



Wilson Central School District

CODE OF CONDUCT

Adopted for: 2025-2026

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WILSON CENTRAL SCHOOL DISTRICT
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WILSON CENTRAL SCHOOL DISTRICT

CODE OF CONDUCT

I. INTRODUCTION

The Wilson Central School District (the “District”) Board of Education (the “Board”) recognizes the importance of policies regarding conduct on and around school grounds as well as at school-sponsored functions. To ensure a safe and orderly school environment where students may obtain and District personnel may deliver a quality education without excessive disruption and interference, responsible behavior by students, staff, parents, and all visitors is essential to achieving this objective.

This Code of Conduct (the “Code”) will be the foundation for behavioral expectations on school property and at school-sponsored functions, will clearly identify the possible consequences for unacceptable conduct. The principles of this Code will be based on honesty, integrity, respect, character, citizenship, and civility which will create a positive learning environment that is both safe and effective.

The Board adopts this Code in the spirit of providing the best possible surroundings for children to learn, grow and develop.

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

The Dignity for All Students Act (DASA), and District policy and practice, strictly prohibit discrimination, bullying and harassment, based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex by school employees or students on school property, on a school bus, or at a school function, or through any form of electronic communication.

For purposes of this Code, the following definitions apply.

- “Artificial Intelligence” or “AI” refers to a system of machine learning that is capable of performing complex and original tasks such as problem-solving, learning, reasoning, understanding natural language, and recognizing patterns in data.
- “Bullying” is an act of repeated aggressive behavior done willfully, knowingly, and with deliberation, by an individual to harm another person, physically or emotionally. Bullying is characterized by a power imbalance.
- “Color” is a term referring to the apparent pigmentation of the skin, especially as an indication or possible indication of race.
- “Cyber bullying” means harassment or bullying, as defined above and in Education Law Section 11, through any form of electronic communication.
- “Disability” means any restriction or lack (due to any impairment) of ability to perform an activity in the manner or within the range considered typical.

- a physical, mental, or medical impairment resulting from anatomical, physiological, genetic, or neurological conditions which prevent the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or
 - a record of such an impairment or
 - 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]).
- “Discrimination” is the practice of unjust or prejudicial treatment toward any student(s) and/or employee(s) on school property or at a school function, on the basis of a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
 - “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.
 - “Electronic Communication” means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, laptop, pager, or other hand-held device, communication transmitted through e-mail, text message, instant message, voicemail, social media website(s), webpage, video, or blog.
 - “Emotional harm” in the context of “harassment or bullying” means harm to a student’s emotional well-being through the creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student’s education.
 - “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.
 - “Gender” means a person’s actual or perceived sex and includes a person's gender identity or expression (Education Law Section 11[6]).
 - “Gender expression” means the manner in which a person represents or expresses gender to others, through behavior, clothing, hairstyles, activities, voice, or mannerisms.
 - “Generative Artificial Intelligence” or “GAI” refers to systems capable of generating or creating original content such as text, images or other media, through learning and adaptation.
 - “Harassment/bullying” means the creation of a hostile environment by conduct or by 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 and/or physical wellbeing or 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. This definition includes acts of harassment that occur on school property, at a school function, or off-school property where such act(s) create or would reasonably create a risk or substantial disruption to the school environment.
 - Acts of harassment or bullying include, but are not limited to, acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender, or sex.

- “National Origin” means a person's country of birth or ancestor's country of birth.
- “Hazing” means any humiliating or dangerous activity expected of a student to join a group or be accepted by a formal or informal group, regardless of the student’s willingness to participate.
- “Plagiarism” means the use or close imitation of the language and ideas of another author and representation of them as one’s own original work. This includes copying from electronic sources (from the World Wide Web) even with minor alterations. Deliberately copying or using content generated by artificial intelligence (including large language models like ChatGPT) without citation constitutes academic dishonesty, cheating, plagiarism, or forgery.
- “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", "Bi-racial", "Hispanics/Latinos" etc. to describe and classify the inhabitants of the United States.
- “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 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, or other forms of religious expression.
- “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).
- “School Function” means any school-sponsored extracurricular event or activity (Education Law Section 11[2]). This includes any event, occurring on or off school property, sanctioned or approved by the District including, but not limited to, athletic events, dances, plays, musical productions, field-trips and other school-sponsored trips.
- “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 Section 11[1]).
- “Sex” means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)
- “Sexual Orientation” means a person’s actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law Section 11[5]).
- “Transgender” an adjective describing a person whose gender identity does not correspond to their assigned sex at birth.
- “Violent student” means a student under the age of 21 who:
 - Commits an act of violence upon a school employee, or attempts to do so.

- 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.
 - Possesses, while on school property or at a school function, a weapon.
 - Displays, while on school property or at a school function, what appears to be a weapon.
 - Threatens, while on school property or at a school function, to use a weapon.
 - Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
 - Knowingly and intentionally damages or destroys 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 device, instrument, material, or substance that can cause physical injury or death when used to cause physical injury or death.
 - “Weight” means aside from the obvious meaning in the physical sciences, the word is used in reference to a person’s “size.”

III. STUDENT RIGHTS AND RESPONSIBILITIES

Student Rights

The District is committed to safeguarding the rights of all students and staff in accordance with federal and state law and regulation. In addition, the District endeavors to promote a safe, healthy, orderly and civil school environment in which students take seriously their responsibilities to respect themselves and others.

With every right comes a responsibility.

| <i>It is the student’s right:</i> | <i>It is the student’s responsibility:</i> |
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| To attend school and participate in school programs, unless suspended from instruction and participation in accordance with due process of law. | To attend school daily, regularly and on time (unless legally excused), perform assignments, strive to do the highest quality work possible, and be granted the opportunity to receive a good education. |
| To expect that school will be a safe, orderly, and supportive place free from intimidation, harassment, or discrimination. | To demonstrate conduct that fosters civility, kindness, and acceptance. |
| To competent instruction that addresses the individuals needs of the learner. | To meet the goals and objectives of the curriculum and ask questions when one does not understand. |
| To a classroom atmosphere that is conducive to learning. | To conduct oneself in a manner that contributes to the ability of the class to learn. |
| To be respected as an individual, treated fairly, and with dignity by all members of the school community. | To respect one another, and to treat others in the manner that one would want to be treated. |
| To express one's opinions verbally or in writing provided it is lawful and appropriate. | To express opinions and ideas in a respectful manner so as not to offend, slander, or restrict, the rights and privileges of others. |

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| To experience professional, ethical relationships with all staff. | To conduct oneself in an appropriate manner toward staff and contribute to a respectful school environment. |
| 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. |
| 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. |

IV. ROLE OF ESSENTIAL PARTNERS

Parents and Guardians

All Parents and Guardians are expected to:

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| Recognize that the education of their child(ren) is a joint responsibility of the parents or guardians and school community. |
| Send their children to school ready to participate and learn as required by New York State Education Law and in accordance with the District's Comprehensive Student Attendance Policy (#7110). Ensure that children attend school regularly and on time. Ensure absences are excused. |
| Insist their children be dressed and groomed in a manner consistent with the student dress code. |
| Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment. |
| Know school rules and help their children understand them to maintain a safe, orderly environment in accordance with the District Code of Conduct. |
| Convey to their children a supportive attitude towards education and the District. |
| Build good relationships with teachers, other parents, and their children's friends. |
| Work with our schools to maintain open and respectful communication. |
| Help their children deal effectively with peer pressure. |
| Inform school officials of changes in the home situation that may affect student conduct or performance. |
| Provide a place for study and ensure homework assignments are completed. |
| Respond promptly to school personnel when requested to do so. |
| Conduct yourself appropriately, using proper decorum and language. |
| 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. |

Teachers

All Teachers are expected to:

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| 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, |
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| 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. |
| Be prepared to teach. |
| Demonstrate interest in teaching and concern for student achievement. |
| Know school policies and rules and enforce them in a fair and consistent manner. |
| <p>Communicate to students and parents or guardians:</p> <ul style="list-style-type: none"> ● Course objectives and requirements. ● Marking/grading procedures. ● Assignment deadlines. ● Expectations for students. ● Classroom discipline plan. |
| Communicate regularly with students, parents or guardians, and other teachers concerning growth and achievement. |
| Confront and report incidents of discrimination, bullying, and harassment to the appropriate school official(s) 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. |
| Address personal biases that may prevent equal treatment of all students in the school or classroom setting. |
| Act as role models for students, maintain appropriate personal boundaries with students, and refrain from engaging in any behavior that could lead to even the appearance of impropriety. |

Counselors

All Counselors are expected to:

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| Assist students in coping with peer pressure and emerging personal, social, and emotional problems. |
| Initiate and appropriately document teacher/student/counselor conferences and parent/guardian/teacher/student/counselor conferences, as necessary, as a way to resolve problems. |
| Regularly review with the students their educational progress, career plans, and graduation requirements. |
| Provide information to assist students with career planning. |
| Encourage students to benefit from the curriculum and extracurricular programs. |
| Enforce the Code of Conduct. Act as roles models for students, maintain appropriate personal boundaries with students, and refrain from engaging in any behavior that could lead to even the appearance of impropriety. |
| Coordinate Intervention Support Services, as needed, with student, parent/guardian, Building Principal, and teachers. |
| 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. |
| Report incidents of discrimination, bullying, and harassment to the appropriate school official(s) in any situation that threatens the emotional, physical health, or safety of any persons on school property or at a school function. |

Student Support Service Personnel

All Support Service Personnel are expected to:

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| Support educational and academic goals. |
| Know school rules, abide by them and enforce them in a fair and consistent manner. |
| Assist students in coping with peer pressure and emerging personal, social, and emotional problems. |
| Set a good example for students and colleagues by demonstrating dependability, integrity, and other standards of ethical conduct. |
| Maintain confidentiality about all personal information and educational records concerning students and their families. |
| Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, as a way to resolve problems and communicate as necessary with parents and other staff regarding student progress and needs. |
| Regularly review with students their educational progress and career plan. |
| Provide information to assist students with career planning. |
| Encourage students to benefit from the curriculum and extra-curricular programs. |
| 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. |
| Report incidents of discrimination, bullying, and harassment to the appropriate school official(s) in any situation that threatens the emotional, physical health, or safety of any persons on school property or at a school function. |

Expectations for Other School Staff

All Other School Staff are expected to:

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| Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner. |
| Set a good example for students and other staff by demonstrating dependability, integrity, and other standards of ethical conduct. |
| Assist in promoting a safe, orderly, and stimulating school environment. |
| Maintain confidentiality about all personal information and educational records concerning students and their families. |
| 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. |
| Report incidents of discrimination, bullying, and harassment to the appropriate school official(s) in any situation that threatens the emotional, physical health, or safety of any persons on school property or at a school function. |

Expectations for Principals

All Principals are expected to:

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| Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning. |
| Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of complaints or grievances. |
| Act as role models for students, maintain appropriate personal boundaries with students and refrain from engaging in any behavior that could reasonably lead to the appearance of impropriety. |
| Closely monitor the implementation of curriculum content and performance standards. |
| Support the development of and student participation in appropriate extracurricular activities. |
| Review and enforce the Code of Conduct, ensuring that all cases are resolved promptly and fairly and, when necessary, appropriately documenting investigations and/or disciplinary actions. |
| Maintain confidentiality and respect student and parents' right to privacy. |
| 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. |
| Appropriately address and follow up on any incidents of discrimination, bullying, 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) or other appropriate school official(s). |

Expectations for the Superintendent

The Superintendent is expected to:

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| Promote a safe, orderly, respectful, and stimulating school environment, free from intimidation, discrimination, bullying, and harassment, supporting active teaching and learning. |
| Review with District administrators the policies of the Board of Education and state and federal laws relating to school operations and management. |
| Inform the Board of Education about educational trends, including student discipline. |
| Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs. |
| Work with District administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly. |
| Address all areas of school-related safety concerns. |

Expectations for the Board of Education

The Board of Education is expected to:

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| 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. |
| Approve 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. |

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.

Lead by example by conducting Board meetings in a professional, respectful and courteous manner.

Expectations for the Dignity Act Coordinator

The Dignity Act Coordinator(s) is expected to:

Act as the lead person responsible for facilitating the implementation of DASA.

Participate in required training in order to respond effectively, fairly, and appropriately with respect to complaints of harassment, bullying, or discrimination pursuant to DASA.

Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, which will strengthen students' self-concept and promote confidence to learn.

Address incidents of bullying, harassment, or any situation that threatens the emotional or physical health or safety of any student.

Assist in the enforcement of the Code of Conduct to ensure that all cases and/or complaints are resolved promptly and fairly.

Maintain confidentiality of student educational records in accordance with federal and state law.

V. STUDENT USE OF ELECTRONIC COMMUNICATION DEVICES

Students are prohibited from using or having on or in an operational mode any personal electronic devices, including, but not limited to, cell phones, smartphones, iPads, and/or imaging devices during the normal school day, except as expressly permitted as an exception in Policy 7316: Use of Internet-Enabled Devices During the School Day. Additionally, students are prohibited from using technology 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, bully, or threaten others. Students who engage in such behavior are subject to discipline under this provision and/or any other applicable provision in this Code. Electronic devices should be kept off and secured in a locker during the normal school day. If at any time an electronic device becomes disruptive, or causes, or promotes a distraction to the educational process, or undermines the health or safety of the school community, it will be confiscated.

Teachers and all other school staff should exemplify and reinforce acceptable student behavior which includes the possession and/or use of electronic devices during the regular school day in order to help students develop an understanding of appropriate conduct in the school setting. Refer to Policy 7314: Student Acceptable Use Policy (AUP) and Policy 7316: Use of Internet-Enabled Devices During the School Day.

VI. STUDENT DRESS CODE, APPROPRIATE LANGUAGE, RESPECTFUL BEHAVIOR

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. However, teachers and all other District personnel will reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting and which does not interfere with the learning process. Therefore this section sets the expectation that all persons on school property will be properly attired for the purpose they are on school property.

Dress Code

1. A student's dress, grooming, and appearance, shall:
 - Be safe, appropriate, and not disrupt or interfere with the educational process.
 - Not endanger the health, safety, or welfare of others.
 - Not include any item, message and/or image that is vulgar, obscene, libelous, or that denigrates another's race, color, religion, national origin, ethnicity, gender, gender identity, disability, sex, or sexual orientation.
 - Not promote and/or endorse the use of alcohol, tobacco, or illegal drugs, and/or encourage other illegal or violent activities.
2. Students are not permitted to wear hats, bandanas, hoods, or headgear of any kind in the school building unless a religious, medical, or other appropriate exception exists and is approved by the building principal.
3. Students must wear safe footwear at all times. Footwear that is a safety hazard will not be allowed.
4. Wearing a scent that has a negative impact on others.
5. Wearing loose hanging objects that pose a safety hazard or disruptive influence, (i.e.-chains, key holders, etc.).
6. Pajamas and loungewear are not considered appropriate school attire.
7. The wearing of outdoor coats, jackets, etc. during the school day.

Each building principal or his or her designee shall be responsible for informing all students and their parents of the student dress code for that particular building at the beginning of the school year and any revisions to the dress code that may be made during the school year.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline.

Appropriate Language Code/Respectful Behavior

Students are expected to behave with dignity and treat others with respect and courtesy. Students should respect their peers, teachers, and school staff. Individual behavior should not interfere with the

rights of others. Students are expected to use language that is appropriate in demonstrating respect for themselves and others. Profanity or vulgar language including, but not limited to, racial or obscene comments, and obscene gestures, or obscene gestures toward others will not be tolerated. Students will be held accountable for their actions and disciplinary action will be taken, as appropriate.

VII. PROHIBITED STUDENT CONDUCT

The Board 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 student 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 educating students so that they may develop self-discipline.

The Board recognizes the need to be clear and specific in expressing its expectations for student conduct while on District property or engaged in a District function. The rules of conduct listed below are intended to provide those expectations and focus on safety and respect for the rights and property of others.

Students who will not accept responsibility for their own behavior or who violate these school rules may be disciplined as appropriate, up to and including, suspension from school or removal from a program, when they engage in:

A. Conduct that is Disorderly

Examples of disorderly conduct include, but are not limited to:

1. Engaging in any act which disrupts the normal operation of the school community, running in hallways, making unreasonable noise, and using language or gestures that are profane, lewd, vulgar, abusive, intimidating, or that incite others.
2. Obstructing vehicular or pedestrian traffic.
3. Trespassing. Students are not permitted in any area of the school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
4. Unauthorized display, use, or possession of personal electronic or communication devices, including but not limited to cell phones, iPods, smartphones (i.e., iPhones and/or Android devices), other mobile computing devices, digital (or other) cameras, telephone paging devices (i.e., beepers or pagers), web-enabled devices of any kind, tablets (i.e., iPads and similar devices), electronic readers (i.e., e-readers, Kindles, and similar devices) during class time and during any testing.
5. Using (or attempting to use) any electronic or recording device (i.e., cameras, video cameras, tape recorders, cell phones, iPods, smartphones (i.e., iPhones and/or Android devices), web-enabled devices of any kind, tablets (i.e., iPads and similar devices), or other mobile computing devices) to capture, record, and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures or video) of any

student, staff member, or other person, unless expressly approved by a school administrator or other authorized school official.

6. Misusing computer/electronic communication devices, including any unauthorized use of computers, electronic devices, communication devices, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the District's Acceptable Use Policy.

7. Using an electronic or communication device (or threatening to do so) in a way that might reasonably cause a person to feel threatened, humiliated, harassed, embarrassed, or intimidated.

8. Unauthorized use of a personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system.

B. Conduct that is Insubordinate

Examples of insubordinate conduct include, but are not limited to:

1. Failing to comply with, or respond to, the reasonable directions of teachers, school administrators or other District employees or otherwise demonstrating disrespect.

2. Lying to school personnel.

3. Missing or leaving school or class without permission.

C. Conduct that is Disruptive

Examples of disruptive conduct include, but are not limited to:

1. Failing to comply with, or respond to, the reasonable directions of teachers, District administrators or other District employees.

2. Interfering with classes or District activities by means of lack of preparation for class, lateness to class, inappropriate appearance or behavior.

3. Engage in any on-campus or off-campus conduct that interferes with, disrupts, or negatively impacts the school environment or educative process, or that can reasonably be expected to interfere with, disrupt, or negatively impact the school environment or educational process.

D. Conduct that is Violent

Examples of violent conduct include, but are not limited to:

1. Committing, threatening, or attempting to commit an act of violence (such as hitting, kicking, biting, pushing, punching, or scratching) upon a teacher, administrator, or other District employee.

2. Committing, threatening, or attempting to commit an act of violence (such as hitting, kicking, biting, pushing, punching, or scratching) upon another student or any other person lawfully on school property.
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, selling, purchasing, or distributing in any manner (on your person, in your personal belongings, or in/on District-owned property, such as a desk or school locker) a weapon (see definition). Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on District property or at a District function.
5. Displaying what appears to be a weapon.
6. Threatening to use any weapon.
7. Intentionally defacing, vandalizing, 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.
8. Communication by any means, including oral, written, or electronic (such as through the Internet, email, or texting) on or 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. Conduct that Endangers the Safety, Morals, Health or Welfare of Others

Examples of such conduct include, but are not limited to:

1. Stealing, possessing, or assisting in the theft of District property or the property of other students, school personnel, or any other person lawfully on school property or while attending a school function.
2. Vandalism or destruction of District property or the property of others located on District property or on a school bus.
3. 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, or social media of any kind, etc.).
4. Discrimination which includes the use of a person's actual or perceived race, age, sexual orientation, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, or disability as a basis for treating another in a negative manner.
5. Harassment, which includes a sufficiently severe action or persistent pervasive pattern of actions

or statements directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing and demeaning. Harassment can also include 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.

6. Bullying which may be a hostile activity that harms or induces fear through the threat of further aggression and/or creates fear or terror.

7. “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.

8. 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.

9. Using any AI system to access, create, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or any other protected category which interact with the AI in a manner that supports any of the above.

10. Displaying signs of gang affiliation or engaging in gang-related behaviors that are observed to increase the level of conflict or violent behavior.

11. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with, or maintaining membership in any District or school-sponsored activity, organization, club, or team.

12. Selling, using, possessing, or distributing obscene or pornographic material.

13. Using vulgar or abusive language, cursing or swearing.

14. Possessing, consuming, selling, attempting to sell, buying (including “intent” to purchase), distributing or exchanging alcoholic beverages, vitamins, supplements, herbs or illegal substances, or being under the influence of such substances. “Illegal substances” include, but are not limited to, inhalants, marijuana, natural or synthetic cannabinoids, CBD products (oil, gummy worms, etc.), cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs (substances that resemble or are used to represent illegal substances), and any substances commonly referred to as “designer drugs.”

15. Inappropriately possessing, using, sharing, selling, attempting to sell, distributing, or exchanging prescription and/or over-the-counter drugs.

16. Inappropriately and/or intentionally misusing common household or other products in a manner inconsistent with the intended purpose to become intoxicated or to alter one’s physical and/or mental state.

17. Possessing, using, or smoking a cigarette, cigar, pipe, tobacco, liquid nicotine, an electronic cigarette, electronic nicotine, a look-alike cigarette, a vaporizer, a vape delivery system, inhalation device, or any other device that enables usage of an electronic cigarette.
18. Possessing paraphernalia used in connection with cigarettes, including any type or brand of vapor cigarettes or vaping devices (and associated liquid substances such as “e-juice”), lighters, alcoholic beverages, illegal substances, prescription drugs, and over-the-counter medications.
19. Gambling and gaming which includes accepting, recording or registering bets and/or risking loss of something of value while engaging in a game of chance.
20. Inappropriate physical contact and/or indecent exposure. Indecent exposure means exposure to sight of the private parts of the body or undergarments in a lewd or indecent manner.
21. Sending and/or forwarded sexually explicit videos, pictures or auditory recordings and/or other communications of a sexual nature.
22. Initiating or reporting warning of fire or other catastrophe without valid cause, misusing 911, or inappropriately discharging a fire extinguisher.
23. Assisting others in prohibited conduct or serving as a “look out.”
24. Subjecting any other student(s), school personnel, or any other person to danger by engaging in conduct that creates a risk of injury or harm.

F. 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, fighting, harassment, and discrimination/bullying will not be tolerated.

G. Any Form of Academic Misconduct

Examples of academic misconduct include, but are not limited to:

1. Plagiarism.
2. Cheating, in any form or by any means, including virtually.
3. Copying.
4. Altering records.
5. Accessing other users’ email accounts or network storage accounts and/or attempting to read,

delete, copy, modify, and interfere with the transferring and receiving of electronic communications.

6. Violations of the District Acceptable Use Policy for Technology, including the inappropriate use of electronic devices with photographic recording (audio and/or video) or text messaging capability.

7. Assisting another student in any of the above actions.

i. Guidelines for the Use of Artificial Intelligence

- Students are allowed to use artificial intelligence (“AI”) tools on school-owned devices or networks for educational purposes when permitted by a teacher or administrator. However, students are not permitted to “create, compose, generate, or edit” content that they submit for a grade using AI unless explicitly permitted by a teacher.
- Students are not permitted to use AI to answer questions on tests, quizzes, or homework assignments unless explicitly permitted by a teacher.
- Students are expected to take credit only for their original work. Any works used to develop products (*i.e.*, homework, research papers, book reports, etc.) should be properly cited.
- Deliberately copying or using content generated by AI (including large language models like ChatGPT) without citation constitutes academic misconduct (see **Section G** above).

H. Off-Campus Misconduct.

Off-campus misconduct that impacts or may impact the educational process. Examples include, but are not limited to, inappropriate use of AI technology, cyberbullying, and fights.

VIII. REPORTING VIOLATIONS

All students are expected to promptly report violations of the Code to a teacher, school counselor, the building principal, or his or her designee. Any student who observes a student in possession of a weapon, alcohol, illegal substance, or other prohibited item on school property or at a school function must report this information immediately to District staff 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 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 do so.

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 which constitute a crime and/or substantially affect the order or security of the District as soon as practicable, but no later than the close of business of the day he or she learns of

the violation.

IX. DISCIPLINARY PENALTIES, 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. As a general rule, discipline will be progressive. 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.

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 ("CSE"). Discipline, if warranted, shall be administered consistent with the separate requirements of this Code for disciplining students with a disability or presumed to have a disability.

Penalties

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

| Penalty | Authorized to Impose Penalty |
|---|---|
| Oral warning | Any member of the District staff |
| Written referrals | Any member of the District staff |
| Written notification to the parent | Any member of the District Staff |
| Detention | Teachers, administrators |
| Suspension from transportation | Director of Transportation, administrators |
| Suspension from athletic participation | Coaches, administrators |
| Suspension from social or extracurricular activities | Activity director, administrators |
| Suspension of other privileges | Administrators |
| In-school suspension | Administrators |
| Removal from classroom by teacher | Teachers, principal |
| Short-term (five days or less) suspension from school | Principal, Superintendent, Board of Education |

| | |
|--|------------------------------------|
| Long-term (more than five days) suspension from school | Superintendent, Board of Education |
| Permanent suspension from school | Superintendent, Board of Education |

Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. Students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

Students who are to be given penalties other than an oral warning, written warning, or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

1. Detention - Teachers, principals, and the Superintendent may use detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate.
2. Suspension from transportation - If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the Superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

3. Suspension from athletic participation, extra-curricular activities, and other privileges - A student subjected to a suspension from athletic participation, extra-curricular activities, or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the suspension to discuss the conduct and the penalty involved.
4. In-school suspension - The Board recognizes the District 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/designees and the Superintendent to place students who would otherwise be suspended from school as the result of a Code violation in "in-school suspension."

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher Disciplinary 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 a supervised alternative setting. Many time-honored classroom management techniques do not constitute disciplinary removals for purposes of this Code.

On occasion, a student's behavior may become disruptive. For purposes of this Code, 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.

A classroom teacher may remove a disruptive student from class for up to two days (including the initial day the student was removed). The removal from class applies to the class of the removing teacher only. A day in the middle and high school is defined as up to one period for each day. In the elementary setting, it is defined as up to one hour for each day.

The procedural requirements for a formal removal by a teacher of a student are:

1. 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 of why he or she is being removed and an opportunity to explain their version of relevant events. Only after this informal discussion may a teacher remove the student from class.
2. If the disruptive 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.
3. The teacher must complete a District-established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same 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.
4. Within 24-hours after the student's formal removal by a teacher, 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.
5. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.
6. The principal may require the teacher who ordered the removal to attend the informal conference.
7. 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.

8. The principal or the principal's designee may overturn the removal of the student from class if any one of the following is found:

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

9. 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 meeting, if a meeting 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 the removal expires, whichever is less.

10. Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities by a certified teacher until the student is permitted to return to the classroom.

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

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

Suspension from School

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

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

Any staff member may recommend to the Superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the Superintendent for a violation of the Code. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases, a written report is to be prepared as soon as possible by the staff member recommending the suspension.

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

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

When the Superintendent or principal (referred to as the "suspending authority") proposes to suspend a student for misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student verbally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension. Whenever possible, the notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. The notice and informal conference shall be in the dominant language or mode of communication used by the parents.

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

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within thirty (30) calendar days unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within twenty-one (21) calendar days after receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the District Clerk within thirty (30) calendar days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education within thirty (30) days of the decision.

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

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

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

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

3. Permanent suspension

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

Minimum Periods of Suspension

1. Students who bring a firearm to school (as defined by the Gun-Free Schools Act 18 USC Section 921)

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

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

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

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

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

3. Students who are repeatedly substantially disruptive of the educational process or repeatedly

substantially interfere with the teacher's authority over the classroom

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

Referrals

1. Counseling

The Counseling Office and/or the building principal shall assist with all referrals of students to counseling and/or other similar services.

2. PINS Petitions

The District may file a Person in Need of Supervision (PINS) petition in Family Court on any student under the age of 18 upon any basis as authorized under the Family Court Act, including:

- i. Being habitually truant and/or not attending school as required by part one of Article 65 of the Education Law.
- ii. Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
- iii. Violating the provisions of section 230.00 of the penal law; or
- iv. Appearing to be a sexually exploited child as defined in paragraph (a), (c) or (d) of subdivision one of Section 447-a of the Social Services Law, but only if the child consents to the filing of a petition.

* School authorities should work closely with the student's parent(s), to the extent possible, when filing a petition.

3. Juvenile Delinquents and Juvenile Offenders

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

- i. Any student under the age of 16 who is found to have brought a weapon to school; or
- ii. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20(42).
- iii. The Superintendent is required to refer any student aged 16 and older who is found to have brought a weapon to school, or any student 14 or 15 years old who qualifies for juvenile offender status, to the appropriate law enforcement authorities.

4. Criminal Offense

If a criminal offense has been committed (i.e., false fire alarm or bomb threat, vandalism, etc.), law enforcement authorities may be notified. Students who willfully destroy, damage, or deface school property shall be subject to prosecution to the fullest extent possible under the law. Students or their parents shall reimburse the District for the value of the damaged property as provided by the law.

Although occurring off school premises or during non-school hours, a criminal offense which endangers the health, safety, morals, or welfare of the school community or adversely affects the educative process may result in disciplinary action.

X. ALTERNATIVE INSTRUCTION

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

XI. DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board recognizes that it may be necessary to suspend, remove, or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities are afforded 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 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.

1. Authorized Suspensions or Removals of Students with Disabilities

A. For purposes of this section of the Code, the following definitions apply:

- “Suspension” means a suspension pursuant to Education Law Section 3214.
- “Removal” means a removal for disciplinary reasons from the student's current educational placement other than a suspension, a change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others, and a change of placement to an IAES for behavior involving weapons or illegal drugs or controlled substances made by the Superintendent in conjunction with a long-term suspension hearing.

- “IAES” means a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student's current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.
- B. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
- i. The Board, the District (BOCES) Superintendent or a principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - ii. The Superintendent may order the placement of a student with a disability into an IAES, another setting, or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (i) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - iii. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - iv. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
 - a. “Weapon” means the same as “dangerous weapon” under 18 U.S.C. Section 930(g)(w) which includes “a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except... [for] a pocketknife with a blade less than 2 1/2 inches in length.”
 - b. “Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
 - c. “Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed healthcare professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
- C. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

2. Change of Placement Rule

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

i. For more than 10 consecutive school days; or

ii. For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.

B. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

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

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

A. The District's Committee on Special Education ("CSE") shall:

i. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the District is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances.

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

If one or more members of the CSE believe that modifications are needed, the District shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

ii. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs, or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others, or a decision is made to impose a suspension that constitutes a disciplinary change in placement.

B. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of the misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the District is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred.

If the District is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.

- i. The Superintendent, principal, or other school official imposing a suspension or removal, shall be responsible for determining whether the student is a student presumed to have a disability.
- ii. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the District had knowledge the student was a student with a disability, the District either:
 - a. conducted an individual evaluation and determined that the student is not a student with a disability, or
 - b. determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

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

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

C. The District shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs, or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.

The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.

D. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.

E. Superintendent's hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this Code.

The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement unless the CSE has determined that the behavior is not a manifestation of the student's disability.⁷ During any period of suspension or removal, including placement in a JABS, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this Code.

F. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

4. Expedited Due Process Hearings

A. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this Code, if:

- i. The District requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintains that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintains that it is dangerous for the student to be in his or her current educational placement during such proceedings.
- ii. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - a. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the District agree otherwise.
 - b. If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

B. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the District and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

5. Referral to law enforcement and judicial authorities

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

- A. The District may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
- B. The Superintendent shall, in cases involving the reporting of a crime by a student who has been classified with a disability, transmit a copy of the student's special education and disciplinary records for consideration by the appropriate authorities to whom it has reported the crime after obtaining consent of the student's parent(s) or as otherwise provided under the federal Family Educational Rights and Privacy Act ("FERPA").

XII. CORPORAL PUNISHMENT

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment shall not be used against a student by any teacher, administrator, officer, employee, or agent of this District and is strictly prohibited.

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

1. Self-protection.
2. Protection of others.
3. Protection of property, or
4. Restraining/removing a disruptive student.

Whenever a school employee uses physical force against a student, the employee shall, within the same school day, make a written report to the principal and to the Superintendent or designee, describing in detail the circumstances and the nature of the action taken and notify the parents.

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

XIII. STUDENT SEARCHES AND INTERROGATIONS

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the District Code. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the Superintendent, building principals, and the school nurse to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the District Code.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

Before searching a student or the student's belongings, the authorized school official should

attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the District Code or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

1. Student Lockers, Desks, and other School Storage Places

The rules in this Code regarding searches of students and their belongings do not apply to student lockers, desks, and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks, and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

2. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

1. Name, age, and grade of student searched.
2. Reason(s) for the search.
3. Name of any informant(s).
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search.
6. Persons conducting search and his or her title(s) and position(s).
7. Witnesses, if any, to the search.
8. Time and location of the search.
9. Results of search (that is, what items(s) were found).
10. Disposition of items found.
11. Time, manner, and results of parental notification.

The principal or the principal's designee shall be responsible for the custody, control, and disposition of any illegal or dangerous item taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s) until the item is properly disposed of or turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to law enforcement authorities.

3. Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or

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

Before police officials are permitted to question or search any student, the principal or his or her designee shall first try to notify the student's parent to allow the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

4. Child Protective Services Investigations

Consistent with the District's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the District will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by child protective services to interview a student on school property shall be made directly to the building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other District medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school District official of the opposite sex.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

XIV. VISITORS TO THE SCHOOLS

The Board recognizes that the success of the school program depends, in part, on support by the larger community. The Board wishes to foster a positive environment where members of the community have the opportunity to observe the work and accomplishments of students, teachers, and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student at the school will be considered a visitor.
2. All visitors to the school must enter through the designated single point of entry. There they will be required to present a valid state or government-issued photo identification, 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. All visitors must sign out where required and exit through the designated point for this purpose.
3. Visitors attending school functions during non-school hours that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Any school visits must be scheduled in advance so that disruptions are kept to a minimum.
5. Any unauthorized person on school property will be reported to the principal or his/her designee. Any unauthorized person on school property will be asked to leave. The police may be called if the situation warrants.
6. All visitors are expected to abide by the rules for public conduct on school property contained in this Code.

XV. PUBLIC CONDUCT ON SCHOOL PROPERTY

The District is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of 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, destroy, or remove without permission 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 actual or perceived race, color, creed, national origin, weight, ethnic group, religion, religious practice, age, gender (including gender identity or expression), sex, 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 traffic laws, parking regulations, or other restrictions on vehicles.
9. Possess, consume, sell, offer, manufacture, distribute or exchange alcoholic beverages, controlled or illegal substances or any synthetic versions (whether or not specifically illegal or labeled for human consumption), 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 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 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.

B. Penalties

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

1. Visitors. Their authorization to remain on school grounds and/or at school functions withdrawn and they will be directed to leave the premises. If they refuse to leave, they shall be subject to ejection. Authorization for their attendance at future school functions may also be rescinded.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with due process requirements and this Code.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant, in accordance with Education Law §3020-a or any other legal rights that they may have.

4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. 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.

5. Any additional staff member not described above shall be subject to warning, reprimand, suspension, or dismissal as the facts may warrant, in accordance with any legal rights they may have.

C. Enforcement

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

When the Superintendent, building principal or his/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 Superintendent, building principal or his or her designee shall inform the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Superintendent, building principal or his or her designee shall also warn the individual of the potential consequences for failing or refusing 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 Superintendent, building principal or his or her designee shall have the individual removed immediately from school property or the school function. When 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, in accordance with the "Penalties" section above. In addition, the District reserves its right to pursue a civil or criminal action against any person violating the provisions of this Code.

XVI. DISSEMINATION AND REVIEW

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

1. Providing a public hearing prior to Board approval.
2. Providing copies of a summary of the Code to all students, in an age-appropriate, plain-language version, at the beginning of each school year.
3. Posting the complete Code on the District's website.
4. 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.
5. 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.
6. Providing all new employees with a copy of the current Code when they are first hired.
7. Making copies of the Code available for review by students, parents, and other community members and provide opportunities to review and discuss this Code with the appropriate personnel.

The Board will sponsor an in-service education program for all District staff members to ensure

the effective implementation of the Code. 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, via a committee of representative stakeholders, will review this Code 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 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 District shall file a copy of its Code and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after adoption.