



Duanesburg

CENTRAL SCHOOL
DISTRICT

CODE OF CONDUCT

202X-202X

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I. INTRODUCTION

The Board of Education (“Board”) has adopted the following mission statement and goals for the Duanesburg Central School District. These goals and principles are used as a lens through which the success of the district is measured and as a basis for decision making.

Mission Statement, Guiding Principles and Goals

Partnering with families and community, Duanesburg Central School will provide a safe, supportive and inclusive environment. We are committed to cultivating integrity, fostering community and instilling pride to prepare every student for success.

Guiding Principles

- Integrity
- Community
- Pride



Goals

Fostering Integrity in Duanesburg Central School District

The Duanesburg Central School District will promote a culture of integrity by encouraging honesty, fairness, and ethical behavior among students, staff, and the community.

Strengthen Community Engagement in Duanesburg Central School District

The Duanesburg Central School District will enhance connections among students, families and the broader school community by fostering strong, collaborative relationships.

Foster Pride in Duanesburg Central School District

The Duanesburg Central School District will cultivate pride by fostering a sense of ownership and excellence, celebrating achievements, and nurturing school spirit within our community.



II. STUDENT RIGHTS AND RESPONSIBILITIES

Student Rights

The District is committed to safeguarding the rights given to all students under State and Federal law. In addition, to promote a safe, healthy, orderly, and civil school environment, all district students have the right to:

1. All students have the right to a high quality education that focuses on developing them as individuals and competent, productive citizens
2. All students are guaranteed the right to express opinions, support causes, organize and assemble to discuss issues and demonstrate peacefully and responsibly in support of and in accordance with policies and procedures established by Federal and State laws and the Board of Education.
3. All students have the opportunity to participate in all District activities on an equal basis regardless of color, creed, national origin, religion, gender, sexual orientation or disability.

Additionally, the NYS Student Bill of Rights guarantees the following:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;

9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process;
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

Student Responsibilities

All District students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all District policies, Code of Conduct, rules and regulations dealing with student conduct.
3. Treat their fellow students and the employees of the district with respect, as outlined in the Dignity For All Students Act
4. Be present and prepared to learn
5. Work to the best of their ability in all academic and extracurricular pursuits
6. Respond to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
7. Work to develop strategies to control emotions and behavior as needed.
8. Ask questions when they do not understand.
9. Conduct themselves as representatives of the District when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
10. Demonstrate respect and concern for the facilities, employees of the district and other students, and avoid purposeful damage.

III. ESSENTIAL PARTNERS RESPONSIBILITIES

Essential Partners Responsibilities		
<i>Teachers</i>	<i>Parents/Caregivers</i>	<i>Administration</i>
<ul style="list-style-type: none"> • Be prepared to teach. • Continue with ongoing professional growth and development. Exhibits how to be a good citizen by contributing to a safe and positive learning environment. • Maintain a climate of fairness, mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn. • Understand and respect the values and traditions of the diverse cultures represented in the community and classrooms. • Educate students in attitudes, habits and standards of conduct, citizenship, respect and responsibility, which add up to Character Education. • Strives to help each student to realize their potential as a worthy and effective citizen and member of the school community. • Demonstrate interest in teaching, with care and concern for student achievement. • Demonstrate trustworthiness and responsibility using the highest ideals of professional service and commitment to the profession. • Know school policies and rules, and enforce them in a fair and consistent manner. • Communicate to students and parents in writing. • Discuss and display expectations for students. • Develop classroom expectation plans that develop respect, responsibility and a caring community discipline plans • Communicate regularly with students, parents, and other teachers with care concerning growth and achievement • Promote student responsibility to stay on task while in class. • Accept personal responsibility for teaching students character qualities that will help them evaluate consequences and take responsibility for their actions. • Work individually with a pupil to develop quality relationships with care and respect to achieve desirable conduct. 	<ul style="list-style-type: none"> • Inform the school district if any emergency information changes. • Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community. • Send their children to school (as required by New York State Law) ready to participate and learn. • Ensure their children attend school regularly and on time. • Ensure that absences occur for reasons set forth in the District's Attendance Policy. • Provide for their children's health • Insist their children be 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 and orderly environment. • Guide their children toward a respect for the law, the authority of the school, and for the rights and property of others. • Know school rules and help their children understand them. • Make the children aware of the consequences for any violation of school rules (outlined in this Code) and accept legal responsibility for their children's actions. • Encourage their children to develop socially acceptable standards of behavior, to exercise self-control, and to be accountable for their actions. • Convey to their children a supportive attitude toward education and the district. • Exemplify an enthusiastic and supportive attitude toward school and education by becoming acquainted with their children's school, its staff, curriculum and activities, and their children's 	<ul style="list-style-type: none"> • Promote active citizenship. • Ensure a safe, respectful, caring, orderly, and stimulating school community that supports active teaching and learning. • Be available for students and staff to have the opportunity to communicate regularly with the principal to discuss concerns that hinder our safe, responsible, caring, fair, and respectful community. • Evaluate on a regular basis all instructional programs. • Support the development of, and student participation in, appropriate extracurricular activities. • Enforce the code of conduct and ensure that all cases that violate any of the six core values are resolved promptly and fairly for all parties involved.

Essential Partners Responsibilities

<i>Superintendent</i>	<i>Board of Education</i>	<i>Support Staff</i>	<i>Dignity Coordinator</i>
<ul style="list-style-type: none"> ● Promote active citizenship. ● Ensure a safe, orderly community and stimulating positive school environment, supporting active teaching and learning ● 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 about educational trends relating to student discipline ● Work to create responsible instructional programs that minimize problems of misconduct and are respectful, caring and sensitive to student and teacher needs ● Work with district administrators in promptly enforcing the code of conduct and ensuring fairness of all regardless of race, sex, religion, ability and/ or personal beliefs 	<ul style="list-style-type: none"> ● Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions. ● Adopt and review at least annually the district's 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. ● Be strong trustees for their community, protecting the valuable resources that have been placed under their guard. 	<ul style="list-style-type: none"> ● Assist students in coping with peer pressure and emerging personal, social and emotional problems. ● Initiate teacher/student/ counselor conferences and parent/teacher/student/counsel or conferences, as necessary, as a way to resolve problems. ● Regularly review with students their educational progress and career plans. ● Provide information to assist students with college and career planning. ● Encourage students to benefit from the curriculum and extracurricular programs 	<ul style="list-style-type: none"> ● Promote a trustworthy and safe school environment, support active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. ● Oversee and coordinate the work of the district-wide and building-level MTSS Team. ● 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, with the Professional Development Committee, training in support of the bullying prevention committee. ● Be responsible for monitoring and reporting on the effectiveness of the District's bullying prevention policy. ● Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function. ● Address personal biases that may prevent equal treatment of all students and staff.

IV. STUDENT DRESS CODE

Duanesburg Central Schools respects our students' right to express themselves in many ways, including in the way they dress. All students attending Duanesburg Central Schools are expected to dress for the learning environment, with safety at the forefront. Students and their caregivers have the primary responsibility for student dress and appearance.

Teachers and all other district personnel should exemplify professional attire and help students develop an understanding of student dress that supports safety and does not interfere with learning in the school setting.

School staff shall enforce the dress code consistently and in a manner that does not reinforce marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income, body type/size, or any protected class.

All students should be able to dress comfortably for school and engage in the educational environment without fear of or actual unnecessary discipline or body shaming. All students and staff should understand that they are responsible for managing their own personal distractions and should not attempt to control or restrict other students' clothing or self-expression. Student attire shall not interfere with health or safety, contribute to a hostile or intimidating atmosphere for any student, or substantially disrupt or materially interfere with the educational process.

The following dress code policy is intended to provide guidance for students, caregivers and staff:

- Clothing that is vulgar, obscene or libelous, or denigrates others on account of race, color, weight, religion, religious practice, creed, national origin, ethnic group, gender, gender identity or expression, sex, sexual orientation, disability, or protected class is prohibited (see Policy 3420 Non-Discrimination and Anti-Harrassment).
- Clothing that promotes and/or endorses the use of alcohol, tobacco, marijuana or illegal drugs is not allowed.
- Clothing that depicts or encourages illegal or violent activities is prohibited.

V.CONDUCT EXPECTATIONS & CONSEQUENCES

The underlying theme of the following sections is that students of this District must conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, District personnel, the general public and for the care of school facilities and equipment.

The Board of Education is of the opinion that students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. Given this duality of discipline, the following sections detail student behavior expectations and the consequences of that behavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

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

The Dignity for All Students Act (DASA) emphasizes the creation and maintenance of a positive learning environment for all students. In connection with disciplining students who engage in discrimination and harassment, the District shall place the focus of discipline on discerning and correcting the reasons why discrimination and harassment occurred. In addition to any disciplinary consequences imposed for acts of discrimination or harassment, the following remedial measures may be implemented:

- peer support groups
- corrective instruction or other relevant learning or service experience
- behavioral assessment or evaluation
- behavioral management plans, with benchmarks that are closely monitored
- supportive intervention
- student counseling and caregiver conferences

Expectations for Everyone

Behavioral expectations have been established for everyone on school grounds and transportation:

1. Treat other people and their property with respect by keeping hands, feet, and objects to oneself and by refraining from derogatory comments.
2. Report to designated areas at designated times.

3. Follow expectations developed for an individual classroom.

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Level Infractions and Responses

Level 1 Infraction	Level 1 Response
Any behavior that represents an infraction of the established procedures that regulate the operation of the school and its educational process.	<p>Teacher/Staff Intervention:</p> <p><i>Responses may include teacher/student conversation, referral to school counselor, loss of privileges, parent contact, restorative practices or detention.</i></p>
Level 2 Infraction	Level 2 Response
Any behavior whose frequency and/or seriousness disrupts the educational environment.	<p>Administrative Intervention.</p> <p><i>In addition to Level 1 responses may also include administrative counseling, detention, temporary assignment to ALE room, or in-school suspension.</i></p>
Level 3 Infraction	Level 3 Response
Any behavior that is more serious and poses an immediate threat to the health and safety of self or others in school or school property. It may require SRO intervention. These infractions may be reported to the NYS Education Department as violent and disruptive incidents.	<p>Administrative Intervention:</p> <p><i>In addition to Level 1 & 2 interventions, responses may also include short term removal from the learning environment through in-school suspension or out-of-school suspension.</i></p>
Level 4 Infraction	Level 4 Response
Any behavior that is significantly more serious and/or frequency that directly threatens the safety or well-being of others.	<p>Administrative Intervention (Intensive):</p> <p><i>Responses will be removal from the learning environment with a minimum of 5 day out-of-school suspension with potential for Superintendent's Hearing.</i></p> <p><i>Response may also require notification to local agencies such as Child Protective Services, law enforcement, counseling/drug treatment programs, or PINS diversion.</i></p> <p><i>These infractions may be mandated to be reported to the NYS Education Department as violent and disruptive incidents.</i></p>
Level 5 Infraction	Level 5 Response
<p>Level 5 Infraction definition</p> <p>Behaviors that are most extreme causing bodily harm or injury, involve violence, possession of illegal substances, possession of a weapon and/or persistent Level 4 infractions.</p>	<p>District Administrative Intervention:</p> <p><i>Response will encompass all of Level 4 including the Superintendent's hearing to determine a long-term removal from school or alternative placement.</i></p> <p><i>Response will require notification to local agencies such as Child Protective Services, law enforcement, counseling/drug treatment programs, or PINS diversion.</i></p>

These infractions are mandated to be reported to the NYS Education Department as violent and disruptive incidents.

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Quick Reference Behavior Chart

Alcohol, Drugs, Tobacco: Possession and/or being under the influence of:	Level 1	Level 2	Level 3	Level 4	Level 5
Any tobacco product, vaping device.			✓	✓	
Any beverage containing alcohol.			✓	✓	
Any illegal substance, including marijuana or possession of paraphernalia.				✓	✓
Buying or selling of any illegal substance, including marijuana or drug paraphernalia.				✓	✓
Disruptive and Uncooperative Behaviors	Level 1	Level 2	Level 3	Level 4	Level 5
Behavior that disrupts the learning environment or the learning of other students in the classroom.	✓	✓	✓		
Lack of respectful interactions and response and compliance with staff requests.	✓	✓	✓		
Inciting and/or encouraging or video taping/dispersing a student altercation. Failure to disperse when directed by adults.		✓	✓	✓	
Volatile Acts – Disorderly, violent, or threatening conduct of a serious nature that significantly disrupts school, a school-sponsored activity, or a school-supervised activity held off school premises.			✓	✓	✓
Entering the building or classrooms unauthorized or unsupervised before or after school.		✓	✓	✓	✓
Being in the hallway without permission and/or hall pass. Not returning to class when directed by staff.	✓	✓	✓		
Violating school safety protocols such as opening secured doors or windows to permit someone in the building.		✓	✓	✓	
Other misconduct not addressed within this plan that jeopardizes the health, safety or property of the school, personnel, students or other individuals who are present.		✓	✓	✓	✓
Insubordination, ignoring level 4 interventions and continuing undesirable behaviors				✓	✓

Quick Reference Behavior Chart

Attendance	Level 1	Level 2	Level 3	Level 4	Level 5
Absenteeism without the knowledge and consent of a caregiver/guardian.		✓	✓		
Unexcused tardiness or absenteeism from class.	✓	✓	✓		
Leaving school or class without consent.	✓	✓	✓		
Respecting materials and property of others	Level 1	Level 2	Level 3	Level 4	Level 5
Not respecting others property by means of theft, and damaging school property or personal property of others.	✓	✓	✓		
Not respecting or damaging school property, including books, technology and resources	✓	✓	✓		
Academic Integrity	Level 1	Level 2	Level 3	Level 4	Level 5
Failure to show responsibility by using other's work as your own. For example; plagiarism or cheating. This applies to both an individual's work and group work.	✓	✓	✓		
Firearms/Weapons	Level 1	Level 2	Level 3	Level 4	Level 5
Possession of a toy weapon for the purpose to threaten, intimidate, or coerce someone.			✓	✓	✓
Possession any weapon other than a firearm.					✓
Possession and use of a weapon including a firearm for the purpose of harm, intimidation, or to cause a disruption. These weapons also include but are not limited to air rifles.					✓
Fires/Explosives/Flammables	Level 1	Level 2	Level 3	Level 4	Level 5

Setting off a school fire alarm, falsely alarming Emergency Services, setting a fire, or an attempt to set a fire.					✓
Possession or use of combustibles, fireworks, or any explosive materials.					✓

Quick Reference Behavior Chart

Forgery	Level 1	Level 2	Level 3	Level 4	Level 5
Falsifying a signature on any form, pass, or altering a document without consent of the owner/writer. This includes but is not limited to dates, and times.	✓	✓	✓		
Inappropriate language and/or expressions	Level 1	Level 2	Level 3	Level 4	Level 5
Use of inappropriate language towards a classmate including but not limited to: swearing and/or obscene gestures.	✓	✓	✓		
Use of inappropriate language towards a staff member including but not limited to: swearing and/or obscene gestures.		✓	✓	✓	
Use of <i>serious</i> , threatening language towards anyone, including on social media. (cyber bullying, sexual threats, hate speech).			✓	✓	✓
Inappropriate language or disrespect towards students, or staff regarding equity, inclusivity, or diversity.	✓	✓	✓		
Inappropriate use of technology (District provided or personal)	Level 1	Level 2	Level 3	Level 4	Level 5
Inappropriate use of an electronic device such as a cell phone, tablet or computer that inhibits and detracts from student learning. Violations of the of the bell-to-bell ban	✓	✓	✓		
Using a device to record or take images of another person without their consent.		✓	✓	✓	✓
Recording, and/or sharing, and distributing physical contact of any kind with or without consent of those being recorded. This includes any posting or sharing on social media platforms or through the internet.			✓	✓	✓

Quick Reference Behavior Chart

Non-sexual inappropriate contact	Level 1	Level 2	Level 3	Level 4	Level 5
Physical aggression towards another student regardless of intent (playful or meant for harm) but that does not reach a level of excessive physical aggression.	✓	✓	✓		
Excessive physical aggression towards another student with intent for harm, <u>including retaliation</u> . *Note: Self-defense is defined as an action taken to protect or shield oneself from a physical attack. Reacting with physical aggression towards the aggressor is NOT self-defense and may be considered excessive physical aggression as well.			✓	✓	✓
Willful physical aggression towards a DCS staff member.				✓	✓
Willful physical aggression towards a DCS staff member, or aggression including the use of any object used to be physically aggressive towards them with the intent to cause harm or bodily injury.				✓	✓
Inappropriate exposure, touching, and/or sexual contact	Level 1	Level 2	Level 3	Level 4	Level 5
Public displays of affection including but not limited to inappropriate physical contact such as kissing and inappropriate touching.	✓	✓			
Willful non-consensual touching that is with sexual intent of a private body part by a person upon a person without consent.				✓	✓
Consensual sexual activity, including oral sex, on school grounds including but not limited to, sexual intercourse, oral sex, exposure of breasts, genitals, buttocks or private areas and removal of someone's clothing with intent to expose private areas.			✓	✓	✓
Sexual, explicitly, obscene, or lewd materials	Level 1	Level 2	Level 3	Level 4	Level 5
Any possession of partially nude, explicit, or pornographic materials.				✓	✓

Process for Dealing with Behavior Incidents

Student behavioral incidents should be handled first by the classroom teacher who is in direct control of the situation, or if the event did not occur in the classroom, by the District personnel observing the event.

Follow-up action to all behavioral problems should include one or more of the following:

1. A conference with the student during the day or after school with remedial action where needed.
2. A phone call/letter home.
3. A conference with the student's counselor/grade level principal.
4. A written Behavior Referral Report submitted to the grade-level principal, or the psychologist, guidance counselor, chairperson or supervisor when the teacher's effort to resolve the behavioral problem has proven to be unsuccessful.

A serious behavioral problem or repeated instances of a behavioral problem within a class period may result in an immediate written referral.

The Behavioral Referral Report shall indicate the nature of the follow-up action taken by the teacher (see Behavioral Referral Guidelines). All infractions will be followed up with an electronic referral to the appropriate Jr/Sr HS office. As often as possible, minor referrals will be reviewed by the appropriate principal after 3 p.m. each day and with a follow-up meeting with students as soon as possible.

Major infractions/referrals will generally result in a caregiver contact to discuss the child's repetitive, inappropriate behavior.

Off-Campus Events

Students at school-sponsored events held off campus shall be governed by the rules and regulations of the school and are subject to the authority of the school officials.

Search and Seizure

Students may expect privacy from other students regarding their lockers, desks, or other storage areas. However, under the law, items that are school property, such as lockers, desks, computers, and other technological equipment are subject to searches by school authorities at any time. School authorities may also search students and/or their belongings where reasonable suspicion of a violation of the Code of Conduct or a violation of law exists. An administrator in the presence of another District employee shall conduct all searches. Searches can also be conducted of vehicles parked on school property when there is reasonable suspicion of a violation of the Code of Conduct or violation of the law. In all cases, the student and caregiver shall be informed as to the reason for the search.

Role of Police Officials

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials may enter school property or a school function to question or search a student, or to conduct a formal investigation involving students only if they have:

1. A search or arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Been invited by school officials.

Leaving School Grounds/Truancy

No student may leave the school grounds after arriving at school without approval of the administration. A caregiver requesting that a student leave school must submit a written request, in advance, to the attendance office. The request is verified and a dismissal slip is issued. When a student must leave school, the request must be in the attendance office before homeroom. In case of an emergency, the student will report to the attendance office to be signed out prior to leaving school grounds. Leaving school grounds without permission may result in suspension. Students may not be excused retroactively for leaving school grounds.

Lunch Policies and Regulations

Students are NOT permitted to leave school grounds during lunch without permission from an administrator. This includes all parking lots.

Attendance

Students who do not attend a minimum number of scheduled classes as stated below, regardless of the reason for the absence, may be denied academic credit. Students whose absences exceed the following guidelines may lose credit for the course:

- Semester Course: 10 Absences
- Full Year Course: 20 Absences

Students who feel they are having trouble in class because of poor attendance are encouraged to consult with their teachers about the problems. If absences continue to accumulate, students can expect to receive warnings and advice from their Guidance Counselor, Dean of students and principal.

In addition to these final numbers, the Committee will get periodic reports from teachers on students with attendance problems.

Remember:

- There is an Attendance Review Committee.
- Poor attendance can result in a variety of actions by the Committee.
- If attendance is poor enough, academic credit may be denied.
- Absences can include both excused and unexcused reasons for missing school.
- Medical excuses can be for ten (10) absences only. Physician's notes covering these ten absences must be brought in to grade level office within ten (10) school days of each absence or they will not be accepted.

Attendance Review Committee

One of the most important responsibilities of any student is regular attendance in school. Duanesburg Central High School has an Attendance Review Committee which monitors student attendance. The Committee evaluates student attendance problems and recommends actions to the principal. These actions may include many options. Among these are:

- Guidance counseling
- Referral to outside agencies
- Filing P.I.N.S. petitions
- Involvement of the School Resource Officer

In addition to the actions above, the Committee may recommend that a student be denied academic credit. This means that unless the student maintains a certain attendance level they may be denied school credit for the course whether or not the student has a passing average in that course.

Rationale

A considerable number of students each year accumulate an excessive number of absences from school. In some cases, verified illness is the cause, and adjustments are made for supplemental or modified instruction. In some cases, the absences are a direct result of disinterest or lack of concern for school. Periodic and systematic evaluation of student attendance is necessary to maintain the proper educational environment for all students.

Function of the Committee

The purpose of the Attendance Review Committee shall be to chart a course of action that will lead to improved attendance. This action may be any or all of the following:

- recommend denial of academic credit
- recommend guidance counseling
- recommend administrative intervention via letter, telephone call, etc.
- recommend to caregivers outside emergency assistance
- recommend filing P.I.N.S. petition
- recommend involvement of attendance officer
- invite student to meet with Committee
- invite caregivers to meet with Committee
- use any other option available
- implement attendance reduction contract

When the student reaches ten (10) absences in a half-year course or twenty (20) absences in a full-year course, the Committee would offer the caregivers an opportunity for a hearing. The student will be offered the opportunity to complete an "attendance reduction contract". This contract consists of a two (2) day reduction from the absence total of the student.

To fulfill the contract the student must meet with the teacher and complete course work that is equivalent to two (2) class periods. The teacher will be notified in writing of the contract. When the contract between the teacher and student is completed the grade level principal will be notified. The opportunity to enter into an "attendance reduction contract" will be offered only one time during each course.

Denial of Credit

The awarding of academic credit at Duanesburg Central High School will be based in part on attendance in class. Students who do not attend a minimum number of academic classes may be denied academic credit. Exceptions to the attendance regulation may be made for students with extended illness who have completed other academic requirements. Information concerning the attendance requirement will be distributed to all students and teachers at the beginning of the school year.

Teacher Reports

The teachers will inform the principal according to the schedule below when a student's attendance becomes unsatisfactory. Guidance-originated appointments, caregiver conferences, administrative meetings, internal suspension and field trips are not reported as absences. Examples of absences are contained within the District's Comprehensive Attendance Policy.

Excused and Unexcused Events

The following reasons for absence, tardiness, or early departure will be deemed excused absences for the purpose of the attendance register:

ELEMENTARY SCHOOL, GRADES PK-5	
EXCUSED ABSENCES	UNEXCUSED ABSENCES
Absences approved in advance with principal	Babysitting
Court order	Car problems
Extreme medical - such as surgery or long-term illness (with proof)	Family vacations
Medically sick	Hunting or fishing
Quarantine – verifiable by doctor	Missing the bus
Religious observance	Oversleeping
Serious illness or death in family	Planned family events
	Shopping
	Staying at home
	Other reasons not on approved list
JR/SR HIGH SCHOOL, GRADES 6-12	
EXCUSED ABSENCES	UNEXCUSED ABSENCES

Absences approved in advance with the principal (may include job interviews, school-sponsored sports competitions, etc.)	Babysitting
Approved Cooperative Work Programs	Car problems
Court order	Employment
Extreme medical – such as surgery or long-term illness (with proof)	Family vacations
Field trip/school-sponsored activities	Field Trips not authorized by the Principal
Medically sick (Three consecutive days of absence, due to illness, will require written note from a doctor/health clinic)	Fire calls
Military obligations	Hunting or fishing
Pre-approved college visits (letter from Admissions Office is required)	Learner's permit test
Quarantine – verifiable by doctor	Missing the bus
Religious observance	Oversleeping

All other reasons not listed above are unexcused and therefore, will be counted as absences which could potentially lead to loss of course credit.

Reporting Schedule

Teachers should use the behavior referral to report absences. Include the number of absences and the student's approximate class average. Referrals should be submitted the day that each student advances to Level II or higher levels.

ABSENCE CHART		
LEVEL	NUMBER OF ABSENCES	ACTION TO BE TAKEN
I	One (1) to five (5) absences in either a semester or full-year course.	<ul style="list-style-type: none"> ▪ During this time, the teacher should confer with the student and inform caregivers if assignments are not made up.
II	Six (6) absences in a single semester course or eight (8) absences in a full year course	<ul style="list-style-type: none"> ▪ Behavioral referral sent to principal. ▪ After teacher notification, principal informs caregivers of continuing problem. ▪ School counselor will contact student if academic problem is a result.
III	Twelve (12) absences in a full year.	<ul style="list-style-type: none"> ▪ Behavior referral sent to principal. ▪ School counselor confers with student and caregivers on continuing problem.
IV	Eight (8) absences in a semester or sixteen (16) absences in a full year.	<ul style="list-style-type: none"> ▪ Behavior referral sent to principal who notifies caregiver and student of imminent credit loss
V	Ten (10) absences in a semester or twenty (20) absences in a full year.	<ul style="list-style-type: none"> ▪ Behavior referral sent to grade level principal. ▪ If the student fails to maintain his obligation, a loss of credit letter is then sent by the Principal.

VI. BULLYING AND CYBER-BULLYING

The Board of Education is committed to providing a safe and productive learning environment within its schools. Bullying and cyber-bullying of a student by another student is strictly prohibited at all times. The range of possible intervention activities and/or sanctions for bullying is contained within the Behavior Expectations for all grade levels.

Cyber-bullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student by way of any technological tool, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images or internet postings, including social media, blogs or any other available manner.

Bullying can take three (3) forms:

- a. Physical: including, but not limited to, hitting, kicking, spitting, pushing, taking personal belongings;
- b. Verbal: including, but not limited to, taunting, malicious teasing, name calling, making threats;
- c. Psychological: including, but not limited to, spreading rumors, manipulating social relationships, or engaging in social exclusion, extortion, or intimidation.

VII. EXTRACURRICULAR & ATHLETIC EXPECTATIONS

Extracurricular activities are vital to a successful school environment. Student athletes and participants are expected to perform as role models for our student body and our community. They understand that these expectations apply to the school environment, field of competition, and in the community. Duquesne Central School district's athletic Code of Conduct augments the rules and standards of the district as well as those established by NYSPHAA Section 2, and the Western Athletic Conference. The codes establish standards for the behavior of student athletes, and are in effect at all times and in all places.

Academic Eligibility

As the district's primary responsibility is academic success, it's required that all participants must maintain a passing grade point average in their courses. Students not in good academic standing will be ineligible for participation in extracurricular activities or athletics.

Excused Absences

Students must be in school on time to participate in extracurricular activities. Students arriving after the beginning of period 2 should attend but not participate in practice, game or event on that day unless it is an excused tardy, which must be accompanied by a doctor's note or other pre-approved excuses. Activity participation will also be restricted, unless the absence or tardy is excused.

At a coach's discretion, a student-athlete may request in advance to be excused from practice or a game / match. Excused absences will be granted for illness, overlapping school activities, or family emergencies only.

Sports Physical

Sports physicals are provided by the school district at no cost to our students-athletes. A student may choose to have a sports physical through a private physician; however, school district forms must be completed by the physician and all costs incurred are the responsibility of the student-athlete. A sports physical is in effect for one school year. A current "Health History Update" form must be completed by the parent/guardian for any physical over 30 days old. A sports physical is required before participation in any interscholastic school sport is permitted.

Insurance/Accident Statement

Interscholastic athletics involve the risk of injury to the participants. In case of an injury, coaches and qualified school personnel are authorized to provide first-aid and arrange for emergency treatment they deem necessary. Duquesne Central School District carries a secondary insurance policy for injuries. The caregiver's insurance will be billed first. The school's insurance may not completely pay all bills. The caregiver will be responsible for bills not paid by insurance. It is the responsibility of the athletes to report all injuries to their coach immediately. The coach will then complete appropriate accident reports and file the report with the school nurse.

Competitive Levels

Interscholastic sports at DCS consist of 3 levels; modified, Junior Varsity (JV) and Varsity. The competitive level and ideology of each level dictates the expectation of playing time.

Modified

Primary focus is skill development, fitness, and knowledge of the game/sport. Participation in live competition is key to this development. Athletes are expected to attend all practices and events. Barring health, safety, academic, or disciplinary reasons, playing time at this level is maximized to provide students with live competition.

Junior Varsity

Primary focus is preparing athletes to compete at the Varsity level. Emphasis shifts to team development and competitive performance. The disparity in playing time will begin to shift according to skill levels, sport/game sense, and physical fitness levels. Live competition is still necessary for continued growth and coaches are expected to provide playing time to athletes who show commitment to continued growth.

Varsity

The focus of a Varsity level Sport is to compete at the highest level possible. The coach has a responsibility to field the most competitive team possible. Playing time at this level is a decision made solely by the varsity coach. There will be a disparity of playing times as they field a starting unit consisting of the athletes who will give the team the best opportunity of success.

Select Classification

Athletes in grade 7 or 8 who feel they are physically ready and have the skill set required to compete at a JV or Varsity level may request to be selectively classified. This involves a physical exam, fitness test, and skills assessment. If you are interested, more details are

available at [NYSPHAA Section II](#). Students who meet the requirements for select classification are eligible to try out for varsity or JV.

Important: A sports physical is not necessarily the same as a routine physical examination. If a student is examined by a private physician for participation in sports, it is essential that a school sports physical form be completed by the physician. Students in grade 7 and 8 should request a Tanner Score be included as part of the physical.

Equipment/Uniform Care

All equipment and uniforms issued by the district will be the responsibility of the individual athlete. Uniforms are to be worn for competition or at the direction of the coach only. Student-athletes are expected to change as soon as possible after a meet / game.

Any equipment damaged or not returned must be paid for.

Students not paying for the articles will forfeit their right to participate in another sport or activity, receive any additional equipment or clothing, and will be ineligible for any awards until payment is received. It is your responsibility to notify the Director of PE & Athletics of such cases.

Transportation Policy

The district will arrange transportation for all contests and practices as applicable. The departure time for each game will be shared with the athletes by the coaches and be posted on the announcements on the day of the contest.

All student-athletes must ride to and from athletic contests in the vehicle provided by the school district.

A student may ride home from an athletic contest with his/her caregiver. The caregiver must give the coach written permission and sign the athlete out at the conclusion of the contest. Students may ride home with the caregiver of a team mate only with prior written approval. The student must submit written permission to the athletic department by 12:00 on the day of the contest. The district will verify the note and notify the coach.

Section II Code of Conduct for Spectators

- Spectators are an important part of the games and are encouraged to conform to accepted standards of good sportsmanship and behavior
- Spectators should at all times respect officials, visiting coaches, players and cheerleaders as guests in the community and extend all courtesies to them

- Enthusiastic cheering for one's own team is encouraged
- Booming, whistling, stamping of the feet, and disrespectful remarks shall be avoided
- There will be no ringing of bells, sounding of horns or other noisemakers at indoor contests during play. Anyone who does not abide by this rule will be asked to leave the premises
- Pep bands or school bands, under the supervision of school personnel, may play during timeouts, between periods or half time. Bands must coordinate play as not to interfere with a cheerleading squad on the floor or field
- The throwing of debris, confetti or other objects from the stands is prohibited
- Offending individuals will be asked to leave the premises
- During free throw in basketball, all courtesies should be extended
- Spectators should encourage each other to observe courteous behavior. Improper behavior should be reported to the school authorities
- Spectators will observe the rules of the local school concerning smoking and drinking consumption, littering, and parking procedures
- Spectators will respect and obey all school officials and supervisors at athletic contests
- Violations of good sportsmanship will result in possible removal from event

Duanesburg Coaches And Advisors

Coaches and advisors will behave as role models for students and the community and will follow the expectations, rules, ethical codes as established in this document. Additionally, athletic coaches will also conform to the expectations as defined by NYSPHAA, Section II, and the WAC.

It is their responsibility to maintain current certifications and strictly adhere to all safety mandates. It is their obligation to treat everyone with respect while providing them a top quality learning and competitive experience.

Duanesburg Coaches Handbook

The [Coaches Handbook](#) serves as a comprehensive guide outlining the expectations, responsibilities, and professional standards for all athletic coaches within the District. The handbook establishes clear guidelines regarding coaching conduct, supervision of student-athletes, communication with families, eligibility requirements, safety protocols, and adherence to district policies and applicable state regulations.

In addition, the handbook provides direction on program management, sportsmanship, ethical behavior, student wellness, and compliance with athletic governing bodies. It reinforces the District's commitment to maintaining a safe, inclusive, and educationally sound athletic environment that supports student growth both on and off the field of play.

All coaches are expected to review and comply with the provisions contained within the Coaches Handbook as a condition of their appointment.

Rule Infractions and Consequences

The following infractions will result in the student athlete being suspended from a minimum of one event. During this suspension the coach, in collaboration with the district administration, may allow the student to practice. They will not be allowed to suit up or participate in the scheduled game/meet.

1. Any behavior resulting in the student athlete being assigned ISS or OSS.
2. Disrespect/unsportsmanlike conduct resulting in ejection from a game/practice;
3. Behavior raised to a level where it detracts from the team (including comments)
4. Failure to abide by the rule expectations established by the coach

The following infractions will cause the athlete to be suspended for a minimum of 25% of the sports season to a maximum of 1 school year. The length of the suspension may be determined at a Superintendent's hearing as well as any additional suspension from school.

1. Behavior resulting in a second ISS/OSS
2. A second incident of disrespect/unsportsmanlike conduct resulting in ejection from a game/practice
3. Hazing
4. Attending an event where underage alcohol consumption is taking place or where there is presence/use of illegal drugs
5. Use or possession of paraphernalia related to the use of drugs, tobacco and alcohol
6. Use or possession of tobacco
7. Unexcused absence from a game/match
8. Any behavior on or off grounds that results in the involvement of law enforcement
9. Continued failure to follow rules established by the coach

In addition to the Athletic Code of Conduct, Coaches may establish rules and expectations for their teams including practice policies. These will be approved by the AD and distributed to all athletes at Meet the Coaches Night. The coach has the authorization to bench an athlete for one or more games for failure to abide by the established rules and exceptions.

VIII. OFF CAMPUS CONDUCT

The District may address student behavior that occurs off school property and outside of school hours, including conduct occurring online or through electronic communication, when such behavior creates, or is reasonably expected to create a material or substantial disruption to the school environment or interferes with the safety, well-being, or rights of students or staff.

Examples of off-campus conduct that may fall under this Code include, but are not limited to:

- Harassment, bullying, or discrimination of a student or staff member, including conduct prohibited under the Dignity Act, when such behavior foreseeably impacts the school climate.
- Threats, intimidation or acts of violence that target members of the school community.
- Creation, posting, or sharing digital content (e.g. social media posts, images, videos or messages) that demeans, harasses, or threatens students or staff, or that encourages harmful behavior at school or school functions.
- Misconduct occurring at non-school events where students are present and which results in conflict, disruption, or safety concerns within the school environment.

IX. REPORTING VIOLATIONS

All members of the school community, including students, are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, or the building principal. Any student observing a student possessing a weapon, alcohol, or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal or the Superintendent.

Anyone observing harassment or discrimination against another member of the educational community shall report this information immediately to a teacher, the Principal, the Superintendent of schools or the Dignity Act Coordinator. Following the report, the District shall investigate or otherwise determine what occurred and should take prompt and effective steps reasonably calculated to end the harassment or discrimination, eliminate any hostile environment, and prevent the conduct from occurring.

All District staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair, and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct to the Building Principal who shall, in turn, impose an appropriate disciplinary sanction.

Any weapon, alcohol, or illegal substance found shall be confiscated immediately, if possible, followed by notification to the caregiver of the student involved and the appropriate disciplinary sanction, if warranted, which may include long-term suspension and referral to local authorities. The building principal must notify the Superintendent and appropriate local law enforcement agency of those Code violations that constitute a crime.



X. DISCIPLINARY PENALTIES

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

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

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

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. However, the circumstances and seriousness of any individual matter may warrant more severe penalties.

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

A. Penalties

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

1. Oral warning – any member of the District staff
2. Written warning – bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, principal, Superintendent
3. Written notification to parent – bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, principal, Superintendent
4. Detention – teachers, principal, Superintendent

5. Suspension from transportation – director of transportation, principal, Superintendent
6. Suspension from athletic participation – coaches, athletic coordinator/ principal, Superintendent
7. Suspension from social or extracurricular activities – activity director, principal, Superintendent
8. Suspension of other privileges – principal, Superintendent
9. Reduction in grade or grade of zero for cheating or plagiarism.- teacher, principal, Superintendent
10. In-school suspension – principal, Superintendent
11. Removal from classroom by teacher – teachers, principal
12. Referral to a Pre-Superintendent Conference – teachers, principal, Superintendent
13. Short-term (five days or less) suspension from school – principal, Superintendent, Board of Education
14. Long-term (more than five days) suspension from school – Superintendent, Board of Education
15. Permanent suspension from school – Superintendent, Board of Education.

B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty. Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

1. Detention

Teachers, principals and the Superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. After school detention will be imposed only on days when district transportation home is available. The district shall maintain after school transportation on a sufficient number of days each week to ensure detention is available as a meaningful and regularly accessible disciplinary consequence.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the Superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the District will make appropriate arrangements to provide for the student's education consistent with any applicable legal requirements. A student subjected to a suspension from transportation is not entitled to a hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

3. Suspension from athletic participation, extracurricular activities and other privileges

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

4. In-school suspension

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals and the Superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension." A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Suspension from school

Suspension from school is a severe penalty, that may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the building principals. Any staff member may recommend to the Superintendent or the principal that a student be suspended. All staff members must

immediately report and refer a violent student to the principal or the Superintendent for a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member witness to the offense. The Superintendent or principal, upon receiving a referral that may result in suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

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

When the Superintendent or principal (referred to as the “suspending authority”) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214, the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student’s parents in writing that the student 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. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents. The notice shall provide a description of the charges against the student and the incident for that suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses. The notice and opportunity for an informal conference shall take place before the student is suspended unless the student’s presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student’s presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable. After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The

Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the District clerk within 10 business days of the date of the Superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner, with any such appeal being commenced within 30 days of the Board's decision.

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

When the Superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing pursuant to Education Law §3214. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf. A

Pre-Superintendent Conference can be conducted to resolve the matter by mutual agreement, rather than through the Superintendent's Hearing (see section C.4, page 17). The Superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required, although one may be used. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof. An appeal of the decision of the Superintendent must be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District clerk within 10 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Only final decisions of the Board may be appealed to the Commissioner, with any such appeal being commenced 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 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.

B. Minimum Periods of Suspension

1. Students who bring a weapon to school

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

- a. The student's age.
- b. The student's grade in school.
- c. The student's prior disciplinary record.
- d. The Superintendent's belief that other forms of discipline may be more effective.
- e. Input from parents, teachers and/or others.
- f. Other extenuating circumstances.
- g. A student with a disability may be suspended only in accordance with the requirements of state and federal law.

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

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

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

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes

with the teacher's authority over the classroom will be suspended from school for at least five days. For purposes of this Code of Conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214(3-a) and this code on four or more occasions during a semester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

C. Referrals

1. Counseling

The School Social Worker or Guidance Office shall handle all referrals of students to counseling within or to outside community 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 that makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
- c. Knowingly and unlawfully possessing marijuana in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.

3. Juvenile Delinquents and Juvenile Offenders

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

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

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

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XI. TEACHER DISCIPLINARY REMOVAL OF DISRUPTIVE STUDENTS

In most instances, the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain their composure and self-control in an alternative setting. Such practices may include, but are not limited to an opportunity for the student to regain composure in an alternative setting. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this Code.

Under the SAVE Act, a teacher may remove a violent or disruptive student from class when the student's conduct poses a danger or is substantially disruptive or substantially interferes with the teacher's authority over the classroom. Such disruption occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules. A classroom teacher may remove such a student from class for up to two days. The removal from class applies to the class of the removing teacher only.

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

If a teacher determines that a student presents a danger or an ongoing threat of disruption to the academic process, a teacher may remove a student from class immediately. By the end of the school day, the teacher must notify the building principal, in writing, and explain why the student was removed, and the student will be provided an opportunity to present their version of the events within twenty-four (24) hours.

The teacher must complete a District-established disciplinary removal form and meet with the principal as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal 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 prior to the beginning of classes on the next school day.

Within 24 hours of the removal, the principal must initially notify the student's caregivers by phone and then in writing, that the student has been removed from class and why. The

notice must inform the parent that he or she has the right, upon request, to meet informally with the principal to discuss the reasons for the removal.

If the student denies the charges, the principal shall provide an explanation of the basis for the removal and shall allow the student or caregiver an opportunity to explain the pupil's version of relevant events. The informal conference shall be held within two business days of the student's removal unless a later time is agreed to by the student or caregiver. The principal may require the teacher who ordered the removal to attend the informal conference if held during normal working hours.

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

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

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

Each teacher must keep a complete log (on a District-provided form) for all cases of removal of students from their class. The principal must keep a log of all removals of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change of placement. Accordingly, no teacher may remove such a student until he/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

XII. SUSPENSION FROM SCHOOL

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

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

Short-Term (5 days or less) Suspension from School

When the Superintendent or principal (suspending authority) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension.

The suspending authority must also notify the student's caregivers in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express delivery, or some other means that is reasonably calculated to assure receipt of the notice within twenty-four (24) hours of the decision to propose suspension at the last known address for the caregivers. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting caregivers.

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

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

After the conference, the principal shall promptly advise the caregivers in writing of their decision. The principal shall advise the caregivers that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent

within five (5) business days, unless they can show extraordinary circumstances precluding them from doing so.

The Superintendent shall issue a written decision regarding the appeal within ten (10) business days of receiving the appeal. If the caregivers are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the District Clerk within ten (10) business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within thirty (30) days of the decision.

Long-Term (more than 5 days) Suspension from School

When the Superintendent or building principal determines that a suspension for more than five (5) days may be warranted, they shall give reasonable notice to the student and the student's caregivers of their right to a fair hearing. At the hearing, the student shall have the right to be represented by counsel, the right to question witnesses against them, and the right to present witnesses and other evidence on their behalf.

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

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within ten (10) business days of the date of the Superintendent's decision, unless the caregivers can show that extraordinary circumstances precluded them from doing so. The Board may adopt, in whole or in part, the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner within thirty (30) days of the decision.

Student Who Brings a Weapon to School

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214.

The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

- The student's age.
- The student's grade in school.
- The student's prior disciplinary record.
- The Superintendent's belief that other forms of discipline may be more effective.
- Input from caregivers, teachers, and/or others.
- Other extenuating circumstances.

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

Student Who Commits Violent Acts Other Than Bringing a Weapon to School

Any student, other than a student with a disability, who is found to have committed a violent act as defined in Section II hereof, other than bringing a weapon onto school property or possessing a weapon on school property, shall be subject to suspension from school for at least five (5) days.

If the proposed penalty is the minimum five-day suspension, the student and the student's caregivers will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's caregivers will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

Students Who Are Repeatedly Substantially Disruptive of the Educational Process

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for a minimum of one (1) to five (5) days.

For purposes of this Code of Conduct, "repeatedly substantially disruptive" means engaging in conduct that results in the student being removed from the classroom pursuant to

Education Law §3214(3-a) and this Code on four or more occasions during a semester, or three or more occasions during a trimester.

The student and the student's caregiver 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 consequence exceeds a five-day suspension, the student and the student's caregiver will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify suspension on a case-by-case basis. In deciding whether to modify the consequence, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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XIII. DISCIPLINE OF STUDENTS WITH DISABILITIES

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

Authorized Suspension or Removals of Students with Disabilities

For purposes of this section of the Code of Conduct only, the following definitions apply:

Suspension: A suspension pursuant to Education Law §3214(3)(a) through (d).

Removal: 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.

IAES: A temporary educational placement determined by the Committee on Special Education (CSE) for a period of up to forty-five (45) days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student’s current individualized educational program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

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

Weapon: Means the same as “dangerous weapon” under 18 U.S.C. § 930(g)(2), which includes a weapon, device, instrument, material, or substance, animate or inanimate, that is used for or is readily capable of causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2½ inches in length.

Controlled Substance: A drug or other substance identified in certain provisions of the Federal Controlled Substances Act specified in both Federal and State law and regulations.

Illegal Drugs: 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.

School personnel may order the suspension or removal of a student with a disability from his/her current educational placement as follows:

- a. The Superintendent or 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 (5) 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 ten (10) consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
- c. The Superintendent may order additional suspensions of not more than ten (10) consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- d. The Superintendent may order the placement of a student with a disability to an IAES to be determined by the CSE, for up to forty-five (45) school days, but not to exceed the period of suspension ordered by the Superintendent, where the student has inflicted serious bodily injury upon another person; carries or possesses a weapon on school property; or possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while on school property. The period of suspension may not exceed the amount of time that a non-disabled student would be suspended for the same behavior.
- e. An impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his/her current educational placement poses a risk of harm to the student or others.

Change of Placement Determination

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

1. for more than ten (10) consecutive school days; or

2. for a period of ten (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 ten (10) school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspension 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 suspensions or removals.

However, the District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving serious bodily injury, weapons, illegal drugs, or controlled substances.

Functional Behavioral Assessment and Behavioral Intervention Plan

Where a student with a disability is suspended or removed from the student's current placement for more than ten (10) consecutive school days or when a suspension or removal constitutes a disciplinary change of placement and the student's conduct is a manifestation of the student's disability, the CSE shall:

1. conduct a functional behavioral assessment (FBA), and if appropriate, develop and implement a behavioral intervention plan for such student; or
2. If the student already has a behavioral intervention plan, the CSE shall meet to review such plan and its implementation and modify the plan and its implementation as necessary to address the behavior that resulted in the change of placement.

Manifestation Determination

A manifestation determination is a review of the relationship between the student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the disability.

A manifestation determination must be made immediately, but in no case later than ten (10) school days after:

1. By the Superintendent to change the placement of a student to an IAES;
2. By an impartial Hearing Officer to place a student in an IAES; or

3. By the Board of Education, District (BOCES) Superintendent, Superintendent or building principal to impose a suspension that constitutes a disciplinary change in placement.

A manifestation determination shall be conducted in a meeting which must include a representative of the District knowledgeable about the student, and the interpretation of information about child behavior, the caregiver and relevant members of the CSE as determined by the caregiver and District. The caregiver must receive written notification prior to any manifestation team meeting similar to prior notice requirements under the Regulations of the Commissioner of Education regarding students with disabilities.

The manifestation team shall review all relevant information in the student's file including the student's IEP, any teacher observations, and any relevant information provided by the caregivers to determine if the:

1. conduct in question was caused by or had a direct and substantial relationship to the student's disability; or
2. conduct in question was the direct result of the District's failure to implement the IEP.

If the manifestation team determines that either paragraph 1 or 2 above is applicable, the behavior shall be considered a manifestation of the student's disability.

If the manifestation team determines that the conduct was a manifestation of the student's disability, the CSE shall conduct a functional behavioral assessment and implement a behavioral intervention plan, and return the student to the placement from which the student was removed, unless the caregiver and District agree to a change of placement.

If the school identifies deficiencies in the student's IEP or placement or in their implementation, it must take immediate steps to remedy those deficiencies.

Students Presumed to Have a Disability for Discipline Purposes

The caregiver of a student who violates any District rule or the Code of Conduct and has not been identified as a student with a disability at the time of such behavior may assert any of the protections set forth in the Federal and State Education Law and Regulations, if the District is deemed to have had knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred. Where the District is deemed to have had knowledge that the student was a student with a disability before such behavior occurred, such student is presumed to have a disability for discipline purposes.

The District shall be deemed to have had knowledge that such student had a disability, if prior to the time the behavior occurred:

- the caregiver of such student had expressed concern in writing to administrative personnel or to a teacher of the student that the student needed special education;
- the caregiver of the student requested an evaluation of the student; or
- a teacher of the student, or other personnel of the District expressed specific concerns about a pattern of behavior demonstrated by the student, directly to administrative personnel in accordance with the District's child find or special education referral system.

A student is not a student presumed to have a disability for discipline purposes if:

- the caregiver of the student did not allow an evaluation of the student;
- the caregiver of the student refused services; or
- it was determined that the student was not a student with a disability.

If it is claimed that the District had a basis for knowledge that the student was a student with a disability prior to the time the behavior subject to disciplinary action occurred, it shall be the responsibility of the Superintendent or principal to determine whether the student is a student presumed to have a disability.

If the Superintendent or principal determines that there is no basis for knowledge that the student is presumed to have a disability, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in similar behaviors. A request for an individual evaluation made while such non-disabled student is subjected to a disciplinary removal, should be conducted in an expedited manner. An expedited evaluation shall be completed no later than fifteen (15) school days after receipt of the request for evaluation. The CSE shall make a determination of eligibility of such students in a meeting held no later than five (5) school days after completion of the expedited evaluation. Until the expedited evaluation is completed, the non-disabled student shall remain in the education placement determined by the District, which can include suspension.

Due Process Procedures

Where a student is suspended for five (5) consecutive school days or less, the caregivers of the student shall be provided an opportunity for an informal conference in accordance with Education Law §3214 (3)(d).

Superintendent's hearings on disciplinary charges against students with disabilities and students presumed to have a disability for discipline purposes shall be bifurcated into a guilt phase and a penalty phase and conducted as follows:

1. The Superintendent shall proceed with the guilt phase and determine whether the student is guilty of the alleged misconduct. If it is determined that the student is guilty of the alleged misconduct, the Superintendent shall make a threshold determination of whether a suspension or removal in excess of ten (10) consecutive school days or that would otherwise constitute a disciplinary change in placement should be considered. If the threshold determination is that such a suspension or removal should be considered, before the Superintendent recommends any such removal, the Superintendent's hearing shall be adjourned until a manifestation determination is made. If the Superintendent determines that a suspension or removal that would constitute a disciplinary change in placement should not be considered, the hearing shall proceed to the penalty phase.
2. Upon a determination by the manifestation team that the behavior of a student with a disability was not a manifestation of the student's disability, such student may be disciplined in the same manner as a non-disabled student. Upon receipt of notice of such determination, the Superintendent shall proceed with the penalty phase of the hearing. If the manifestation team determines that the behavior was a manifestation of the student's disability, the Superintendent shall dismiss the hearing.
3. If the Superintendent is considering the change in placement of a student with a disability to an IAES, upon a determination that the student is guilty of misconduct relating to serious bodily injury, weapons, illegal drugs or controlled substances, the Superintendent may recommend such change in placement to an IAES, to be determined by the CSE, for up to forty-five (45) school days, but not to exceed the length of time that a non-disabled student would be suspended for the same misconduct under the Code of Conduct.
4. The penalty phase of a Superintendent's hearing for a student with a disability or a student presumed to have a disability for discipline purposes shall be conducted in the same manner as the penalty phase of a hearing involving a non-disabled student, including the admission of anecdotal evidence of past instances of misconduct.



Services During Suspensions

During any period of suspension, a student with a disability shall be provided services to the extent required under the provisions of the Individuals with Disabilities Education Act and New York State Education Law and Regulations. During suspensions or removals for periods of up to ten (10) school days in a school year that do not constitute a disciplinary change in placement, students with disabilities of compulsory attendance age shall be provided with alternative instruction pursuant to Education Law §3214(3)(e) on the same basis as non-disabled students. Students with disabilities who are not of compulsory attendance age shall be entitled to receive services during such suspensions only to the extent that services are provided to non-disabled students of the same age who have been similarly suspended.

During subsequent suspensions or removals for periods of ten (10) consecutive school days or less that in the aggregate total more than ten (10) school days in a school year but do not constitute a disciplinary change in placement, regardless of the manifestation determination, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP. The CSE shall determine the services to be provided to the student.

During suspensions or other disciplinary removals for periods in excess of ten (10) school days in a school year which constitute a disciplinary change in placement, students with disabilities shall be provided with services, as determined by the CSE, necessary to enable the student to continue to participate in the general education curriculum to progress toward meeting the goals set out in the student's IEP.

The services to be provided to a student placed in an IAES shall be determined by the CSE, and should enable the student to progress toward meeting the goals in the student's IEP.

Expedited Due Process Hearings

An expedited due process hearing shall be conducted if:

- The District requests such a hearing to obtain an order of an impartial hearing officer placing the student in an IAES where school personnel believe that it is dangerous for the student to be in his/her current educational placement;
- The District requests such a hearing to obtain an order of an impartial hearing officer placing the student in an IAES during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his/her current educational placement during such proceedings; or
- The caregiver requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the caregivers and the District agree otherwise.

If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

An expedited due process hearing shall be completed within fifteen (15) business days of receipt of the request for a hearing. Although the impartial Hearing Officer may grant specific extensions of such time period, they must mail a written decision to the District and the caregivers within five (5) business days after the last hearing date, and in no event later than forty-five (45) calendar days after receipt of the request for a hearing, without exceptions or extensions.

Referral to Law Enforcement and Judicial Authorities

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

- The District may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a disciplinary change in placement.
- The Superintendent shall ensure that copies of the Special Education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported, in accordance with the provisions of FERPA.

XIV. Visitors to School

The Board of Education encourages parents and other District community members or District personnel to visit the District's schools and classrooms to support the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The Building Principal or their 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:

- Anyone who is not a regular staff member or student of the school will be considered a visitor.
- All employees in school buildings will wear their DCS ID badges.
- All visitors to the school must report to the main office or designated area upon arrival at the school. All visitors must present photo identification which will be screened by our visitor management system. Each visitor will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must sign out at the main office or designated area before leaving the building.
- Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register, but are required to remain in the location of the activity.
- Parents or citizens who wish to visit a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s) and will be permitted at the discretion of the Building Principal or designee in order to keep class disruption to a minimum.
- Teachers are not expected to take class time to discuss individual matters with visitors.
- Any unauthorized person on school property will be reported to the principal or their designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
- All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct. Any violation will be reported to the Principal or their designee.
- No students will leave school prior to the end of the school day unless they are signed out in the office as per school procedures.
- Administrative permission must be granted to meet with a student during the school day or at school sponsored events.
- Visitors who are volunteers must have a completed and approved application form, including contact information and references, on file in the building's main office prior to volunteering. A volunteer shall be defined as a person willing to donate their time

and skills to assist school personnel in the implementation of various programs and activities within the District.

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XV. Public Conduct on School Property

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

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

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

Prohibited Conduct

No person, either alone or with others, shall:

- Intentionally injure any person or threaten to do so
- Intentionally damage or destroy District property or the personal property of a teacher, administrator, other District employee or any person lawfully on school property, including graffiti or arson
- Disrupt the orderly conduct of classes, school programs or other school activities
- Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others or are disruptive to the school program
- Intimidate, harass, or discriminate against any person on the basis of actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, creed, national origin, religion, age, gender, sexual orientation or disability on school grounds or at a school function
- Enter any portion of the school premises or remain in any building or facility without authorization
- Obstruct the free movement of any person in any place to which this code applies

- Violate the traffic laws, parking regulations or other restrictions on vehicles
- Possess, consume, sell, distribute, or exchange alcoholic beverages, controlled substances or be under the influence of either on school property or at a school function
- Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or as specifically authorized by the District
- Loiter on school property
- Gamble on school property or at school functions
- Refuse to comply with any reasonable order of identifiable District officials performing their duties
- Willfully incite others to commit any of the acts prohibited by this code
- Violate any federal or state statute, local ordinance, or Board of Education policy while on school property or while at the school functions

Consequences

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

- Visitors: Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to arrest.
- Students: They may be subject to counseling, or to disciplinary action as the facts may warrant.

Enforcement

The Building Principal and all staff members are responsible for enforcing the conduct required by this code. When the Building Principal or any other staff member sees an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, the Principal or their designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop.

The Principal or their designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the Principal or their designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The District shall initiate disciplinary action against any student, as appropriate, with the “Consequences” section above. In addition, the District reserves the right to pursue a civil or criminal legal action against any person violating the code.

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XVI. Glossary and Definitions

For purposes of this Code of Conduct, the following definitions apply.

Academic Dishonesty

Plagiarism, copying another's work, altering records and cheating by providing, receiving or viewing answers to quiz or test items or independent assignments, using text, documents, notes, or notebooks during tests without permission from a staff member.

Arson

Starting a fire or destruction of property as a result of starting a fire.

Physical Attack on Students

A student or students set upon another student in a forceful, hostile or aggressive way with or without provocation.

Physical Attack on Employee

A student or students set upon an employee in a forceful, hostile or aggressive way with or without provocation.

Behavior Violations

Student behaviors that are inappropriate in school, unacceptable or that warrant response, interventions and consequences.

Bomb Threat

The making of threats or providing false information, in writing, in person, on the phone, including text message or other means, about the presence of explosive materials or devices on school property, without cause.

Bullying

Repeated intentional acts done willfully, knowingly and with deliberation, by individual that targets and harms another person physically or emotionally. Bullying is characterized by an imbalance of power between two students.

Caregiver

Biological, adoptive, foster parent, guardian or person of record in parental relation to a student.

Child Pornography

Sexually explicit images of children younger than 17 years of age.

Consequence

A result or response that follows an action

Criminal Behavior

Any behavior that is considered a violation against municipal, state or federal laws.

Cyber Bullying

Means “harassment” or “bullying” where such harassment or bullying occurs through any form of electronic communications

Damage to Property

Damage, destruction or defacement of property belonging to the school or others.

Dignity Act Coordinator

An employee designated by the board who ensures full compliance with the Dignity for All Students Act (DASA) and is trained to address issues in areas protected by the law. Dignity Act Coordinators manage documentation, processing, actions and interventions enforcing DASA.

Discrimination

Unjust or prejudicial treatment toward any student by a student(s) and/or employee(s) on school property or at a school function including, but not limited to, discrimination based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex, or any other protected class.

Electronic Technology

Devices and equipment such as cell phones, computers, tablets.

Employee

Any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance program, pursuant to title nine-B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

Ethnic Group

A group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and/or ideology that stresses ancestry

Gender

Actual or perceived sex and includes a person's gender identity or expression.

Gender Expression

The way in which we express gender identity to others through behavior, clothing, hairstyle, activities, voice or mannerisms.

Gender Identity

The way in which people self-identify as being male or female. Gender identity is internal and not necessarily visible to others.

Harassment

The creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would interfere with a student's educational performance, opportunities or benefits or mental, emotional or physical well-being or threats, intimidation or abuse that cause or would be expected to cause a student to fear for their physical safety.

Hate Speech

Hate speech is any form of communication—verbal, written, or behavioral—that attacks, threatens, insults, or degrades a group or individual based on attributes like race, religion, sexual orientation, gender identity, or disability.

Hazing

A specific form of harassment among students defined as any humiliating or dangerous activity expected of a student in order to join a group or be accepted by a formal or informal group, regardless of the student's willingness to participate. Hazing includes, but is not limited to, any activity that intimidates or threatens a student with ostracism or adversely affects the health or safety of the student; or any activity that causes or requires the student to perform a task or act that is a violation of state or federal law of district policies/regulations

Illegal Drug

A controlled substance (does not include a controlled substance legally possessed or used under the supervision of a licensed health care professional)

Inciting or Participating in a Disturbance

Causing a large disruption to the atmosphere of order and discipline in the school that is necessary for learning (such as a riot).

Insubordination

The refusal by a student to follow a reasonable directive from any authorized school staff member.

Interventions

Specific programs, strategies, restorative practices, skill-building sessions and individual and group counseling activities, among other things, that enable students to reflect on behavior, attitudes, needs and feeling; learn replacement behaviors and habits, work through personal obstacles, resolve conflict and develop goals and plans to get back on track.

Leveled Consequences and Interventions

There are five levels of behaviors and possible responses. Level one aims at responding with strategies in the classroom to teach and correct behaviors (such as unexcused tardies, caught in hall sweep etc.) Levels two through four are focused on building administration responses and consequences. Level five lists infractions that require a superintendent's conference, and may carry the most severe consequences.

National Origin

A person's country of birth or ancestor's country of birth.

Persistent

Repeated over a period of days after interventions have been implemented and given ample time to be effective.

Physical Aggression

Behavior causing or threatening physical harm toward others including, but not limited to, hitting, kicking, biting and shoving.

Physical Altercation Between Two or More Students

Physical aggression (use of physical force) that may or may not result in injury.

Race

Group of persons related by common descent or heredity.

Racial Harassment

A negative opinion or verbal expression toward an individual or group of persons who possess common physical characteristics (color of skin, eyes, hair and facial features genetically transmitted by descent and heredity) that distinguish them as a distinct division of humankind, based on these physical characteristics.

Reckless Endangerment

Conduct that creates a substantial risk of serious physical injury or death to another person.

Religion

Either religious or spiritual belief or preference.

Religious Practice

Attending worship services, praying, wearing religious garb or symbols, displaying religious objects, adhering to certain dietary rules, proselytizing or other forms of religious expression or refraining from certain activities.

Restorative Practices

An approach to resolving conflict and preventing harm. Restorative approaches enable those who have been harmed to convey the impact of the harm to those responsible, and for those responsible to acknowledge this impact and take steps to make it right.

School Function

Any school-sponsored extracurricular event or activity. This includes any event, occurring on or off school property, sanctioned or approved by the district including, but not limited to, off-site athletic events, school dances, plays, musical productions, field trips or other district-sponsored trips.

School Property

Outside grounds, all structures, and any space 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.

Serious Bodily Injury

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

Sexual Orientation

Actual or perceived heterosexuality, homosexuality, or bisexuality.

Student with a Disability

Means a student with a disability as defined in section 4401(1) of the Education Law, who has not attained the age of 21 prior to September 1st and who is entitled to attend public schools pursuant to section 3202 of the Education Law and who, because of mental, physical or emotional reasons, has been identified as having a disability and who requires special services and programs approved by the department.

Tardiness

Arriving late to school or class.

Theft

Taking or attempting to take property of another person or institution without permission or knowledge of the owner, with the intent to deprive the owner of its use. Robbery includes obtaining or attempting to obtain money, goods, services or information from another by physical force or violence, coordinated violence or intimidation using a dangerous instrument or weapon. Theft, possession or transfer of stolen goods includes the act of possessing and transferring the property of another without the consent of the owner.

Threat Assessment

A process used to evaluate the risk posed by a student or another person, typically as a response to an actual or perceived threat concerning behavior.

Trespassing

Being on school property without permission, including while suspended.

Using or Possessing

Consuming alcohol, drugs or inhalants or in possession of these substances on school property or at school functions.

Violent Student

Means an elementary or secondary student under the age of 21 who: commits an act of violence against any school employee; commits an act of violence on school property against any student or other person lawfully on school property; possesses, on school property, a gun, knife, incendiary bomb, or other dangerous instrument capable of causing physical injury or death; threatens, on school property, to use any instrument that appears capable of causing physical injury or death; knowingly and intentionally damages or destroys the personal property of any person lawfully on school property; or knowingly or intentionally damages or destroys District property.

Weapon

A firearm as defined in 18 USC 921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutter, cane sword, electronic dart gun, sandbag or sand club, loaded or blank cartridges, Kung Fu star, electronic stun gun, pepper spray or other noxious spray. Additionally, the use of an item not listed here in a threatening or damaging way may also be viewed as usage of a weapon.

XVII. Dissemination and Review

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

1. Providing the Code of Conduct Summary Document to each student/parent of the District via the Parent/Student Handbook, or other similar document, at the start of each school year
2. Provide a link on the District website of the entirety of the Code of Conduct document
3. Making copies of the Code of Conduct available to all caregivers at the beginning of the school year at Open House events.
4. Posting a summary of the Code of Conduct in the student handbooks written in plain language to all caregivers of District students before the beginning of the school year on the District website.
5. Provide all current and new employees with a copy of the current Code of Conduct

The Board of Education will review this Code of Conduct annually 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.

Before adopting any revisions to the Code of Conduct, the Board will hold at least one public hearing at which school personnel, caregivers, students and any other interested party may participate.

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