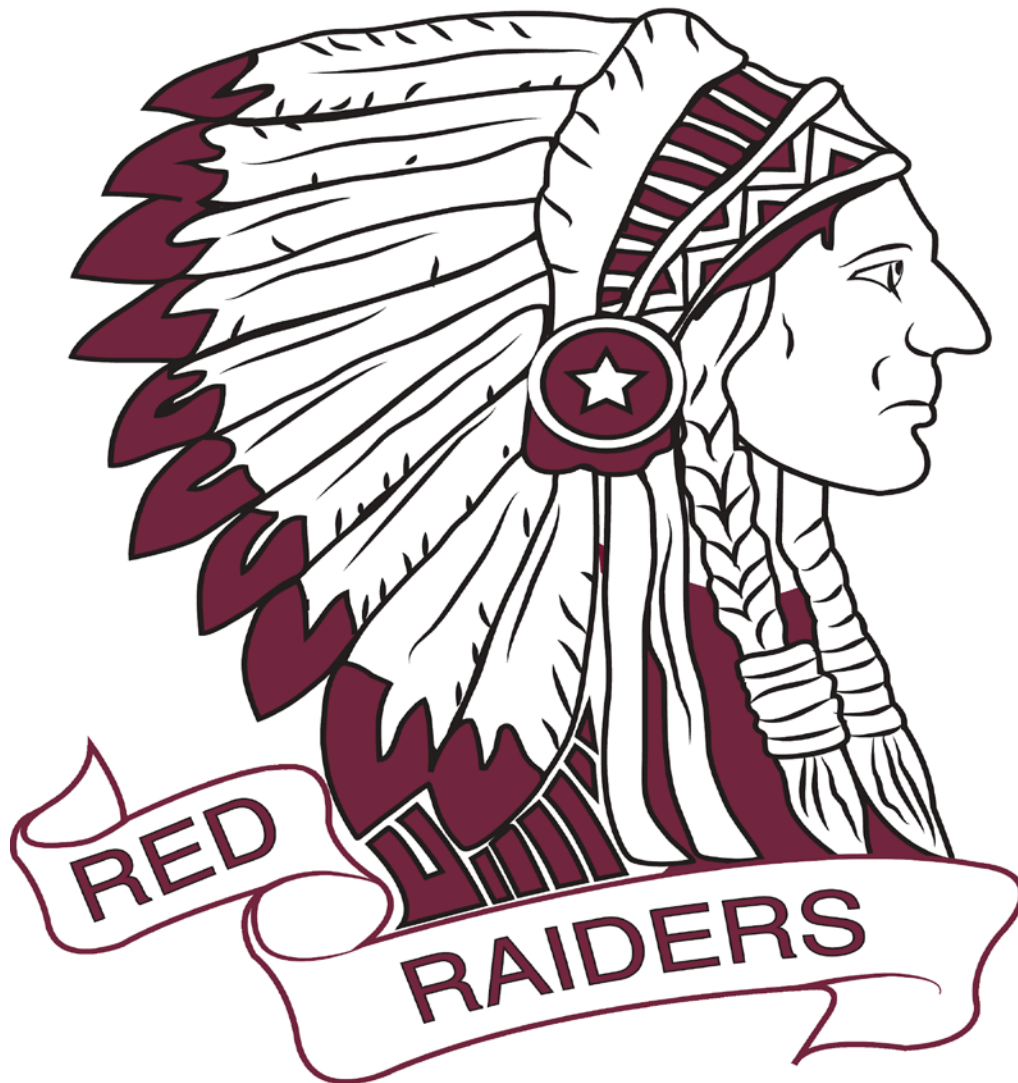


CALEDONIA – MUMFORD  
CENTRAL SCHOOL DISTRICT



2018 - 2019

**CODE OF CONDUCT**

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## SECURITY NOTICE

For the security and safety of our students, staff and visitors, this facility employs video surveillance equipment for security purposes. This equipment may or may not be monitored at any time.

# Caledonia-Mumford Central School District

## District – Wide Code of Conduct

### I. Introduction

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

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

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

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

### II. Definitions

For purposes of this code, the following definitions apply:

- “Disruptive student” means a student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom.
- “Parent” means parent, guardian or person in parental relation to a student.
- “School property” means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public Elementary or Secondary school, or in or on a school bus/**district owned vehicle**, as defined in Vehicle and Traffic Law §142.
- “School function” means any school-sponsored extracurricular event or activity.
- “Violent student” means a student under the age of 21 whom:
  1. Commits an act of violence upon a school employee, or attempts to do so.
  2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
  3. Possesses, while on school property or at a school function, a weapon.
  4. Displays, while on school property or at a school function, what appears to be a weapon.
  5. Threatens, while on school property or at a school function, to use a weapon.
  6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
  7. Knowingly and intentionally damages or destroys school district property.
- “Weapon” means 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, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other knife, device, instrument, material or substance that is

used for, or readily capable of, causing physical injury or death. In addition, this code further prohibits the possession or display of any toy, facsimile or replica of a weapon.

- **School Bus** means every motor vehicle owned and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law Section 11[1] and Vehicle and Traffic Law Section 142).

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

- **Employee** means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law Section s11[4] and 1125[3]).

- **Harassment** means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law Section 11[7]).

- **Race** means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/African-descent", "Asian", "Biracial", "Hispanics/Latinos" etc. to describe and classify the inhabitants of the United States.

- **Color** means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

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

- **National Origin** means a person's country of birth or ancestor's country of birth.

- **Ethnic Group** means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.
- **Religion** means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.
- **Religious Practice** means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.
- **Sex** means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)
- **Gender** means the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for men and women. (MASCULINE and FEMININE denote "gender".)
- **Sexual orientation** means the sex to which a person is sexually attracted. Someone attracted primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual. Someone attracted primarily or exclusively to members of the same sex is characterized as homosexual. A person with a strong or viable attraction to both genders is characterized as bisexual or pansexual.

### III. Dignity for All Act

The Dignity Act expands the concepts of tolerance, respect for others and dignity to include: an awareness and sensitivity in the relations of people, including but not limited to, different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, gender identity, and sexes. Each building must have a compliance officer to review and investigate issues that involve this new law.

The Building Principals will be serving as the Dignity Act Coordinators in each of their buildings:

Elementary School – Dave Bulter – 538 – 3481 – [dbulter@cal-mum.org](mailto:dbulter@cal-mum.org)

Middle School – Paul Estabrooks - 538- 3482 – [pestabrooks@cal-mum.org](mailto:pestabrooks@cal-mum.org)

High School – Rebekah Chenaille - 538 – 3483 – [rchenaille@cal-mum.org](mailto:rchenaille@cal-mum.org)

If at any time, you have a question or concern around the Dignity for All Act, please feel free to contact the above Dignity Act Coordinators.

### IV. Student Rights and Responsibilities

**With every right comes a responsibility.**

*It is the student's right:*

*It is the student's responsibility:*

1)	To attend school in the district in which one's parent or legal guardian resides.	→	To attend school daily, regularly and on time, perform assignments, and strive to do the highest quality work possible and be granted the opportunity to receive a good education.
2)	To expect that school will be a safe,	→	To be aware of all rules and expectations

	orderly and purposeful place for all students to gain an education and to be treated fairly.		regulating student's behavior and conduct oneself in accordance with these guidelines.
3)	To be respected as an individual.	→	To respect one another and to treat others in the manner that one would want to be treated.
4)	To express one's opinions verbally or in writing.	→	To express opinions and ideas in a respectful manner so as not to offend, slander, or restrict, the rights and privileges of others.
5)	To dress in such a way as to express one's personality.	→	To dress appropriately in accordance with the dress code, so as not to endanger physical health, safety, limit participation in school activities or be unduly distracting.
6)	To be afforded equal and appropriate educational opportunities.	→	To be aware of available educational programs in order to use and develop one's capabilities to their maximum.
7)	To take part in all school activities on an equal basis regardless of race, color creed, religion, religious practice, sex, sexual orientation, gender, national origin, ethnic group, political affiliation, age, marital status, or disability.	→	To work to the best of one's ability in all academic and extracurricular activities, as well as being fair and supportive of others.
8)	To have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance to students with serious personal problems.	→	To be aware of the information and services available and to seek assistance in dealing with personal problems, when appropriate.
9)	To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function or activity.	→	To respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.

## **V. Essential Partners**

### **A. Parents**

*All parents are expected to:*

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

### **B. Teachers**

*All District teachers are expected to:*

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a social setting, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
  - a) Course objectives and requirements
  - b) Marking/grading procedures
  - c) Assignment deadlines
  - d) Expectations for students
  - e) Classroom discipline plan.
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.
7. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.



9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

### **C. School Counselors**

*All school counselors are expected to:*

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor
3. Conferences, as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Provide information to assist students with career planning.
6. Coordinate Intervention Support Services, as needed, with student, parent, Building Principal and teachers.
7. Encourage students to benefit from the curriculum and extracurricular programs.
8. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the counselor's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

### **D. Principals**

*All principals are expected to:*

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the principal for redress of grievances.
3. Evaluate, on a regular basis, all instructional programs.
4. Support the development of, and student participation in, appropriate extracurricular activities.
5. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
7. Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC).

## **E. Superintendent**

*The superintendent is expected to:*

1. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the Board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

## **F. Board of Education**

*The Board of Education is expected to:*

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

## **VI. Student Use of Electronic Communication Devices**

Students are prohibited from using or having on or in an operational mode any paging device, mobile telephone, cellular telephone, laser pointer or pen or any other type of telecommunications or imaging device during instructional time, except as expressly permitted in connection with authorized use in classrooms. While students are permitted to possess such devices during the school day, they are prohibited from using them in any manner which invades the privacy of students, employees, volunteers or visitors. Students are not permitted to use any form of information technology, including their own personal electronic devices, to intimidate, harass or threaten others. This type of harassment is generally referred to as cyber bullying. If a student violates this prohibition, then he/she is subject to discipline under this provision and/or any other provision in the District *Code of Conduct* that may be applicable to the circumstances involved.

Any electronic device that is permitted on school property in the middle school is to be off and in their school issued locker. Designated electronic device zones will be permitted for high school students throughout the day.

School personnel and administration are not responsible for any devices lost or stolen.

## VII. Student Dress Code

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

In addition, the following shall apply:

1. Clothing or student dress shall be safe, appropriate and not disrupt or interfere with the educational process.
2. No hoods, hats, bandanas and other headwear, including sunglasses, are allowed except for a medical or religious purpose.
3. Footwear, that does not pose a safety hazard, is required at all times.
4. Bare midriff, plunging necklines, pajamas, cropped **and/or cut off** shirts, spaghetti straps, tank tops, clothing exposing undergarments or clothing worn in a suggestive manner **are prohibited**.
5. Bizarre items of attire (or “costumes”) will be banned on the basis of their disruptive effect on the learning environment.
6. Student dress shall not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
7. Attire shall not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
8. Outerwear (including hats, coats, purses, backpacks, book bags, etc) is to be kept in student lockers during school hours.

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

Teachers and all other staff personnel should exemplify and reinforce acceptable student dress and behavior (including possession/use of electronic devices) and help students develop an understanding of appropriate appearance and conduct in the school setting.

## VIII. Prohibited Student Conduct

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel and other members of the school community, and for the care of school facilities and equipment. These expectations also apply to internships and students work experience.

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

The Board recognizes the need to make its expectations for student conduct while on school property, school bus, or engaged in a school function specific and clear. The rules of conduct listed below are

intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior, and who violate these school rules, will be required to accept the consequences for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school or removed from a program, when they engage in conduct that is disorderly, insubordinate, disruptive, violent, endangers the safety, morals, health or welfare of others, engage in misconduct.

**A. Engage in conduct that violates the attendance regulations.**

Regular attendance is required. Attendance records become a part of the child's permanent record and the data becomes the basis for recommendations to future employers and institutions of higher learning. The State Education Law provides that all children in proper physical and mental condition shall attend school while it is in session.

Excused Absences:

1. Sickness
2. Death in family
3. Impassable roads or weather
4. Religious observance
5. Quarantine
6. Required to be in court
7. Music lessons
8. Remedial health treatment
9. Approved cooperative work program
10. Approved college visit
11. Military obligation
12. Doctor Appointment
13. Driver's Test

Any absence due to reasons other than above is unexcused, even when accompanied by a parent note.

**B. Engage in conduct that is disorderly.**

Examples of disorderly conduct include; but are not limited to;

1. Running in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar or abusive intimidating or that incites others.
4. Congregating in the hall.
5. Obstructing vehicular or pedestrian traffic.
6. Engaging in any willful act which disrupts the normal operation of the school community (i.e., a large number of students disrupting the learning environment).
7. Using profane, vulgar or abusive language (including racial, sexual, ethnic slurs)
8. Unauthorized use of personal electronic devices/equipment (i.e., cell phones, MP3 devices, cameras, and other personal electronic devices deemed inappropriate by the administration). In an effort to promote an academically focused learning environment, electronic devices such as cell phones, Ipods, iPads, and electronic gaming devices will have limited use in the school setting. Students should not utilize these devices for non-instructional, personal use during

regular school hours. High school students will be allowed to use electronic devices, cell phones, listen to Ipods and MP3 players during assigned lunches and may include study hall. All electronic devices should be stored safely in student lockers and off.

9. Displays of affection such as kissing, hugging, hand-holding, walking with arms about one another and other such forms of behavior have no place in school and will not be allowed. Detention may be assigned and parents may be notified.
10. Food and drink: There is to be no food or drink in the hall. There is to be no food or drink consumed outside of the cafeteria. Failure to abide by such will be considered insubordination. No glass containers are permitted. When asked, as an individual or as a group, to pick up litter, whether it is yours or not, do so. Failure to do so will be considered insubordination.
11. Trespassing/Loitering. Students are to be in regularly assigned areas only. Students not in approved and supervised after-school activities must leave the building upon dismissal.
12. Misusing computer/electronic communications devices, including any unauthorized or inappropriate use of computers, software, or Internet/intranet account; accessing inappropriate websites; evading the District's content filter; using an outside wireless network; or any other violation of the District Acceptable Use Policy.
13. Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system is prohibited.

**C. Engage in conduct that is insubordinate.**

Examples of insubordinate conduct include:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Insolence towards staff members.
3. Skipping detention. (Truant from detention)

**D. Engage in conduct that is violent.**

Examples of violent conduct include:

1. Committing an act of violence (such as hitting, kicking, biting, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
2. Committing an act of violence (such as hitting, kicking, biting, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical well-being.
4. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
5. Displaying what appears to be a weapon.
6. Threatening to use any weapon.
7. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
8. Intentionally damaging or destroying District property, the personal property of a student, teacher, volunteer, contractor, vendor, administrator, other District employee or any person lawfully on District property, or at a District function including but not limited to graffiti or arson.
9. Communication by any means, including oral, written or electronic (such as through the Internet, email or texting) off school property, where the content of such communication (a) can

reasonably be interpreted as a threat to commit an act of violence on school property; or, (b) results in material or substantial disruption to the educational environment.

**E. Engage in any conduct that endangers the safety, morals, health or welfare of others.**

Examples of such conduct include:

1. Bullying and intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort; for example, "play" fighting, extortion of money, overt teasing, etc.
2. Lying to school personnel.
3. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
4. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them. This can include posting or publishing video, audio recordings or pictures (written material, cell phones, Internet, YouTube, etc.)
5. Students who create emergencies/unsafe acts will be suspended. Students who interfere with the restoration of order, or who contribute to the hostile atmosphere, will be subject to sanctions as outlined on pages 15-17. Parents and local police authorities may be notified. Such acts include, but are not limited to, situations that involve a large number of students disrupting the learning environment. In addition, there is no place in school for items such as balloons, squirt guns, objects to be thrown, incendiary objects, etc., unless specifically authorized by the office.
6. Discrimination, based on a person's actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, or disability as a basis for treating another in a negative manner on school property or at a school function.
7. Harassment, the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender or sex.
8. "Internet bullying" (also referred to as "cyber bullying") including the use of instant messaging, email, websites, chat rooms, text messaging, or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees.
9. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
10. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
11. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliation with or maintaining membership in any school sponsored activity, organization, club or team.
12. Selling, using or possessing obscene material.
13. Using vulgar or abusive language, cursing or swearing.
14. Smoking a cigarette, E-Cigarette, cigar, pipe or using chewing or smokeless tobacco.

15. Possessing, consuming, selling, attempting to sell, distributing or exchanging alcohol in any form, tobacco, tobacco products, electronic cigarettes/vapor (e-cigs), or illegal and/or controlled substances, or paraphernalia for use of such drugs or be under the influence of any such substances on school property or at a school function. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."
16. Inappropriately using or sharing prescription and/or over-the-counter drugs. Please refer to Health Office guidelines.
17. Gambling and Gaming
18. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
19. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
20. Violating gender privacy when using school restroom facilities.

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

It is crucial for students to behave appropriately while riding on District buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting, harassment and discrimination will not be tolerated.

#### **G. Engage in any form of academic misconduct.**

Examples of academic misconduct include:

1. Plagiarism.
2. Cheating.
3. Copying.
4. Using an application to assist you in solving a problem or to identify a correct answer without learning the materials
5. Using other student's 1:1 devices in an inappropriate way or without their knowledge or consent.
6. Altering records.
7. Assisting another student in any of the above actions.
8. Violation of the District Acceptable Use Policy for technology.
9. Assisting another student in any of the above actions.

### **IX. Reporting Violations**

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

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 their supervisor, who shall, in turn,

impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction, if warranted, which may include permanent suspension and referral for prosecution.

The building principal, or his or her designee, must notify the appropriate local law enforcement agency of those code violations that constitute a crime, substantially affecting the order or security of a school as soon as practical.

## **X. Disciplinary Consequences**

### **A. Procedures and Referrals**

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

Disciplinary action, when necessary, will be firm, fair and consistent so as to be 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 which led to the offense.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others, as appropriate.
6. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. 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.

### **B. Penalties**

1. 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.
2. Oral warning/plus a phone call to parents
3. Written warning/notification to parent
4. Detention
5. Suspension from transportation
6. Suspension from athletic participation
7. Suspension from social or extracurricular activities
8. Suspension of other privileges
9. In-school suspension
10. Removal from classroom by teacher
11. Short-term (five days or less) suspension from school



12. Long-term (more than five days) suspension from school
13. Permanent suspension from school
14. Restoration of damage and/or payment for replacement or repair
15. Social probation
16. School service projects
17. Voluntary participation in counseling or specialized classes, including anger management or dispute resolution.

## **C. Procedures**

### **After School Detention Policies**

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. Detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

### **Suspension from Transportation**

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

### **Saturday Detention Policies**

Saturday detention is designed to help students with discipline, attendance, and academic problems. Parental support is very important. Parents will be mailed a notice explaining the procedures and the date the student is scheduled to attend. Failure to report to Saturday detention will result in more severe disciplinary action. Saturday detention will be scheduled on Saturday mornings from 8:00 a.m. until 11:00 a.m. Students should bring schoolwork to do. Talking, iPods, food/drink, playing cards, games, computer games, etc. are not permitted in Saturday detention.

### **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 results 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.

An In-school suspension supervisor is assigned to supervise these students in his/her room. The students are allowed to obtain their assignments for the day and are not penalized with an unexcused absence.

These students spend the entire day completely isolated from other students. Students assigned to ISS will report to the main office at 7:45 a.m., after attendance is taken in homeroom. Students will be escorted to the bathroom/locker and cafeteria. Students should bring schoolwork to do. Talking, iPods, food/drink, playing cards, games, computer games, etc. are not permitted in ISSR. Students are not allowed to attend/participate in school activities while assigned to the ISSR. Teachers are responsible for getting homework to the students assigned ISSR.

### **Suspension from School**

Suspension from school means a temporary refusal to allow a student to attend school. Suspensions may be used when violations of the code of conduct have been committed. Any student who has been suspended from school is not allowed on school grounds and may not attend/participate in any school activity for the duration of the suspension. Any student found guilty of bringing a weapon, other than a pocket knife with a blade of less than 2.5 inches in length and/or school issued plastic knives from the cafeteria, onto school property would be subject to suspension from school for at least one year. The Superintendent of Schools and/or the Board of Education shall have the authority to modify this suspension requirement for each student on a case-by-case basis. The Board of Education may also condition a student's early return to school and suspension revocation on the student's voluntary participation in counseling or specialized classes, including anger management or dispute resolution, where applicable.

### **Procedure**

1. When the principal proposes to suspend a student for five days or less, the suspending authority shall provide the student with notice of the charged misconduct. If the student denies the misconduct, the suspending authority shall provide an explanation of the basis for the suspension.
2. Parents will be notified in writing that their student may be suspended from school. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means calculated to assure receipt of such notice within 24 hours of the decision to propose suspension at the last known address or addresses of the parents/persons in parental relation. Where possible, notification shall also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents/persons in parental relation
3. The notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the student and the parent/person in parental relation of their right to request an immediate informal conference with the Principal in accordance with the provisions of Education Law Section 3214(3)(b). Both the notice and the informal conference shall be in the dominant language or mode of communication used by parents/persons in parental relation. At the informal conference, the student and/or parent/person in parental relation shall be authorized to present the student's version of the event and to ask questions of the complaining witnesses.
4. The notice and opportunity for an informal conference shall take place prior to suspension of the student unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

#### **D. Teacher Removal of Disruptive Students**

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances, the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom, to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) sending a student to the principal's office for the remainder of the class time only; or (2) sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

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

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

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

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

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

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

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

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

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

#### **XI. Alternative Instruction**

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

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

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

This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

#### **XIII. Corporal Punishment**

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student, by any District employee, is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts.

The District will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's Regulations.

#### **XIV. Student - Staff Relations – Fraternization**

Any student who believes that he/she has been subjected to inappropriate staff behavior, (i.e.; personal text messages, personal emails or any socializing outside of school, not school related) as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member or either the employee's supervisor, the student's Principal or the District's designated Complaint Officer. In all events such reports shall be forwarded to the designated Complaint Officer for further investigation. Anonymous complaints of inappropriate fraternization of staff members with students shall also be investigated by the District. Investigations of allegations of inappropriate staff-student relations shall follow the procedures utilized for complaints of harassment within the School District. Allegations of inappropriate staff-student behavior shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

#### **XV. Visitors to the Schools**

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

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. Students are not to bring relatives, friends, or other guests to school during school hours. Legitimate visitors (including parents) must report to the school office.
3. All visitors to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building.
4. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
5. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the principal, so that class disruption is kept to a minimum. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the principal or his or her designee.
7. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
8. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

#### **XVI. Random Drug Searches by Police Dogs**

The Superintendent of Schools in consultation with the Board of Education determines that the District's commitment to the health and safety of students and staff may require it to utilize the services of local

police agencies with police dogs to detect illegal drugs in school. This procedure is established to govern the use of such dogs for random drug searches on school property.

The building principal is designated as the contact person, and this individual will determine if and when and how often a police agency will be called to school property for the purpose of a search on school premises. When this decision has been made, the following procedures will apply:

1. In the case of a random school search, no person will be notified in advance of the arrival of the police except the Superintendent and other building principals.
2. Police officers and dogs will be accompanied on tours of school district property by the building principal.
3. Searches shall be conducted when students are in classrooms or outside of the school.
4. All areas of school buildings and school property are subject to search including, but not limited to, student lockers, vehicles, classrooms, student and faculty restrooms and staff, faculty and administrative offices.
5. Police officers and their dogs are not authorized to “sniff search” any individuals or their property such as book bags and carrying cases.
6. Should a police dog “alert” to a specific locker or other area mentioned above, the school administration shall conduct a search of the locker pursuant to appropriate provisions of Board policy. All persons whose school lockers, desks, storage cabinets, etc., are discovered to contain illegal drugs will be referred to the appropriate police agency. In addition, school disciplinary rules/regulations will be enforced.
7. Whenever dog searches are conducted in a school building or on school grounds, the principal will provide a written report of the investigation to the Superintendent of Schools.
8. Students, parents, faculty and staff must be made aware of this policy and the procedures for drug searches by police dogs.
9. Students, parents, faculty and staff must be made aware that a K-9 dog may alert on a locker in which narcotics are not located due to a variety of factors such as, but not limited to, the odor of narcotics within fabrics, book bags, and purses. The K-9 dog search is only a tool used to assist in the search for the discovery of narcotics.

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

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

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

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

## **A. Prohibited Conduct**

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange alcoholic in any form, tobacco, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.
16. Distribute or post any written material, pamphlets, or posters without prior approval of superintendent.

## **B. Penalties**

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

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Faculty and Staff. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or Civil Service Law §75 or any other legal rights that they may have.

## **C. Enforcement**

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

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

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

### **XVIII. Searches and Interrogations of Students**

Students are protected by the Constitution from unreasonable searches and seizures. A student may be searched and contraband/prohibited items seized on school grounds or in a school building by an authorized School District official (as designated below) only when the School District official has reasonable suspicion to believe the student has engaged in or is engaging in proscribed activity which is in violation of the law and/or the rules of the school (i.e., the District Code of Conduct).

Factors to be considered in determining whether reasonable suspicion exists to search a student include:

- a) The age of the student;
- b) The student's school record and past history;
- c) The predominance and seriousness of the problem in the school where the search is directed;
- d) The probative value and reliability of the information used as a justification for the search;
- e) The school official's prior knowledge of and experience with the student; and
- f) The urgency to conduct the search without delay.

The Superintendent, Building Principals, Assistant Principals, and School Nurse are authorized to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will produce evidence that the student has violated or is violating the law and/or the Code of Conduct.

If reasonable suspicion exists to believe that a student has violated or is violating the law and/or school rules, it is permissible for an authorized school official to search that student's outer clothing, pockets, or property. The search may include, but is not limited to, the student's outer clothing such as a jacket or coat, pockets, backpack, and/or purse. Searches will be conducted by a staff member of the same sex as the student. Whenever possible, another staff member, also of the same sex, will be present as a witness.

#### **Strip Searches**

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. Strip searches are intrusive in nature and are not permissible. If school authorities believe there is an emergency situation that could threaten the safety of others, the student shall, to the extent practicable, be isolated and secured. Police and parents will be contacted immediately.

#### **Searches and Seizure of School Property**



Student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces loaned by the school to students remain the property of the school, and may be opened and inspected by school employees at any time. Students have no reasonable expectation of privacy with respect to school property; and school officials retain complete control over such property. This means that student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces may be subject to search and/or seizure of contraband/prohibited items at any time by school officials, without prior notice to students and without their consent.

### **Questioning of Students by School Officials**

School officials have the right to question students regarding any violations of school rules and/or illegal activity. In general, administration may conduct investigations concerning reports of misconduct which may include, but are not limited to, questioning students, staff, parents/guardians, or other individuals as may be appropriate and, when necessary, determining disciplinary action in accordance with applicable due process rights.

Should the questioning of students by school officials focus on the actions of one particular student, the student will be questioned, if possible, in private by the appropriate school administrator. The student's parent/guardian may be contacted; the degree, if any, of parental/guardian involvement will vary depending upon the nature and the reason for questioning, and the necessity for further action which may occur as a result.

The questioning of students by school officials does not preclude subsequent questioning/ interrogations by police authorities as otherwise permitted by law. Similarly, the questioning of students by school officials does not negate the right/responsibility of school officials to contact appropriate law enforcement agencies, as may be necessary, with regard to such statements given by students to school officials.

School officials acting alone and on their own authority, without the involvement of or on behalf of law enforcement officials (at least until after the questioning of students by school authorities has been conducted) are not required to give the so-called "Miranda warnings" (i.e., advising a person, prior to any custodial interrogations as defined in law, of the right to remain silent; that any statement made by the individual may be used as evidence against him/her; and that the individual has the right to the presence of an attorney, either retained or appointed) prior to the questioning of students.

If deemed appropriate and/or necessary, the Superintendent/designee may also review the circumstances with School District legal counsel so as to address concerns and the course of action, if any, which may pertain to and/or result from the questioning of students by school officials.

### **Law Enforcement Officials**

It shall be the policy of the School District that a cooperative effort shall be maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on school premises or during a school-sponsored activity, or to maintain the educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property.

Administrators have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions.

### **Interrogation of Students by Law Enforcement Officials**

If police are involved in the questioning of students on school premises, whether or not at the request of school authorities, it will be in accordance with applicable law and due process rights afforded students. Generally, police authorities may only interview students on school premises without the permission of the parent/guardian in situations where a warrant has been issued for the student's arrest (or removal). Police authorities may also question students for general investigations or general questions regarding crimes committed on school property. In all other situations, unless an immediate health or safety risk exists, if the police wish to speak to a student without a warrant they should take the matter up directly with the student's parent/guardian.

Whenever police wish to question a student on school premises, administration will attempt to notify the student's parent/guardian.

If possible, questioning of a student by police should take place in private and in the presence of the Building Principal/designee.

### **Child Protective Services' Investigations**

From time to time, Child Protective Services may desire to conduct interviews of students on school property. Such interviews generally pertain to allegations of suspected child abuse and/or neglect. The Board encourages cooperation with Child Protective Services in accordance with applicable Social Services Law.

## **XIX. Dissemination and Review**

### **A. Dissemination of Code of Conduct**

The Board will work to ensure that the community is aware of this code of conduct by:

1. Providing copies of a summary of the code to all students, in an age-appropriate, plain-language version, at a general school assembly held at the beginning of each school year.
2. Making copies of the code available to all parents at the beginning of the school year.
3. Providing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents and other community members.

The Board will sponsor an in-service education program for all District staff members to ensure the effective implementation of the code of conduct. The superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students. The Board of Education will review this code of conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently. The Board

may appoint an advisory committee to assist in reviewing the code and the District's response to code of conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel. Before adopting any revisions to the code, the Board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate. The code of conduct, and any amendments to it, will be filed with the Commissioner no later than 30 days after adoption.

The District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website, if available. The District shall file a copy of its Code of Conduct and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.