and relevant members of the CSE as determined by the parents/legal guardians and the District
- b) The manifestation team shall review all relevant information in the student's file, including the student's IEP, any teacher observation and any relevant information provided by the parents/legal guardians to determine if the conduct in question:
 1. was caused by or had a direct and substantial relationship to the student's disability; or
 2. was the direct result of the District's failure to implement the IEP.

3) The parents/legal guardians of a student who is facing disciplinary action, but who has not been determined to be eligible for services under Individuals with Disabilities Education Act (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 District shall be deemed to have knowledge that such student had a disability if prior to the time the behavior occurred:
 1. The parents/legal guardians of such student has expressed concern in writing to supervisory administrative personnel or to a teacher of the student that the student is in need of special education; however, the expression may be oral if the parents/legal guardians does not know how to write or has a disability that prevents a written statement; or
 2. The parents/legal guardians of the student has requested an evaluation of the student in accordance with Part 200 of the Commissioner's Regulations; or
 3. A teacher of the student, or other personnel of the District has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the District's Director of Special Education or to other supervisory personnel of the District.
- c) A student will not be considered a student presumed to have a disability for disciplinary purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability:
 1. it was determined that the student is not a student with a disability, or
 2. the parents/legal guardians of the student did not allow an evaluation of the student, or
 3. the parents/legal guardians of the student have refused special education services.
- d) If there is no basis for knowledge that the student is a student with a disability or a student presumed to have 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 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.

- 4) The District shall provide parents/legal guardians 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, controlled substances or serious bodily injury or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others: or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
- 5) The parents/legal guardians 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/legal guardians of non-disabled students under the Education Law.
- 6) Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension for more than five school days shall include a guilt/no guilt phase and if guilt is found and a manifestation determination in accordance with § 201.4 of the Commissioner's Regulations results in a "No" manifestation determination or a "Yes" manifestation determination when the conduct involves weapons, illegal drugs, controlled substances or serious bodily injury, then a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
- 7) 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 manifestation team has determined that the behavior is not a manifestation of the student's disability or the behavior is a manifestation of the student's disability but involves weapons, illegal drugs, controlled substances or serious bodily injury.
- 8) During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided with a Free Appropriate Public Education (FAPE) as required by federal and state law and the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearing

- 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 during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
 - b) The parents/legal guardians request 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 pursuant to a disciplinary suspension or removal, including but not limited to any decision to place the student in an IAES.
 1. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs, controlled substances or serious bodily injury, 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/legal guardians and the district agree otherwise.
 2. If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
 - c) An expedited due process hearing shall be completed within 20 school 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/legal guardians within 10 school days after the last hearing date 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 may transmit copies of the special education and disciplinary records of a student with disabilities for consideration to the appropriate authorities to whom a crime is reported only to the extent that transmission is permitted by FERPA.

F. Section 504/Title II ADA Disability

Before discipline may be meted out for a student with a disability or suspected disability founded solely under §504 of the Rehabilitation Act of 1973 (hereinafter "§504") or Title II of the Americans with Disabilities Act (hereinafter the "ADA"), the §504 multi-disciplinary committee (hereinafter the "§504 committee") must make a determination of whether the conduct underlying the charge(s) was a manifestation of the disability.

- 1) If a nexus is found between the disability and the conduct underlying the charges, the §3214 proceeding must be discontinued and the matter placed under the jurisdiction of the §504 Committee for any further consideration. The record of subject discipline to be imposed shall be expunged. The §504 Committee must register a referral and bring about an evaluation of a student with a suspected disability or, if the student is already eligible under §504, it must consider possible program modification and disposition on a non-disciplinary basis.
- 2) If no nexus is found, yet a disability is indicated or has been identified, discipline may be imposed upon remand to the §3214 Hearing Officer. Students whose sole disabilities are founded under §504 and for whom no nexus is found shall be disciplined in the same manner as their non-disabled peers.
- 3) Students with a recognized 504/ADA disability who are currently illegally using drugs or using alcohol may be disciplined regardless of their disability status in the same manner and to the same extent as their non-disabled peers, provided that the students are currently engaged in the illegal use of drugs or alcohol.

Any penalty imposed may not be based on past behavior for which a nexus determination was not made or made but in the affirmative.

ATTACHMENT K: ENFORCEMENT AND PUBLIC CONDUCT ON SCHOOL PROPERTY

The building principal or his or her designee shall be responsible for enforcing the conduct required by this Code. When the building principal or ~~his or her~~ **their** designee sees an individual engaged in prohibited conduct, which in ~~his or her~~ **their** judgment does not pose any immediate threat of injury to persons or property, the principal or ~~his or her~~ **their** designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or ~~his or her~~ **their** designee shall also warn the individual of the interventions for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or ~~his or her~~ **their** designee shall have the individual removed immediately from school property, **school device** 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, staff member or visitor, as appropriate, in accordance with the "Interventions" section above. In addition, the District reserves its right to pursue a civil or criminal legal action against any person violating the Code.

ATTACHMENT L: SEARCHES AND QUESTIONING

The superintendent shall establish regulations regarding personal searches and interrogations of students, with due regard for the needs of parental knowledge and involvement, in accordance with this policy and the law.

A. Student searches: Involuntary personal searches of students and their possessions shall only be conducted by the police, unless there is a serious and immediate threat as well as reasonable suspicion for a search by school personnel. In that case, the Board authorizes the Superintendent of Schools, building principals and assistant principals to search students and their possessions for illegal materials, matters which otherwise constitute a threat to the health, safety, welfare or morals of students attending our schools and matters that violate this code. Searches that require removal of clothing other than outer coats and jackets will be conducted only if the school attorney or, in his or her absence, the school superintendent, determines that such a search is justified.

Such searches must conform to state and federal laws, and must be based on reasonable individualized suspicion and must be reasonable in scope. The reasonableness of the search will depend upon the:

- Student's age, gender, and school history and record.
- Seriousness and nature of the alleged infraction.
- Urgency of an immediate search.
- Reliability of the information used to justify the search and the likelihood that the search will produce evidence that the student is violating a law or this code.

Students must be told by school administration that school desks, lockers, storage spaces and computers belong to the school district, not the student, and thus may be opened and inspected from time to time by school officials without student permission. But school officials will respect the privacy of such spaces as much as possible.

B. Questioning of Students by School Officials: School officials have the right to conduct investigations and question students regarding any violations of school rules and/or illegal activity. The student's parents/legal guardians may be contacted depending upon the nature and reasoning for the questioning and the necessity for further action which may result. However, there is no right for a student's parents/legal guardians to be contacted while school officials are investigating violations of this code.

School officials are not required to give students "Miranda warnings" prior to questioning them.

The questioning of students by school officials does not preclude subsequent questioning by law enforcement as otherwise permitted by law.

C. Questioning of Students by Law Enforcement: It is the policy of the District to cooperate with law enforcement agencies. While law enforcement do not have general power to interview children in school, or to use school facilities in connection with law enforcement work, law enforcement may enter the schools of the District if a crime has been committed on school property, they have a warrant for arrest or search or if they have been invited by school officials.

When law enforcement has properly entered the school and desire to interview students in the school, the students must be afforded the same rights they have outside the school. They must be informed of their legal rights, may remain silent if they so desire, may request the presence of an attorney and must be protected from coercion and illegal restraint. When a student is under the age of 16 and law enforcement are present for an interview or investigations, school officials must make every reasonable effort to notify the student's parents/legal guardians, unless law enforcement indicate that such interview concerns a student's parents/legal guardians or other household member and it is pursuant to a report regarding suspected child abuse, maltreatment or neglect.

D. Child Protective Services Investigations: Child Protective Services may in some cases desire to conduct interviews of students on school property. Such interviews generally pertain to allegations of suspected child abuse, maltreatment or neglect.

A school official should be present during the interview unless it is decided that the presence of the school official is not essential to protect the interests of the ~~pupil~~ student and that the Department of Social Services worker's job can best be accomplished by conducting the interview without the school official present.

ATTACHMENT M: VISITORS TO THE SCHOOLS

Parents/legal guardians and other District citizens are encouraged to visit the district's schools and classrooms to observe 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 principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

- A. Anyone who is not a regular staff member or student of the school will be considered a visitor.
- B. All visitors to the school must report to the sign in desk upon arrival at the school. There they will be required to sign the visitor's register, **show identification** and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the **sign-in sign-in** desk before leaving the building.
- C. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
- D. Parents/legal guardians 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) and principal(s), so that class disruption is kept to a minimum.
- E. Teachers are expected not to take class time to discuss individual matters with visitors.
- F. Any unauthorized person on school property will be reported to the principal or **his or her** **their** designee. Unauthorized persons will be asked to leave. Law enforcement may be called if the situation warrants.
- G. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

ATTACHMENT N: DISSEMINATION AND REVIEW OF CODE

The District will ensure that the community is aware of this Code of Conduct by:

- Mailing a summary of the Code of Conduct written in plain language to all parents/legal guardians of district students before the beginning of the school year and making this summary available later upon request.
- Making full copies of the District Code available to all parents/legal guardians at the beginning of the school year.
- Providing a summary of the Code of Conduct written in a plain-language age-appropriate matter to students at a school assembly held at the beginning of the school year.
- Providing a copy of the Code code, and subsequent amendments to the Code code, to all current teachers, and other staff members, and to newly hired employees when first hired as soon as practical after adoption.
- Making copies of the Code code available for review by students, parents/legal guardians and community members.
- The Code code is available on the District website, in the District Office and in the main offices of each school.
- Providing an in-service education program for district staff members.
- Reviewing the Code of Conduct every year and updating it as necessary.
- Holding a public hearing before adopting any Code code revisions.
- Filing any amendments to the Code code with the Commissioner of Education.

A building's regulations, procedures, Code of Conduct or Dress Code must be consistent with and non-contradictory to the District Code of Conduct / Dress Code. Distribution of regulations and procedures relating to the individual building Code of Conduct/ Dress Code, is the responsibility of the building principal.

Review of Code

An in-service education program for all District staff members to ensure the effective implementation of the Code of Conduct will be provided. The Superintendent may solicit the recommendations of the district District staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

The Board of Education will review this Code of Conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the Code's provisions have been and whether the Code has been applied fairly and consistently.

An advisory committee will be appointed to assist in reviewing the Code code and the District's response to Code of Conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

At a regularly scheduled Board meeting the Code of Conduct Committee will present any Code code revisions for review. The Board will vote on the Code code approximately thirty days later after conducting a public hearing. The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

ATTACHMENT O: SCHOOL BUILDING DIGNITY ACT COORDINATORS

Duzine Elementary School	Jennifer Mojica, Coordinator of Student Support Services jmojica@newpaltz.k12.ny.us	845-256-4305
Lenape Elementary School	Jennifer Mojica, Coordinator of Student Support Services jmojica@newpaltz.k12.ny.us	845-256-4305
New Paltz Middle School	Jessica Miller, Assistant Principal jmiller@newpaltz.k12.ny.us	845-256-4206
New Paltz Senior High School	Kathleen Schneck, Assistant Principal kschneck@newpaltz.k12.ny.us	845-256-4106