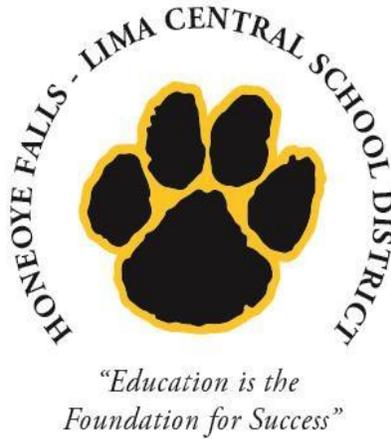


HONEOYE FALLS-LIMA CENTRAL SCHOOL DISTRICT



CODE OF CONDUCT

Revised June 2019

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OVERVIEW

DISTRICT MISSION STATEMENT

The mission of Honeoye Falls-Lima School District (the “District”) is to teach students the knowledge, skills and character qualities needed to realize their aspirations and succeed in a rapidly changing world.

CODE OF CONDUCT: PURPOSE AND APPLICABILITY

The Board of Education is committed to maintaining a school which provides students and staff with productive, safe, satisfying, and wholesome learning environments.

Any action by an individual or group aimed at disrupting, interfering or delaying the education process or having such effect is hereby declared to be in violation of Board of Education Policy. The Board also recognizes its responsibility to protect school property and declares its intent to take any and all legal action to prevent its damage or destruction.

This *Code of Conduct* governs the conduct of students, faculty and other staff, licensees, invitees, and all other persons, whether or not their presence is authorized, upon District property, school property, on school busses, and at school functions, and also upon or with respect to any other premises or property under the control of the District and used in its teaching programs and activities, and in its administrative, cultural, recreational, athletic and other programs and activities. It is not the intent of this *Code of Conduct* to limit freedom of speech or peaceful assembly. The purpose of this *Code of Conduct* is to prevent abuse of the rights of others and to maintain public order, not to prevent or restrain controversy or dissent.

BOARD OF EDUCATION/ADMINISTRATION/FACULTY/OTHER DISTRICT PERSONNEL/PARENTS

It is the responsibility of the Board of Education and all District staff—Administration, Faculty, and all other personnel—to establish and sustain a school district whose high educational standards and commitment to positive individual development are worthy of the respect and treatment this *Code of Conduct* requires.

ESSENTIAL PARTNERS

Providing a safe and orderly school environment involves a partnership of parents and school personnel. The following are expectations of each such partner.

A. PARENTS

Recognize that the education of their child(ren) is a joint responsibility of parents and the school community.

1. Send their children to school ready to participate and learn.
2. Ensure their children attend school regularly and on time.
3. Ensure their children are absent only for legal reasons.
4. Ensure their children are dressed and groomed in a manner consistent with the student dress code.

5. Help their children understand that in a democratic society, appropriate rules are required to maintain a safe, orderly environment.
6. Know school rules and help their children understand them.
7. Convey to their children a supportive attitude toward education and the district.
8. Build positive relationships with school personnel.
9. Help their children deal effectively with peer pressure.
10. Inform school officials of changes in the home situation that may affect student conduct or performance.
11. Provide a place for study and support teachers' requirements to complete school assignments.
12. Maintain ongoing and frequent communication with appropriate school personnel.

B. EACH BOARD MEMBER, SUPERINTENDENT, ADMINISTRATOR, TEACHER, AND STAFF MEMBER

Each district employee and Board member shall recognize his/her responsibility to:

1. Initiate parent/student/teacher/counselor/psychologist contact, as necessary, to resolve a problem.
2. Confront issues of bullying, discrimination and 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.
3. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
4. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to administrator's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
5. Maintain a climate of mutual respect and dignity regardless of actual or perceived Protected Classification status as defined in the Protected Classifications section below, which will strengthen each student's self-concept and promote confidence to learning.

C. TEACHERS

1. Maintain a climate of mutual respect and dignity, which will strengthen each student's 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 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, counselors, psychologists, and other teachers concerning student growth and achievement.

D. TEACHER AIDES AND OTHER SCHOOL EMPLOYEES

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Assist students in their daily activities as directed by the classroom teacher(s) and administrator(s).

E. COUNSELORS/PSYCHOLOGISTS

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Use teacher/student/counselor/psychologist conferences that also may include the parent as necessary to resolve problems.
3. Report information to a school administrator which might impact a safe, orderly school environment.
4. Encourage students to benefit from the curriculum and extracurricular programs.
5. Participate in crisis management.
6. Refer students and/or parents to appropriate human service agencies outside the school.
7. Assess student social and emotional behaviors.

F. PRINCIPALS

1. Promote a safe, orderly and stimulating school environment, supporting teaching and learning.
2. Facilitate communications among staff, parents and the Principal.
3. Support the development of, and student participation in, appropriate extracurricular activities.
4. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
5. Facilitate communication with law enforcement agencies.

G. SUPERINTENDENT

1. Promote a safe, orderly and stimulating school environment, supporting teaching and learning.
2. Review the policies of the Board and state and federal laws relating to school operations and management with district administrators.
3. Provide staff and parents with the opportunity to communicate with the superintendent.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators, when appropriate, in reinforcing the code of conduct to ensure that cases are resolved promptly and fairly.

H. BOARD OF EDUCATION

1. Collaborate with student, teacher, administrator, and parent organizations, Honeoye Falls Lima safety personnel and other Honeoye Fall Lima personnel to develop a code of conduct that clearly defines expectations for the conduct of students, Honeoye Fall Lima personnel, and visitors on Honeoye Fall Lima property and at Honeoye Fall Lima functions.
2. Adopt, review at least once a year, and modify as appropriate, the District's code of conduct.

I. DIGNITY ACT COORDINATORS (DAC):

The District will comply fully with the Dignity for All Students Act (DASA) that prohibits bullying, discrimination and harassment by school employees and students on school property or at a school function by school employees and students based on, BUT NOT LIMITED TO, actual or perceived Protected Classification status any other legally protected status. Also included are provisions for reporting and intervening in cases of discrimination, harassment or bullying. Any related complaints should be brought to the attention of the building principal who also serves as the Dignity Act Coordinator (DAC) to assist in coordinating and enforcing the requirements of the Dignity for All Students Act and its related policies and regulations at each school building.

The DAC's for each building are:

District – Renee Williams, Brian Donohue

Lima Primary School – Debbie Reichenstein, Allison Cimmerer

Manor Intermediate School – Joelle Weaver, Nicole Winters

Middle School – Matt Weider

High School – Patrice Tate, Jim Nelson

GENERAL DEFINITIONS

For purposes of this code, the following definitions apply:

"Bullying and/or Harassment," for purposes of this Code of Conduct only, means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that either: (1) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or (2) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety. Such definition includes acts of harassment or bullying that occur:

1. on school property; and/or
2. at a school function; or
3. off-school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Such conduct shall include, but not be limited to, those acts based on a person's actual or perceived Protected Classification status or any other legally protected status.

For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. "Emotional harm" that takes place in the context of "harassment or bullying" means harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education. (Education Law §11[7]).

Bullying includes, but is not limited to, unauthorized threatening, stalking, ostracizing or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal or physical conduct that threatens another with harm, including, but not limited to, intimidation through the use of epithets or slurs.

“Cheating” means false representation or attempt to use unauthorized technology, materials, information or study aids to obtain unearned credit in a class or program.

"Cyberbullying" means harassment or bullying where such harassment or bullying occurs through any form of electronic communication. Cyberbullying includes but is not limited to the use of information technology, including, but not limited to e-mail, instant message, blogs, chat rooms, pagers, cell phones, and gaming systems, to harass, threaten, isolate or intimidate others. (Education Law §11[8]).

"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 §11[4] and Executive Law §292[21]).

"Disruptive student" means a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

"Employee," for purposes of this Code of Conduct only, 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 §11[4] and §1125[3]).

“Firearm” means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon, any firearm muffler or firearm silencer; or any destructive device including any explosive, incendiary, poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the devices described above. Any “lookalikes” or other instruments wielded as a firearm are considered a firearm for purposes of this definition.

"Gender" means a person's actual or perceived sex and includes a person's gender identity or expression (Education Law §11[6]). Gender refers to a person's internal, deeply felt sense of being a man or woman.

- "Gender Identity" is a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth. Everyone has a gender identity. (SED Guidance)
- "Gender Expression" is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms. (SED Guidance)

"Hazing" means a form of harassment among students defined as any humiliating or dangerous activity expected of a student to join a group or be accepted by a formal or informal group, regardless of their willingness to participate. Hazing produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

"Illegal Substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs or synthetic drugs, and lookalikes (including synthetic cannabinoids) and prescription or over-the-counter drugs when possession is unauthorized or such are inappropriately used or shared with others.

"Loitering" means to linger or hang around on school property unsupervised, without permission, and with no credible purpose.

"Harassment, Bullying and/or Discrimination" means a single verified incident or a series of related verified incidents where an individual is subjected to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property, and is the subject of a written or oral complaint to the superintendent, principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived Protected Classification status or any other legally protected status.

"Principal" within the context of teacher removal of a student from class means either the principal of the building or any other administrator in the District acting in the principal's absence or at the principal's direction.

"Parent" means the biological, adoptive or foster parent, guardian or person in parental relation to a student.

"School Bus" means every motor vehicle owned by a public or governmental agency or private school 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 §11[1] and Vehicle and Traffic Law §142).

"School function" means a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state. (Education Law §§11[2], 2801(1)).

"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 (Education Law §11[1] and Vehicle and Traffic Law §142).

"Sex" refers to sex assigned at birth based on the anatomical, physiological or chromosomal characteristics associated with males, females, or intersex people (See "Gender" above).

"Sexual Orientation" means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]). Sexual Orientation refers to a person's emotional and sexual attraction to other people based on the gender of the other person. A person might identify their sexual orientation such as heterosexual, lesbian, gay, or bisexual.

"Tobacco / Nicotine-Based Products" means cigarettes, cigars, pipes, chewing tobacco, snuff, herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, e-cigarettes, nicotine delivery devices, vapes, cloves, bidis and kreteks as well as matches and lighters.

"Weapon" means a weapon or firearm as defined in 18 USC § 930 and 18 USC § 921 respectively of the Gun Free Schools Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, air-gun, spring-gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause serious physical injury or death when used as a weapon (e.g., pocket knife, folding knife, lock back knife, or pen knife). Any "lookalikes" or other instruments wielded as a weapon are considered a weapon for purposes of this definition.

CODE OF CONDUCT — GENERAL

PROTECTED CLASSES

This *Code of Conduct* will serve to educate, protect, and define protected classes. These "Protected Classifications" are defined as including actual or perceived: age, race, color, creed, weight, national origin, ethnic group, religion, religious practice, sex, gender, gender identity, sexual orientation, marital status, military status, disability, genetic predisposition, or any other legally protected status.

ACADEMIC HONESTY

The Academic Honesty procedures have been established to provide students with a clear understanding of ethics as it applies to the educational setting. HF-L schools teach and encourage our students to engage in legitimate, honest academic behavior. Each assignment, project, lab, or test is a demonstration of a student's ability, and ultimately the student's character. When students cheat, they fail to meet our Academic Honesty expectations. Each infraction will be documented and parents will be notified. In addition, the following consequences may apply:

1. Student can be subject to the range of penalties given on page 19.
2. Student will receive a reduced grade (including no credit) for the assignment.
3. Student will be required to re-do the assignment for the educational value.

4. Student and parents will participate in a conference with staff.
5. Student may be suspended from extracurricular activities and/or inclusion in school-based honor societies. Suspensions may be temporary or permanent based upon the severity of the infraction

Cheating

Cheating is a dishonest act to gain an unfair advantage on an academic assignment, project, lab, or test. Examples of cheating include, but are not limited to the following:

Collaboration on academic work when such collaboration is not permitted.

- E.g. Sharing answers to an assignment or test; sending pictures of test questions electronically.

Copying, misrepresenting yourself by submitting someone else's work as your own.

Fabrication, making up false information as if it were real.

- E.g. Falsifying lab data; creating a false document; intentionally misrepresenting someone in a quote.

Falsification, making an untrue statement, verbally or in writing, with respect to some aspect of one's academic work.

- E.g. Lying about an assignment; changing answers on a test after the test has been collected.

Multiple submissions of the same work for credit in different classes (without permission).

Plagiarism, the use of intellectual material produced by another person without acknowledging its source.

Theft of intellectual property, improperly accessing information.

- E.g. Obtaining a copy of an assignment or exam prior to its approved release.

Levels of Cheating

Academic Misconduct:

- Any form of Cheating on a daily classwork or homework assignments, quizzes.

Academic Dishonesty:

- Repeated infractions of Academic Misconduct
- Cheating on long-term essays, projects, lab assignments, or tests

SECURITY AND SAFETY

Any threats, actions, or potential actions or events which may jeopardize student or staff safety or security must be reported immediately to administration by anyone who has reasonable cause to suspect they have occurred or may occur. Administrators will take reasonable steps to prevent or respond to situations, which may jeopardize safety and/or security, following such guidelines from this Code and from District and Building Emergency Plans as may apply. The Superintendent will be notified of all such situations at the earliest possible time.

DRESS

The responsibility for cleanliness, dress and general appearance of each individual rests with that individual (or in the case of students, with the individual students and their parents). They have the right to determine how they dress, provided that such attire: is not destructive to school property, complies with requirements below and health and safety, does not interfere with the educational process, or does not impinge on the rights of others.

Student attire regardless of gender may foster creativity and individuality and should contribute to an atmosphere of mutual respect supported by the district and should not be a distraction to the learning environment. 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. All students are expected to follow the guidelines below:

Required:

- Attire including hats, clothing, shoes, etc., that is respectful and tolerant of all those actually or perceived to be in a Protected Classification status.
- Outer garments that completely cover all underwear at all times (including bra straps and boxer shorts).
- Upper and lower garments that are solid cloth, opaque, and not see through.
- Necklines and garments that cover all of the breasts and cleavage, do not expose any undergarments, and cover the back and front of the torso, down to and covering the navel.
- Dresses, skirts, and shorts that completely cover all of the buttocks and genitals at all times (e.g., including while walking, bending, sitting, etc.).
- Footwear that covers the full soles of the feet and is worn at all times (Certain classes require a particular type of shoe, such as sneakers for PE and closed-toed shoes for labs, Art, Tech. etc.). Bedroom shoes are not appropriate school attire.
- Hats may be worn in school hallways, but, in keeping with community standards, the wearing of hats and/or hoods in the classroom or other areas including auditoriums, meeting rooms, and offices is up to the discretion of the teacher and building administrator.
- Protective gear that is prescribed in certain classes and activities (e.g., career and technical education classes, science laboratories, athletics, and physical education classes).

Not Acceptable

- Clothing that is backless or leaves a student's chest, breasts, buttocks or genitals exposed.
- Attire including hats, clothing, shoes, etc., that:
 - promotes, displays, endorses, and/or encourages the use of alcohol, tobacco products or vaping, unlawful possession or use of unlawful substances, and/or unlawful, sexual, or violent activities;
 - contains messages that are vulgar, obscene, libelous;
 - denigrates others, or advocates discrimination, based their actual or perceived Protected Classification status; and/or
 - are disruptive to school operations and education.
- Wearing of hoods and/or any garment that covers the face or side of the face in hallways or cafeterias.
- Items that could be considered weapons such as heavy chains or "studs."

Exceptions will be approved upon request consistent with religious dress requirements and/or for medical conditions with proper documentation. Building Administration has the final discretion.

Student, faculty, or parent groups may recommend appropriate/alternative dress for school or special occasions such as Spirit Week during Fall Weekend.

The Superintendent of Schools, or other designated administrative personnel, shall have the authority to require a student to modify their appearance by covering or removing the offending

item and, if necessary or practical, replacing it with an acceptable item should it be deemed inappropriate according to the above guidelines. Students who refuse to do so shall be considered insubordinate and subject to discipline.

Physical education: In order to promote participation, health and safety, the following clothing guidelines shall be established for student participation in physical education classes:

- Students in kindergarten, Grade 1, Grade 2, and Grade 3 shall be required to wear athletic socks and sneakers; and
- Students in Grades 4-12 shall be required to wear athletic socks and sneakers, gym shorts and t-shirts.

LANGUAGE

The use of profane and/or obscene language, spoken or written, is inappropriate and therefore is prohibited in the public transactions of the school district, except as a topic of academic study. Also prohibited is language which constitutes a threat, hazing, abuse of others, impingement on the rights of others, any form of harassment, or any interference with the educational process.

For interpersonal transactions in the district, all members of the school community and all visitors are asked to employ language which reflects sensitivity and respect toward the feelings, values, humanity and dignity of others. These requirements and expectations are not intended to apply to the academic study of authorized curricular material, which may contain language otherwise considered to be objectionable.

ACCEPTABLE USE OF THE DISTRICT COMPUTER SYSTEM AND INTERNET ACCESS

Use of the District Computer System and Internet Access, including the use of personal devices, is subject to the District's Acceptable Use Policy and Regulations, both incorporated into and made a part of this Code of Conduct (attached hereto).

APPROPRIATE CONDUCT

Appropriate conduct is that which respects, protects, and enhances the district's educational mission and procedures, the authority and dignity of school personnel, and the rights of all persons associated with the district to a safe, secure, and productive environment.

The Board of Education encourages and expects all persons to exhibit appropriate conduct. Personal or issue-related differences of opinion are welcome; however, they are to be resolved through respectful, reasoned dialogue and/or through established channels for addressing complaints or resolving disputes. Parents bear the additional responsibility of helping to guide their children toward appropriate conduct in school.

Just as Board of Education members and all District personnel are expected to uphold the terms of this Code in their behaviors, they have a right to civil, decent, respectful treatment in their transactions with students, parents and others. The administration is authorized to intervene in instances where actions or behaviors toward staff members fall short of this standard.

Prohibited Conduct

No person, either alone or with others, shall:

- a. Violate any federal or state statute, local ordinance or Board Policy while on school property or while at a school function.
- b. Intentionally injure any person or threaten to do so.
- c. Intentionally steal, 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 by graffiti or arson.
- d. Disrupt the orderly conduct of classes, school programs, athletic events, or other school activities.
- e. Distribute, display, or wear materials on school grounds or at school functions that are pornographic, obscene, advocate illegal action, libelous, obstruct the rights of others, or are disruptive to the school program. This includes, but is not limited to, audio and pictures on phones, laptops or other electronic media.
- f. Intimidate, harass, bully, haze or discriminate against any person for any reason or make false or malicious complaints of harassment. This includes the misuse of technology for similar misconduct, often referred to as cyberbullying.
- g. Coerce or force an individual or group to participate in any activity that is demeaning, dangerous, or prohibited by this code. This conduct is considered hazing.
- h. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
- i. Loiter on or about school property.
- j. Intentionally obstruct the free movement of any person in any place to which this Code applies.
- k. Violate the traffic laws, parking regulations or other restrictions on vehicles. This includes, but is not limited to, intentional reckless driving or horseplay.
- l. Possess, on school grounds or school buses, any item that is prohibited by this Code, including tobacco/nicotine-based products, electronic cigarettes, nicotine delivery devices (Juuls, vapes, etc.), alcoholic beverages, controlled/illegal substances, or be under the influence on school property or at a school function.
- m. Possess or use weapons in or on school property, in one's vehicle on school grounds or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
- n. Gamble on school property or at school functions.
- o. Refuse to comply with any reasonable order of identifiable school district officials performing their duties, which is considered insubordination.
- p. Lie to a school district officials.
- q. Willfully incite others to commit any of the acts prohibited by this Code.
- r. Objects that, by the driver's judgement, create a "Safety" and/or "Space" issue on the bus may be prohibited. Examples of such objects may include, but are not limited to the following:
 - Snow boards, skis and poles, golf clubs, lacrosse sticks, skateboards, football and hockey gear, baseball gear. The driver may require loose items to be placed in an appropriate bag.
 - Musical instruments – tubas, drums, cellos, guitars
 - School projects that are large and/or fragile
 - Large objects – any item that cannot be held on the student's lap
 - Glass objects
 - Animals

Penalties

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

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

Enforcement

The Principal or his/her designee shall be responsible for enforcing the conduct required by this Code.

When the 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 designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or 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 designee may take disciplinary action as authorized by this Code and/or applicable law including having 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.

STUDENTS

PURPOSE

The terms and procedures of this section of the Code address student behaviors, as well as the roles and responsibilities of teachers, administrators, and parents, in our schools being safe and productive for all. Further rules, regulations, expectations, and disciplinary procedures are outlined in building handbooks, which are appropriately tailored to each building's culture and age/grade level.

STUDENT RIGHTS

The District is committed to safeguarding and promoting the rights of 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. Take part in all district activities on an equal basis regardless of actual or perceived Protected Classification status or any other legally protected status.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of a penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
4. Use school property, systems, and equipment including District computers, rooms, desks, cabinets, lockers, computers, etc., when provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private with the condition that, as part of any investigation, the District has the right to search all such school property, systems, and equipment.
5. Be free from discrimination, bullying and harassment (as defined above) on school property or school functions including but not limited to the educational program, activities, or admission policies of their building.

STUDENT RESPONSIBILITIES

All District students have the responsibility to:

1. Contribute to 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, rules and regulations of student conduct.
3. Attend school every day, be in class on time and prepared to learn unless legally excused from school.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. Respond in a respectful, positive manner to direction given by teachers, administrators and other school personnel.
6. Develop control of emotions.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.

11. 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.
12. Promptly report violations of the Code of Conduct to a teacher, counselor, the Building Principal or his/her designee. 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 Principal, the Principal's designee or the Superintendent of Schools.

DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS

In keeping with New York State Education law, this Code prohibits behaviors which threaten or endanger others, or which disrupt the educational program and/or climate of the schools. Such behaviors include “incidents involving the possession or use of illegal substances or weapons, the use of physical force, vandalism, violation of another student’s civil rights and threats of violence.” In addition, students are expected to comply with all reasonable requests and directives of teachers, administrators, and paraprofessionals. Failure to do so constitutes insubordination.

Restorative Discipline Model

The discipline philosophy that guides the school is that appropriate and acceptable discipline and behavior is best supported through engaging instruction and a supportive and inviting school environment. Therefore, the school environment will be constructed so that children feel trusted and respected, that they have choices, that they are expected to take on responsibilities, and that the administrators, teachers, and staff are there to help them succeed.

To construct that environment, staff may implement a comprehensive school-wide learning environment that provides a safe and nurturing atmosphere for all students. To that end, teachers and other staff may be trained on a restorative discipline philosophy and encouraged to reflect the strengths of the students and facilitate student acceptance of responsibility and provide an environment for restoration. Above all, the entire school community will strive to exhibit behaviors of caring for others, respect, honesty, integrity, leadership, sharing, negotiation, shared decision-making, and conflict resolution.

If behaviors do result in harm to members of the school community, (*e.g.*, classroom disturbance, disrespect for authority, tardiness, fighting among students), the schools may implement a restorative discipline model that facilitates students taking responsibility for their behavior without shame, reconciling damaged relationships, and restoring material losses.

This model is based on a belief that the traditional discipline system is punitive in nature based on shame which promotes poor self-esteem and is not a motivator for self-discipline. Young people lack the emotional skills to process shame. Current research strongly supports the position that punitive discipline is likely to escalate acting-out behavior. In addition, punitive, deficit-based approaches do not hold a person accountable or deter further infractions. Rather, it can make a person resistant to taking responsibility for mistakes they made.

A restorative discipline model holds people accountable with dignity. Everyone makes mistakes as a human being; there is nothing wrong with making mistakes. When a person is allowed space with dignity to look at their mistakes, there is the possibility of becoming responsible, wanting to make things right, and learning from those mistakes. It can also bring together the person(s) harmed

and the community into a process that looks for ways of righting these wrongs.

When misbehavior or conflict occurs, adults will take steps to stop the harm and protect the victim. Immediately or when feasible, the administrator/Restorative Discipline Practitioner will call together those involved and work toward:

- Acknowledgement of the offense
- Acceptance of responsibility for the offense
- Restitution including property returned or other tangible expression of making things as right as possible
- Monitoring and follow-up by responsible adults to ensure that the agreed-upon course of action has been followed.

Depending on the nature of the harm or action, the group conference may be private and may include: those harmed, those who harmed, members from the class, school, or community. The process will require accountability for behavior, focus on the needs of the victim(s) or the school community, and treat the offender as responsible and deserving of respect. Staff will acknowledge that the strength of the restorative discipline process is its potential for creativity and flexibility in customizing the actions to be taken by the person who did the harm.

Range of Penalties

Discipline is most effective when it deals directly with the problem at the time and place it occurs. Disciplinary action will be firm, fair, and consistent. Penalties are based on the nature of the offense and the circumstances that led to the offense. School personnel are authorized (as indicated below) to impose a penalty in accordance with the student's right to due process. Students who are determined to have violated the District's Code of Conduct may be subject to the following either alone or in combination:

- a. Oral warning – any member of the district staff
- b. Written warning – bus drivers, hall and lunch monitors, secretaries, paraprofessionals, coaches, counselors, teachers, Directors, Assistant Principals, Principals, Superintendent
- c. Written notification to parent – bus driver, hall and lunch monitors, secretaries, paraprofessionals, coaches, counselors, teachers, Directors, Assistant Principals, Principals, Superintendent
- d. Detention – Teachers, Assistant Principal, Principals, Superintendent
- e. Suspension from transportation – Director of Transportation, Principals, Superintendent
- f. Suspension from athletic participation – coaches, Athletic Director, Assistant Principal, Principals, Superintendent
- g. Suspension from social or extracurricular activities – Advisor, Assistant Principal, Principals, Superintendent
- h. Suspension of other privileges – Principals, Superintendent
- i. In-school suspension – Assistant Principal, Principals, Superintendent
- j. Removal from classroom by teacher – teachers, Assistant Principal, Principals, Superintendent
- k. Short-term (five days or less) suspension from school – Principals, Superintendent, Board of Education
- l. Long-term (more than five days) suspension from school – Superintendent, Board of Education
- m. Permanent suspension from school – Superintendent, Board of Education

Depending upon the nature of the violation, it is the desire of the Board of Education that student discipline be progressive. It is also the Board's desire that staff members imposing such penalties

take into account all other relevant factors in determining the appropriate penalty (ex. developmental level, severity and/or frequency of violations, etc.) The above penalties may be imposed either alone or in combination. Such penalties may be imposed by the Superintendent of Schools or with his/her permission.

At any time, the Restorative Discipline Model could be used in conjunction with other penalties. Counseling, although not considered a penalty, may be an alternative to the imposition of a penalty, provided that such counseling is formally procured through the Counseling Office.

In addition, involuntary transfer, although not a penalty, may be considered in cases where a nondisabled student's behavior problems indicate the need for transfer and the nondisabled student would benefit from the transfer. A nondisabled student may be transferred only in accordance with Education Law section 3214(5).

PROGRESSIVE DISCIPLINE: GUIDELINES FOR CONSEQUENCES

We list the following guidelines because we believe that if students know what is expected of them, they will live up to these expectations and will become graduates who value themselves and others, attain their highest level of achievement, contribute to the community, and succeed in a changing world.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lesser penalty than subsequent violations. In the case of students who are habitually disruptive or who frequently violate school rules, administrators have the prerogative of applying more severe penalties at any stage, including removal from class and suspension from school. Additionally, a student's first offense in one category, coupled with multiple offenses in other categories may result in a harsher penalty than that of another student who does not have a similar violation history; however, the District reserves the right to impose any level of discipline, even for a first offense, as the facts may warrant. The assignment of consequences can vary from these guidelines at the administrator's discretion for students of differing developmental levels.

Tardiness/Truancy

1. *Tardiness to class and homeroom:* When a student is late for class, the classroom teacher is responsible for determining the consequence, which may include:
 - First Offense:* Teacher gives warning to student
 - Second Offense:* Teacher gives warning to student
 - Third Offense:* Teacher may assign detention.
 - Each subsequent late to class:* Teacher may assign detention.
2. *Truancy (Class):* A student who is in attendance but fails to attend a class, or enters class fifteen minutes after it has begun without a pass, is truant from class. The consequences may include:
 - First Offense:* 2 detentions.
 - Second Offense:* 4 detentions. Parents are contacted.
 - Third Offense:* Mandated parent conference.
3. *Truancy (Full Day):* A student is truant when without parental permission, he or she does not attend school:

- First Offense:* 1 day in-school suspension. Parents are contacted.
 - Second Offense:* 2 days in-school suspension. Parents are contacted.
 - Third Offense:* 2 or more days in-school suspension, loss of any or all extra-curricular activities, driving privileges, and work permit.
4. *Leaving School Grounds Without Permission:* Students are not permitted to leave school during the school day without permission. Students are not allowed to leave school grounds for lunch, nor are students to be in the parking lot during the school day without administrative permission.
- First Offense:* 4 detentions.
 - Second Offense:* 1 day in-school suspension
 - Third & Subsequent Offenses:* 2 or more days in-school suspension.

Electronic Devices

Electronic devices (cell phones, iPods, laptops, tablets, etc.) are not to be used during class unless the teacher has expressly indicated that they may be used.

Forgery of Signatures on School Forms or Parent Notes

- First Offense:* 2 detentions
- Second & Subsequent Offenses:* 1-day in-school suspension

Disorderly, or Disruptive Behavior at School Activities

- First Offense:* Dismissal from the activity; referral to administration upon return to school.
- Second Offense:* Dismissal from activity; suspension from school activities for a designated period of time.

Inappropriate Behavior Toward a Staff Member

1. The Use of Abusive or Vulgar Language Directed Toward a Staff Member is prohibited:
 - First Offense:* School suspension; parent conference.
 - Second Offense:* 3 days out of school suspension; parent conference.
 - Third Offense:* 5 days out of school suspension, Superintendent's Hearing.
2. Insubordination: The refusal to follow a lawful, reasonable directive of a staff member:
 - First Offense:* Detention or in-school suspension; parent conference.
 - Second Offense:* 3 days in-school suspension; parent conference.
 - Third & Subsequent Offenses:* Increasing out of school suspensions; parent conference; possible Superintendent's Hearing.
3. Endangering, Threatening, Harassing, or Intimidating Acts Toward a Staff Member Are Prohibited:
 - 5 days' suspension from school and possible Superintendent's Hearing. Police will be contacted at the discretion of administration.

Vandalism

Students who willfully steal, destroy, damage and/or deface school property or the personal property of a teacher, administrator, other district employee or any person shall be subject to the following disciplinary action, and those responsible for such may be criminally prosecuted under appropriate provisions of New York State Penal Law. Any student who vandalizes school property, will be expected, along with his or her parents or guardian, to reimburse the school district for the expenses incurred due to the vandalism.

- First Offense:* 2 days out of school suspension; parent conference.
- Second Offense:* 5 days out of school suspension; parent conference.
- Third Offense:* 5 days out of school suspension; Superintendent’s Hearing to consider additional consequences.

Fighting

Physical confrontations will not be tolerated. Fighting is considered to be a very serious offense. Students should resolve differences by appropriate means.

- Any offense for fighting will result in suspension** from school for 1-5 days, a parent conference, and a possible Superintendent’s Hearing for consideration of additional consequences. Police will be contacted at the discretion of administration.

Harassment and Bullying

The District is committed to providing an environment that is free from all forms of harassment.

Harassment, Bullying, Discrimination and Cyberbullying (as defined in the General Definitions on page 10) are prohibited. The District will foster an environment free of harassment, bullying and discrimination of any kind and conducive for learning.

Harassment, bullying, discrimination and hazing will not be tolerated for any reason that:

1. Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual; and/or creates an intimidating, hostile or offensive work environment;
2. Has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creates an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit;
3. Otherwise adversely affects the employment and/or educational opportunities and benefits provided by the District.

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of harassment. Follow-up inquiries may check that harassment has not resumed and that all those involved in the investigation of the harassment complaint have not suffered retaliation.

- First Offense:* 2 days in-school suspension; parent conference.
- Second Offense:* 2 days out of school suspension; parent conference.
- Third Offense:* 5 days out of school suspension; Superintendent’s Hearing for consideration of additional consequences.

Tobacco / Nicotine-Based Products

1. Possession of Tobacco/Nicotine-Based Products by students on school grounds or functions is prohibited.
2. Use of Tobacco/Nicotine-Based Products on school grounds and at school functions is strictly prohibited.
3. Tobacco/Nicotine-Based Products will be confiscated.
4. Please refer to pg. 11 for the definition of “tobacco/nicotine-based products”.

- *First Offense:* 2 days in-school suspension; parent conference
- *Second Offense:* 3 days out of school suspension; parent conference
- *Third Offense:* 5 days out of school suspension and possible Superintendent's Hearing

Possession, Use, Sale or Distribution of Alcohol, Illegal Substances, or Drug Paraphernalia on School Property or During or Prior To Attending School or Any School-Sponsored Activity

- *First Offense:* 5 days out-of-school suspension; 10-week suspension from social activities; parent conference; referral to police when appropriate, referral to school drug/alcohol counselor.
- *Second Offense:* 5 days out of school suspension; suspension from social activities for the remainder of the school year; possible superintendent's hearing; referral to police when appropriate. After conferring with parents, a drug/alcohol assessment may be recommended.

Endangerment

Any act not covered in the Code of Conduct that is intentionally disorderly, insubordinate, or knowingly jeopardizes the safety or well-being of the school community, is subject to disciplinary action at the discretion of the administrator.

False Complaints

False or malicious complaints of harassment may result in corrective or disciplinary action taken against the complainant.

CONSEQUENCES DEFINED

Detention

The School District believes that detention is an effective method of discipline for some students. A student who misses an assigned general detention shall be automatically assigned two make-up detentions on the next available dates. If a student fails to attend either of the two-assigned make-up detentions, one day of in-school suspension shall be assigned for each make-up detention truancy. If a student misses an in-school suspension, he/she may be suspended for insubordination. A parent/guardian conference must be scheduled prior to the student's return to school from such a suspension.

A list of those on detention is available to staff with a need to know in the main office of each building. The building principal and the parent(s) or guardian(s) must be notified, and the student must have transportation home.

Teacher Detention

Teachers may detain students before or after school.

Administrative Detention

Administrators may assign Detention before or after school as a consequence for reported or observed misbehavior. A written record of the misbehavior and follow-up actions will be issued to appropriate school personnel and to parents.

Suspension from Transportation

Children who become a serious disciplinary problem on the school bus may have their riding privileges suspended by the Superintendent. In such cases, the parent(s) or guardian(s) of the children involved become responsible for seeing that their children get 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. Any such suspension shall be in accordance with the provisions of the Education Law.

Suspension from Athletic/Extracurricular Participation

Students who do not adhere to the academic, behavioral, or other standards established for their activity or set forth in Board of Education Policy may be suspended from that activity. Although suspension from participation in an extracurricular activity does not require a full hearing pursuant to Section 3214 of the Education Law, a student must be given the opportunity to appear informally before the disciplinarian and/or disciplinary committee, and present his/her side of the story as part of a general discussion of the conduct under review.

Classroom Climate; Responses to Disruption

Each student is expected to participate productively in the class, and each is responsible for supporting the climate for learning established by the teacher. Disruption of that climate is not acceptable.

Teacher responses to classroom disruption shall be progressive and shall take into account relevant factors regarding the student and the situation. Through effective classroom management techniques, most potential disruptions will be curtailed and/or transformed into energy for learning. Where individual disruption persists, the teacher will first attempt to address the issue in problem-solving ways—through encouragement and the development of understanding—before invoking disciplinary approaches. Such ways may include private conversations with the student, adjustments in the classroom, problem-solving conversations with parents and/or colleagues, as well as the many other creative approaches that teachers invent and/or apply.

If a student persists, disciplinary approaches will be progressive with the purpose of resolving the issue at the lowest effective level. Such approaches may include, but are not limited to, short term “time-out” in the classroom, hallway, or administrative office, sending the student to a counselor or other District staff member for counseling, detentions, and/or other reasonable approaches that may bring about the desired change of behavior. Under this Code of Conduct, such techniques do not constitute a “removal from the classroom” as defined by legislation. Teachers will be prepared to document attempted interventions in the event that the disruptive behavior(s) persist and a temporary removal from the classroom, pursuant to the laws becomes a consideration.

Removal from Classroom

Under the law, teachers are authorized to remove disruptive students from their classrooms in keeping with the terms of this Code of Conduct.

Teacher removal of a student shall be neither the beginning nor the end of a process by which teachers endeavor to assure productive classroom behavior. It will be preceded by less drastic measures to promote appropriate behavior (as indicated in the preceding section), and it will be followed by documentation, formal involvement of parents, teacher, and administrator, record

keeping, and such other steps as are likely to succeed. Nothing in this process is intended to reduce the teacher's opportunity or responsibility to resolve issues of disruption through the less formal approaches that have traditionally been applied in our schools. Formal, temporary "removal" may occur in addition to, not in place of, other approaches.

Removal: Procedures and Guidelines

A 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.

A student who is removed from class will be escorted or sent with a pass to a designated location. At the time of removal, the teacher will inform the pupil of the reasons for the removal and listen to the pupil's version of the situation, unless the pupil's continued presence poses the threat of continued danger or disruption. In that case, the teacher will review the situation with the pupil within twenty-four hours of the removal.

Upon parental request, the principal (or designee) will schedule a conference with the parents and teacher to discuss the situation and to hear the pupil and/or parents' version. The conference will be held within 48 hours of the removal.

Re-admission conference

All suspensions out-of-school shall necessitate a readmission conference. This conference shall occur before a student will be allowed to return to regular class. The District typically requires parents to be involved in the readmission conference; however, when a parent refuses to participate, the District may not use the parent's refusal to participate in the re-admission conference as grounds to continue to keep the student out of school beyond the prescribed term of the suspension.

In-School Suspension

In-school suspension will be used as a lesser discipline to avoid out-of-school suspension when appropriate. The Board authorizes Assistant Principals, 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." Students may be assigned to in-school suspension for a specified period of time. Students may not attend classes during this time unless a special request is made by a teacher and that request is approved by an administrator.

Prior to the imposition of an in-school suspension, the administration shall provide the student with an opportunity to explain the facts and circumstances surrounding the alleged infraction leading to the imposition of an in-school suspension.

Upon the imposition of an in-school suspension, the student's parent(s) or guardian shall be notified of the dates of the in-school suspension and a description of the incident(s), which resulted in the in-school suspension. The student's teachers will be notified in writing that alternative instruction assignments for the period of in-school suspension should be provided to the student and/or sent to the in-school suspension room.

Students assigned to in-school suspension are expected to arrive at the designated room when assigned and must be prepared to work the entire day.

During any day that a student is suspended, he/she may not participate in any school activities, either before, during, or after school.

Out of School Suspension: Short Term

When a student is suspended for a period of five days or less, the building principal will provide the student with a notice including an explanation of the misconduct on which the suspension is based and with an opportunity to present his/her version of events. The aforesaid notice and opportunity for an informal conference shall take place prior to suspension of the pupil unless the pupil'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 pupil's notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

Students who are suspended out of school may not attend classes, participate in or attend any school functions, or be on school grounds while the suspension is in effect. Schoolwork will be made available as soon as possible to provide for continuation of the student's educational program.

Long-Term Suspension/Superintendent's Hearing

When the Superintendent determines that consideration of suspension for more than five days is warranted, he/she shall give reasonable notice to such student and the parent(s) or guardian of their right to a fair hearing. At this hearing the student shall have the right of representation by counsel, with the right to question witnesses against him/her and present witnesses and other evidence on his/her behalf. The Superintendent shall personally hear and determine the proceeding or may, in his/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/her. A record of the hearing shall be maintained, but no stenographic transcript shall be required and a tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board within 30 days, which will make its decision solely upon the record before it. The Board may adopt in whole or in part the decision of the Superintendent.

The District will arrange for the continuation of an educational program for suspended students of compulsory school age. At the Superintendent's discretion, the District may make similar arrangements for students who are above compulsory school age.

Students on long-term suspension are prohibited from attending any school events and from being on school property without express permission.

Suspension Procedures for Students with Disabilities

Students with disabilities generally should not be suspended for more than 10 days if their inability to conform to the school's Code of Conduct is due to their disability. Therefore, with the exception of the ten day or less suspension or where the behavior is not a manifestation of a disability, the above suspension regulation does not apply to a student identified as having a disability(ies). All matters of discipline in cases of suspensions of more than ten days of a student with disability(ies) will be immediately referred to the CSE for review and modification, if appropriate, of such student's Individualized Education Program (IEP). If there is any doubt as to whether the behavior is directly related to the student's disability, the case will be referred to the CSE immediately. If the behavior is related to a student's disability, the CSE will decide if counseling or disciplinary action may be appropriate and/or if a change of placement is appropriate.

Pending the outcome of appeal procedures related to such modification, if the behavior of a student endangers the health and safety of himself/herself or others, the Superintendent will seek parental consent or, if appropriate, an expedited impartial hearing for immediate alternative placement of the student.

MINIMUM SUSPENSION PERIODS Repeated Substantial Disruption

As defined by New York State Education Law 3214, "a disruptive pupil is an elementary or secondary student under twenty-one years of age who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom." Pupils who are disruptive may receive warnings, detention, in-school suspension, or out-of-school suspension up to five days. Students who are repeatedly substantially disruptive, as defined by the Commissioner of Education, will receive a minimum out-of-school suspension of up to five days. If disruptive behaviors are not corrected after other penalties have been applied, the principal may call for a Superintendent's hearing and recommend a long-term suspension.

Violence

As defined by New York State Education Law 3214, a "violent pupil" is an elementary or secondary student under twenty-one years of age who:

- Commits an act of violence upon a teacher, administrator or other school employee;
- Commits, while on School District property, an act of violence upon another student or any other person lawfully upon said property;
- Possesses, while on School District property, weapon, not limited to a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death;
- Displays, while on School District property, what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing injury or death;
- Threatens, while on School District property, to use any instrument that appears capable of causing physical injury or death;
- Knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other School District employee or any person lawfully upon School District

- property; or
- Knowingly and intentionally damages or destroys School District property.

Students who act in a way that would qualify as violent under this definition will receive a minimum out-of-school suspension of up to five days. Penalties beyond this minimum will be applied to cases of assault, the possession or use of a weapon, and the possession, use, or sale of drugs. (See following paragraphs.)

THREATS OF VIOLENCE IN SCHOOL

The District seeks to prevent violence against any individual or property in the schools or at school activities whether such acts and/or threats of violence are made by students, staff, or others. Threats of violence against students, school personnel and/or school property will not be tolerated whether or not such threats occur on school grounds or during the school day.

Any acts and/or threats of violence, including bomb threats, whether made orally, in writing, or electronically, shall be subject to appropriate discipline and/or legal action in accordance with applicable law, District policies and regulations, as well as the Code of Conduct and collective bargaining agreements, as may be necessary. Any person who falsely reports a bomb threat or places on school grounds a device that appears to be a bomb, explosive, or hazardous substance, is guilty of a Class D felony and is subject to conviction as well as suspension of driving license.

While acknowledging an individual's constitutional rights, including applicable due process rights, the District refuses to condone acts and/or threats of violence, which threaten the safety and well-being of staff, students and the school environment. Employees and students shall refrain from engaging in threats or physical actions, which create a safety hazard for others.

All staff who are made aware of physical acts and/or threats of violence directed to students or staff are to report such incidents to the building principal/designee, who shall report such occurrences to the Superintendent. Local law enforcement agencies may be called as necessary upon the determination of the Superintendent/designee.

Students are to report all acts and/or threats of violence, including threats of suicide, of which they are aware, by reporting such incidents to a faculty/staff member or the building principal.

The District reserves the right to seek restitution, in accordance with law, from the parent/guardian and/or student for any costs or damages which had been incurred by the District as a result of the threats or acts of violence in the schools.

This policy will be enforced in accordance with applicable laws and regulations, as well as collective bargaining agreements and the Code of Conduct as may be necessary. Additionally, this policy will be disseminated, as appropriate, to students, staff, and parents and will be available to the general public upon request.

Firearms

No student shall have in his or her possession, upon school premises, including, but not limited to, in a vehicle, or in a backpack, any "firearm."

Any student found guilty of bringing a firearm, as defined in section 921 of Title 18 of the United States Code, onto school property after a hearing has been provided pursuant to section 3214 of the Education Law, will be subject to at least a one-year suspension from school. (Students with

disabilities can only be suspended consistent with the provisions of the Individuals with Disabilities Education Act and Article 89 of the Education Law.) However, after this penalty has been determined, the Superintendent of Schools will review the penalty and may modify such suspension on a case-by-case basis. If the Superintendent believes a one-year suspension penalty to be excessive, he/she may modify the penalty based on criteria including, but not limited to:

1. The age of the student;
2. The student's grade in school;
3. The student's prior disciplinary record;
4. The Superintendent's belief that other forms of discipline may be more effective?
5. Input from parents, teachers and/or others; and
6. Other extenuating circumstances.

The Superintendent shall refer any student, under the age of 16, who has been determined to have brought a firearm to school to Family Court; students over the age of 16 will be referred to the appropriate law enforcement authorities.

Authorized law enforcement officers are the only people permitted on school property to have a weapon in their possession.

ALCOHOL, ILLEGAL SUBSTANCES, DRUGS, AND OTHER SUBSTANCES

The Board of Education seeks to prevent the use of alcohol (see page 36), controlled or illegal substances, nicotine delivery devices (Juels, vapes, etc.) or drug paraphernalia. No student may use, possess, sell, or distribute any of the those listed substances or items. While students may take medications as prescribed by a physician, the unauthorized or inappropriate use of prescription and over-the-counter drugs shall also be prohibited. Persons may be banned from entering school grounds or school-sponsored events when exhibiting behavioral, personal or physical characteristics indicative of having used or consumed alcohol, illegal substances or other harmful substances.

Penalties

Penalties for violation of the Board of Education Drug and Alcohol policy are specific in detail. They include:

1. Parental contact and notification.
2. Out-of-school suspension, and the possibility of a Superintendent's hearing to consider long-term suspension, restricted instruction, and/or placement in alternative instruction.
3. Immediate suspension from all school extracurricular activities for a specified period, depending on the student's record of prior offenses.
4. A recommendation for family participation in a substance abuse program.
5. If appropriate, referral to police authorities.
6. A student-parent/guardian conference with the principal prior to a student's return to school.

Pursuant to the terms of Regulation, the intensity of penalties, including the duration of suspensions from school and extracurricular activities, will increase with each succeeding offense.

Any student found to be selling or distributing alcohol or illegal substances on school grounds, at a school-sponsored activity or from a vehicle on school property will be suspended from all extracurricular activities for a minimum of 120 calendar days. He/she shall also be immediately referred to police and will appear at a Superintendent's hearing.

If a student is a member of an extracurricular activity and abuses alcohol or illegal substances at a

function separate from school, he/she will be subject to suspension from that extracurricular activity for the period of time commensurate with the frequency of the alcohol or other substance use/abuse as set forth in the relevant sections of the Interscholastic & Extra-curricular Activity Code of Conduct below, as determined by the principal.

If a student self-refers for assistance in dealing with his/her chemical use, he/she will be referred to support services through the building team. Amnesty from discipline will continue as long as a student follows his/her recommended intervention program. If that student does not follow the intervention program, he/she will be subject to the provisions of this regulation regarding suspension from extracurricular activities.

Offenses set forth in this section of the Code will be documented cumulatively through the time a child attends the District.

REPORTING OF VIOLATIONS; DETERMINATION OF DISCIPLINE; POLICE NOTIFICATION; PARENT NOTIFICATION

All students are expected to report violations of this Code to a teacher, counselor, administrator or other school official. School personnel will report violations of this Code to building administrators. Administrators will investigate the situation, make a determination as to the validity and seriousness of reported infractions, and assign measured disciplinary consequences in keeping with the terms of this Code and of individual building practices.

In cases of violence, weapons, or any known or suspected situation which poses a real or potential danger to persons or property, students and school personnel will inform building administrators without delay. Administrators will immediately invoke whatever emergency responses are needed to protect the safety of all persons. The Superintendent will be immediately informed. Disciplinary consequences as outlined in this Code will follow. In situations which constitute a crime, and/or which significantly affects the order or security of a school, the Superintendent or the principal will notify police pursuant to the District's emergency response plan. As soon as possible, the principal will notify the parents of students whose behavior poses a danger to themselves or others.

Parents will also receive written notice of any reported violation and disciplinary action, and will have the opportunity to discuss the issues and/or their concerns with school authorities. For further information regarding student disciplinary proceedings, refer to Board of Education Policy.

The Principal must notify promptly the Superintendent of Schools and (except as provided above) the appropriate local law enforcement agency when he/she believes that any Code violations, including but not limited to incidents of harassment, bullying, and/or discrimination, may constitute a crime or when any other conduct that occurs on school property or at a school function or in travel to and from school; is criminal in nature and substantially affects the physical, mental or emotional well-being of a student or the order, security or overall safety of the school. In the absence of extenuating circumstances, the above notification should occur no later than the close of business the day the principal or his or designee learns of the conduct. The notification should identify the persons involved in the conduct, the names of any victims and witnesses and an explanation of the conduct that may constitute a crime.

Whenever conduct involves drugs, assaults where there are serious injuries, or inappropriate sexual acts, immediate notification by the building principal or his or her designee should be

made to the Superintendent of School and to law enforcement.

Reporting Discrimination, Harassment and Bullying

The Principal (also designated as the DAC, above) is the school employee charged with receiving all reports of harassment, bullying and discrimination; however, students and parents may make an oral or written complaint of harassment, bullying or discrimination to any teacher, administrator or school employee. The District will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment and bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment and bullying.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator.

In the event that the Principal is the alleged offender, the report will be directed to the Superintendent of Schools.

All complaints of alleged harassing, discriminatory, bullying and/or retaliatory conduct shall be:

1. promptly investigated in accordance with the terms of district policy;
2. forwarded to the school building's DAC for monitoring; and
3. treated as confidential and private to the extent possible within legal constraints.

INTERSCHOLASTIC AND EXTRA-CURRICULAR CODE OF CONDUCT

PARTICIPATION VALUES/STANDARDS/REGULATIONS – CATEGORY I

Student Behavior

It is the expectation that all students exemplify competence, civility, good citizenship, and good character at all times both in and out of school, as well as in and out of season. This includes but is not limited to the following examples:

- Demonstrating self-control and respect for others at all times. This includes teammates, coaches, opponents, and spectators.
- Respecting officials and other game personnel.
- Respecting others' possessions and property.
- Accepting responsibility to set a good example for the community.

1. Examples of Category I violations include, but are not limited to the following:

- Truancy
- Insubordination
- Ejection from a contest
- Fighting
- Vandalism
- Illegal absence from school or class

2. Consequences for Category I violations will be communicated through individual team rules at the beginning of each season.

Any violation of Category 1 rules could result in a loss of participation and leadership positions.

PARTICIPATION VALUES/STANDARDS/REGULATIONS – CATEGORY II

Substance Abuse Use

No student may use, possess, sell, or distribute illegal substances, alcohol, Tobacco Products or any other harmful substances, or use or possess drug paraphernalia. The inappropriate use of prescription and over-the-counter drugs also is prohibited. Persons exhibiting behavioral, personal or physical characteristics indicative of having consumed alcohol or having used illegal substances or marijuana, may be accompanied to a safe location by an administrator or teacher, while the student's parent(s) are contacted.

Parties/Gatherings/Other Events

If a student attends a party/gathering where it is evident that marijuana or other illegal substances/drugs are present or being used, or where alcohol is being served to, or consumed by, persons under the age of 21, the student must leave the party/gathering within approximately 15-minutes. Students are encouraged to contact a coach or administrator to establish their compliance with this rule in connection with the event. If such an event occurs during the summer or off season the student athlete should contact the Athletic Director, at 624-7070. The purpose of the call is to protect students who have made the right choice from future allegations regarding the specific event.

Hazing

The athletic program does not condone any form of initiation or harassment, known as hazing (as

defined in the General Definitions section above), as part of any school sponsored activity. No student, coach, volunteer or District employee shall plan, direct, encourage, assist or engage in any hazing activity.

Suspected acts of hazing should be reported to the coach, athletic administrator, principal or other school administrator.

Harassment, Bullying and Discrimination

Harassment, bullying and discrimination (as defined in the General Definitions section above) in any form will not be tolerated. Students are encouraged to discuss freely with coaches, teachers, or administrators any harassment involving themselves or others.

CONSEQUENCES

HF-L adheres to a four-tiered concept regarding consequences to violations of the Interscholastic and Extra-Curricular code which is intended to facilitate the goals as an educational institution to alert and inform youth. In addition, the consequences provide opportunity for students to learn from mistakes and be successful with future choices.

The training rules will be in effect from the beginning of the student-athletes' interscholastic participation through the student-athletes' high school graduation. The beginning of the season is defined as the first day of practice. This means it is 365 days a year.

- Example 1: a 7th grader first participates in sports in the winter season: the first day of practice that season begins the 365 days a year until graduation for adhering to these training rules.
- Example 2: A sophomore begins interscholastic athletics in the fall season: the first day of practice begins the 365 days a year until graduation for adhering to these training rules.

A violation of Category II rules will result in the following:

- *First Offense:* The student-athlete will be suspended for 25% of his/her regular scheduled events as stated at the beginning of the season. (Example: 25% of a season of 16 scheduled events = 4 events.)
- *Second Offense:* A second violation of these training rules will result in the suspension of the student athlete for 50% of scheduled events.
- *Third Offense:* A third violation of these rules will result in the suspension from interscholastic athletics of that student one calendar year.
- *Fourth Offense:* A fourth violation of these rules will result in permanent suspension from all athletic programs for the duration of school career.

Self-Referral - 1st Offense Only

In recognizing the importance of the values of honesty and integrity, any first-time code violations that are self or family reported prior to District awareness will receive a reduction in penalty of 50%.

Notes

- An “event” is defined as a regular scheduled game or contest. Scrimmages are not considered an event.

- If the duration of the consequence goes beyond the end of the current season, it will carry over into the next season in which the student athlete participates. It will not affect the tryout for the next season.
- Any violation of Category II rules will result in loss of team captaincy and other leadership positions.

Educational Component

We are committed to providing resources for families when a substance abuse problem has been identified. As part of the educational component of the consequence phase, student-athletes may by agreement be required to complete a program before returning to the activity to assist them in dealing with any issues that led to the violation of the training rules. The educational component may include any or all of the following:

- Substance Abuse Counseling
- Anger Management
- Community Service
- Restorative Discipline Model
- Other Intervention Services as needed

Investigation

Any student, student-athlete, parent, coach, school administrator and community member may choose to report a violation of the training rules violation orally or in writing to:

- Building principals
- Athletic administrator
- Teachers
- Coaches
- Counselors

Reported violations concerning student-athletes must be forwarded to the building principal and the Athletic Director immediately. An investigation shall begin immediately to determine the nature of such allegations.

Investigative Process

- The principal/assistant principal will be notified.
- The Athletic Director will interview the student-athlete as to the reason(s) for suspected violations in an effort to confirm or refute the allegations.
- There will be parental notification if the interview does not succeed in obtaining the confirmation or exoneration of the suspected violation.
- The Athletic Director will further investigate through interviews with those who may be aware of violations first-hand, those who may have limited knowledge of the violations, or those who may be involved with such violations.
- If in the Athletic Director's opinion, there is evidence of a violation, the appropriate consequences will be applied.

In determining the consequences of a violation of this code, the Athletic Director may consider mitigating circumstances such as if a student is forthcoming and remorseful when confronted with the facts of a violation.

Appeal Process

Each student athlete shall have the right to an appeal and hearing of the decision. The athlete will remain ineligible until the appeals process is complete. The following steps must be followed to initiate an appeal:

- The student-athlete must submit in writing to the Director of Athletics a request for an appeal, no later than 7 days after the day in which the decision is made.
- After the appeal has been received, a discussion will take place between the athlete and the Athletic Director. This will be considered the first step to resolve the appeal.
- If the appeal is not resolved, a review board will be formed to consider the appeal. The review board will consist of the following (3 or more members must be present for an appeal to be heard):
 - Assistant Superintendent
 - High School Administrator
 - Out of Season Coach
 - Current Coach
 - Teacher
 - Parent – not the parent of the student-athlete appealing the decision
- Every attempt will be made to complete the appeal process within 5 business days.
- Both sides will present their case to the review board, and will receive, in writing, the decision of the review board within 10 days of the hearing. The student-athlete and a parent/guardian have a right to be present during the hearing.

Seeking Assistance

Students in need of help, and/or are experiencing circumstances that are inhibiting their ability to follow these guidelines are encouraged to contact school personnel to seek assistance.

Team Rules

Coaches may establish additional rules and regulations for their respective sports with the approval of the Athletic Director. These additional rules must be provided in writing to all team members and parents and explained fully at the start of the season. Copies of all additional team rules must be on file in the Athletic Office.

REFERENCED POLICIES

- Education Law Sections 2801 and 3214
- Section 921 of Title 18 of the United States Code
- Individuals with Disabilities Education Act
- Article 89 of the Education Law
- Family Court Acts Articles 3 and 7
- Vehicle and Traffic Law Section 142
- 8 New York Code of Rules and Regulations (NYCRR)
- Section 100.2(1), (2)
- Penal Law Sections 265.01-265.06
- District Policies:
 - 3410 Code of Conduct on School Property
 - 3411 Unlawful Possession of a Weapon Upon School Grounds
 - 3412 Threats of Violence in School
 - 3420 Anti-Harassment in the School District
 - 5640 Smoking/Tobacco Use
 - 6121 Sexual Harassment of District Personnel
 - 6180 Staff-Student Relations (Fraternization)
 - 7110 Comprehensive Student Attendance Policy
 - 7313 Suspension of Students
 - 7314 Students Presumed to have a Disability for Discipline Reasons
 - 7320 Alcohol, Tobacco, Drugs and Other Substances (Students)
 - Education Law Section 409(2)
 - Public Health Law Article 13-E
 - Public Health Law Sections 206; 340; 347
 - The Pro-Children Act of 2001, 20 U.S.C. Section 7181 et seq.
 - The Pro-Children Act of 2001, 20 U.S.C. Section 6081 et seq.
 - New York State Alcoholic Beverage Control Law (ABC Law) Section 65
 - 7551 Sexual Harassment of Students
 - 7552 Bullying: Peer Abuse in the Schools
 - 7553 Hazing of Students
 - 7554 Dignity for all Students Act (DASA)
 - 8271 Children's Internet Protection Act: Internet Content Filtering/Safety Policy
- Code of Conduct Adopted: 6/26/01; Revised: June 2012; May 2013; May 2014, May 2015; June 2017

APPENDIX: AUP (Acceptable Use Policy)

[7315 STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES
\(ACCEPTABLE USE POLICY\)](#)
