



CODE OF CONDUCT



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Preface

The Code of Conduct for Monticello Central School District was originally developed through the efforts of a district-wide committee consisting of teachers, administrators, caregivers, caregivers, students, and law enforcement. It is expected that all members of the school community will understand their role in ensuring that our school district is a safe and effective environment where students receive a quality education. For this reason, each student, and their caregivers, as well as all staff members, will be provided with a copy of this document. Questions about this document can be directed to the principal of each school, the Superintendent of Schools, or to the Assistant Superintendent for Curriculum and Instruction.

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I. Introduction

The Board of Education of the Monticello Central School District (Board) is committed to creating and maintaining high standards of education for students in the schools. Maintaining a supportive educational environment requires everyone in the school community play a role in contributing to the development of our students. It also requires the development and implementation of a Code of Conduct that clearly defines individual responsibilities and describes expected behavior. The Code also provides a Multi-Tiered System of Support (MTSS) framework for disciplinary decisions and learning supports regarding misconduct. This Code of Conduct was developed to comply with the mandated Project Safe School Against Violence and Education (SAVE) legislation and the Dignity for All Students Act (DASA).

The district believes that support and discipline must be a shared responsibility between school, home, and the community. This Code of Conduct was developed in collaboration with student, teacher, administrator, and caregiver organizations, the building level site committees, school safety personnel and other Board-approved school personnel. Finally, it is our belief that, to be effective, such a Code must:

- identify, recognize, and promote expected behavior.
- identify, recognize, and prevent unwanted behavior.
- promote self-discipline.
- consider the welfare of the individual as well as that of the school community.
- foster a partnership between caregivers and the school staff.
- distinguish between minor and serious offenses, as well as between first time and repeated infractions.
- provide consistent and equitable disciplinary responses across all student groups that are appropriate to the misbehavior.
- outline procedures to ensure that the Code is administered in a way that is fair, firm, reasonable, and consistent.
- encourage a high regard for every student's right to reasonable hearing procedures and due process when accused of unwanted conduct.
- Follow the provisions of federal, state, and local laws, as well as the guidelines and directives of the New York State Department of Education and the Board of Regents.

The Board of Education is responsible for ensuring that essential regulations are established, and adequate discipline is maintained in the operation of the schools to effectively and equitably promote safety, as well as the social, emotional, and educational growth of the students. Administrative regulations are developed and enforced by the school administration and staff.

The caregiver is encouraged to assume primary responsibility for the behavioral choices of their child. The caregiver may be called upon to cooperate actively with the school in providing the necessary structure to promote their child's social and educational growth. To this end, a high degree of partnership and collaboration with caregiver/school communication will be fostered by the school.

Beliefs about Children, Learning and Discipline

- All students are capable of becoming their best selves with guidance, explicit SEL instruction, support, and coaching. Students' needs are different, and may vary in amounts of time, attention, and supports needed for them to behave responsibly, succeed academically, and achieve at high levels. Early recognition and intervention of students' social-emotional needs will help promote a positive learning environment.
- All discipline is designed to include a continuum of student abilities in our school community and ensure that students have the social-emotional skills to do so. We understand that behavior can be a form of communication. We seek to understand communication to best design an effective and thoughtful disciplinary response.
- The use of exclusionary discipline, such as out-of-school suspension, as a response to challenging behavior does not improve school climate or student outcomes in the long-term. Students are more likely to do the right thing when they understand the positive behaviors expected of them, feel that staff members care about them and will help them learn and grow, and all school staff consistently use shared language and practices.

The root of the word "discipline" is to teach. Effective discipline teaches students to become more skillful and self-aware when dealing with adverse situations. The district must have a proactive approach to establishing the behavioral support and social culture needed for all students in a school to achieve social, emotional, and academic success. Effective classroom management and preventative school discipline are essential for supporting teaching and learning. Classroom management and preventative school discipline must be integrated and work together with effective academic instruction in a positive and safe school climate, maximizing success for all students.

Why do we have a Code of Conduct?

Our Code is essential in creating a healthy school culture, that supports the best environment for student learning and success. The code is based on the state and federal laws which our district must follow. The code sets up the conditions to make sure that every student is given access to an education in a setting that protects everyone. Every student has the right to come to school in a safe, caring environment.

1. Students need to be supported and engaged in school to promote strong character and responsible conduct. It is essential that students are supported in taking responsibility for their own behavior.
2. Student engagement is developed when students are provided with multiple opportunities to participate in a wide range of positive social activities while interacting with caring, supportive adults. This helps to ensure that students are better able to:
 - recognize and manage emotion
 - develop care and concern for others.
 - establish positive relationships.
 - make responsible decisions.
 - handle challenging situations constructively and ethically.
3. Effective and engaging instruction, positive behavioral supports, common language, common practices and expectations are the foundations of a positive school climate. School teachers, administrators, and other staff are expected to set high expectations for student success, build positive relationships with students, as well as teach and model

appropriate behaviors for success. Modeling respectful, positive behavior is especially critical during disciplinary interventions.

4. All adults—teachers, principals, administrators, school staff, caregivers, and the larger community—have an obligation to help students become good citizens and lead productive lives by modeling positive behaviors and cultivating those behaviors in students.
5. Positive conduct and strong character are reflected in a civil, respectful, healthy, and caring environment.

Each school is expected to promote a positive school climate and culture that provides students with a supportive environment, clear expectations, common language and practices in which to grow both academically and socially. Schools are expected to take a proactive role in nurturing students' positive social behavior by providing them with a range of positive behavioral supports as well as meaningful opportunities for social emotional learning. Effective social emotional learning helps students develop fundamental skills for life effectiveness, including recognizing and managing emotions; developing care and concern for others; establishing positive relationships; making responsible decisions, and handling challenging situations constructively and ethically. Such skills help prevent negative behaviors and the disciplinary consequences that result when students do not live up to behavioral standards.

Social and emotional learning is the process through which children and adults acquire and effectively apply the knowledge, attitudes, and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships and make responsible decisions (defined by *Collaborative for Academic, Social and Emotional Learning [CASEL]*).

6. Student's discipline may reflect consequences that include restorative solutions and learning supports. Student are expected to:
 - a. engage in repairing harm and trust.
 - b. understand why their behavior was unacceptable.
 - c. acknowledge the harm they caused or the negative impact of their actions.
 - d. understand what they could have done differently.
 - e. understand the connections between emotions and behaviors.
 - f. take responsibility for their actions.
 - g. learn pro-social strategies and skills to use in the future; and
 - h. understand that further consequences and/or interventions will be implemented if their unwanted behavior persists.
7. The District will continuously monitor discipline to determine strategies for improvement.
8. Student engagement is also integral to creating a positive school climate and culture that effectively fosters students' academic achievement and social/emotional growth. Providing students with multiple opportunities to participate in a wide range of positive social activities and at the same time to develop a bond with caring, supportive adults

reduces negative behavior. Examples can include providing students with meaningful opportunities to share ideas and concerns and participate in school-wide initiatives; student leadership development; periodic recognition of student's achievements in a range of academic and co-curricular areas; using corrective feedback; and developing school-wide positive behavior systems.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, personal responsibility, and integrity. The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that disciplinary response, when necessary, is administered promptly and fairly. To this end, the Board adopts this Code of Conduct (Code).

This Code applies to all students, school personnel, caregivers, and other visitors when on school property or attending a school function.

The Board encourages and expects students to be active participants in the educational process. The Board strives to provide students with a sound educational environment, ensure that all students are treated fairly, and afford students the due process protections they are entitled to under the law. The Board is aware that there may be times when students or caregivers do not agree with school practices or feel as though they have been treated unfairly. The Board has approved this Code of Conduct. Administrators will be expected to enforce it. The Code provides a protocol for redress. Understanding the Board policy on an issue is the first step towards resolving any complaints.

Student concerns about school practices can and should be addressed through the student government. Student handbooks may also provide valuable information. For other issues, the district has different channels for resolution of complaints, depending on the nature of the complaint. Students are required to follow the established Board policy and will discuss concerns with a school staff member or the building principal. School staff and administrators are expected to work with students toward an amicable resolution of the issue in a timely manner.

II. Leveled System of Responses

Improving educational outcomes for all students requires that schools provide support at three levels of care and instruction throughout the school: in classrooms, in small groups, and with individual students and caregivers. Our system of prevention and intervention strategies is aimed at addressing the causes of misbehavior. A leveled system of support emphasizes both student accountability and behavioral change. The goal is the prevention of a recurrence of infractions in helping students to:

- Engage in repairing harm and trust
- Understand why the behavior is unacceptable
- Acknowledge the harm that they have caused or the negative impact of their actions
- Understand what they could have done differently in the situation and the connections between emotions and actions
- Take responsibility for their actions

- Learn pro-social strategies and skills to use in the future
- Understand that more intensive consequences and/or interventions will be implemented if their infractions persist

III. Student Rights and Responsibilities

Public Education:

Right: Monticello students have the right to a free and appropriate public education.

Responsibility: Students have the responsibility to come to school daily and attend every assigned class prepared to fulfill all course requirements at the time designated by their schedule.

Supportive Environment:

Right: Students have the right to learn in a safe, supportive, and orderly school environment that focuses on positive student behavior.

Responsibility: Students have the responsibility to be kind, understanding, and respectful to all other individuals and to refrain from bullying, harassing and/or discriminating against others and to report any such conduct that occurs to a teacher, staff member, or administrator.

Freedom of Expression:

Right: Students have a constitutional right to freedom of expression provided such expression does not violate this Code of Conduct or otherwise disrupt or interfere with the education, discipline, or normal activities of the school.

Responsibility: A student's constitutional protection to freedom of expression will not extend to libelous, slanderous, vulgar, lewd, indecent, or obscene words or images or to words or images which by their very use incite others to damage property or physically injure others.

Freedom of Press:

Right: Students have the right to express their personal opinions in writing as long as such material is signed by the author and follows the guidelines identified in the "Freedom of Expression" section.

Responsibility: Student authors must take responsibility for what they write and produce. They must avoid any statements that are libelous or obscene, or that attack others. Any written material can be distributed only at the times and in the places designated by school officials. Students must see that the distribution of such material does not disrupt the educational process or otherwise violate this Code of Conduct.

Assembly:

Right: Students have the right to assemble peacefully.

Responsibility: Students have the responsibility to see that any meetings on the school campus are either part of the formal educational process or authorized by the school administration. Meetings or demonstrations that violate this Code of Conduct or otherwise interfere with the normal operations of the school are not allowed.

Attire:

Right: Students have the right to follow personal standards of dress and grooming.

Responsibility: Students have the responsibility to see that their dress and grooming protect the health and safety of themselves as well as other persons in school and that such dress is respectful of others and does not disrupt or interfere with the educational process or otherwise violate this Code of Conduct (see Section VI: Dress Code of the Code of Conduct).

Access to School Facilities:

Right: Registered students have the right to use school facilities in accordance with this Code of Conduct and subject to the routine operating procedures set at the building level.

Responsibility: Students have the responsibility to use the school facilities in a safe manner and within the routine operating procedures. Each student must take the

responsibility to help keep the school(s) clean and orderly. Each student must see that their use of the school facilities does not infringe on the rights of others to use the same facility.

Extra-Curricular Activities & Clubs:

Right: Students have the right to an equal opportunity to be considered for participation in extracurricular programs and activities subject to the provisions of this Code of Conduct.

Responsibility: Student organizations have the responsibility not to restrict membership on the basis of actual or perceived race, color, religion, religious practice, sex, gender, national origin, sexual preference, or any other criterion, subject to necessary restrictions. Every student organization must be sanctioned by the school administration before it can use school facilities.

- * It should be noted that any student participating in an extracurricular activity or attending an extracurricular activity as a spectator on or off campus is expected to follow this Code of Conduct.

Availability of School Rules & Regulations:

Right: Students have the right to be informed of The Code of Conduct on an annual basis. Each student will be provided with access to an electronic copy of the Code of Conduct from the District at the start of each school year as well as being provided with a plain language summary of the Code of Conduct at a school assembly held at the beginning of each school year. In addition, electronic copies of the Code of Conduct will be available to caregivers at the start of each school year. The Code of Conduct will also be made available on the District's website. In the event caregivers and/or students are unable to access the Code of Conduct electronically, they may request a hard copy from the building principal.

The Code will be reviewed and adopted annually in conjunction with the opening of school.

In addition, in accordance with 8 NYCRR 100.2, the Board of Education shall provide programs for in-service education for all District staff members to ensure effective implementation of school policy on school conduct and discipline.

Responsibility: All members and visitors of the school community will be responsible for reading and acting in accordance with this Code of Conduct.

Due Process:

Right: Students have a right to a defined procedure for student disciplinary infractions and how decisions are determined. This procedure is called "due process." Students will have a right to be told the reasons for disciplinary actions being considered and a right to present their account of the event(s) in question. Due process is designed to protect students from the arbitrary exercise of authority.

Responsibility: Students have the responsibility to be aware of the steps of due process. They should cooperate with school authorities by providing any and all information needed to make a prompt and fair decision. The formal due process steps are outlined later in this Code of Conduct.

General Student Responsibilities:

All District students have the responsibility to:

- Contribute to maintaining a safe, supportive, and orderly school environment that is conducive to learning and to show respect to other persons and to property.
- Be familiar with, and abide by all District policies, rules and regulations dealing with student conduct.
- Attend school every day unless they are legally excused and be in class on time and prepared to learn.
- Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
- Respond to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
- Respectfully listen to multiple perspectives • Ask questions when they do not understand.
- Seek help in solving problems.
- Dress appropriately for school and school functions.
- Accept responsibility for their actions.
- Conduct themselves as representatives of the District when participating in or attending school sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

All students recognize that as members of a culturally diverse and democratic society, we live among multiple perspectives. Such perspectives can be heard at various points throughout the school day. It is the student's responsibility to be respectful of such perspectives, particularly when they do not agree with them.

IV. Essential Partners

A. Parents/Guardians/Caregivers

All district caregivers are expected to:

1. Recognize that the education of children is a joint responsibility between the caregivers and the school community.
2. Send their children to come to school ready to participate and learn. Ensure their children attend school regularly and on time.
3. Ensure legal absences are excused.
4. Ensure their children are dressed and groomed in a manner consistent with the student Dress Code.

5. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
6. Speak positively about the importance of education and the role of the district.
7. Build meaningful, productive relationships with teachers, other caregivers, and their children's friends.
8. Help their children deal effectively with peer pressure.
9. Inform school officials of changes in the home situation that may affect student conduct or performance.
10. Provide a place for study and ensure homework assignments are completed.
11. Communicate with their children regarding their academic and extra-curricular choices.
12. Recognize, respect, and comply with District policies, including this Code of Conduct, while on school property or at a school function.
13. Lead by example and conduct themselves in a courteous, respectful, and professional manner.

B. Teachers

All district teachers are expected to:

1. Instill a climate of mutual respect, safety, 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 expression, or sex, which will strengthen students' self-concept and promote confidence to learn.
2. Recognize and communicate the education of children is a joint responsibility between the caregivers and the school community.
3. Be respectful and courteous to students, caregivers, colleagues, and serve as a role model for students.
4. Be prepared to teach by making sure lessons are engaging, differentiated, and founded on best practices.
5. Deliver curriculum that is aligned to the New York State Standards and New York State's Culturally Responsive-Sustaining (CR-S) Framework.
6. Demonstrate interest in teaching and concern for student achievement.
7. Know school policies and rules and enforce them in a fair and consistent manner.
8. Communicate to students and caregivers:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Academic and behavioral expectations for students
9. Communicate regularly with students, caregivers, and other teachers concerning growth and achievement, including:
 - a. Creating meaningful opportunities for caregiver participation
 - b. Providing regular communication in a language that is understandable by the caregiver or guardian

- c. Responding to complaints or concerns from students in a timely manner in understandable language
 - d. Providing alternative education and makeup work for students with lawful absences, including those students absent for disciplinary reasons
 - e. Putting forth their best efforts to attempt to resolve conflicts with families
10. Promptly, within 24 hours report incidents of discrimination and/or harassment that are witnessed or brought to the teacher's attention.
 11. Promptly, within 24 hours address personal biases that may prevent equal treatment of all students in the school or classroom setting.

C. Teaching Assistants

All district teacher assistants are expected to:

1. Encourage a climate of mutual respect, safety, 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 expression, or sex, which will strengthen students' self-concept and promote confidence to learn.
2. Recognize that the education of children is a joint responsibility between the caregivers and the school community.
3. Be respectful and courteous to students, caregivers, colleagues, and serve as a role model for students.
4. Be prepared to teach by ensuring familiarity with content objectives and alignments to state standards.
5. Demonstrate interest in teaching and concern for student achievement.
6. Know school policies and rules and enforce them in a fair and consistent manner.
7. Promptly, within 24 hours report incidents of discrimination and/or harassment that are witnessed or brought to the teacher's attention.
8. Promptly, within 24 hours address personal biases that may prevent equal treatment of all students in the school or classroom setting.

D. Teacher Aides

All district teaching aides are expected to:

1. Encourage a climate of mutual respect, safety, 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 expression, or sex, which will strengthen students' self-concept and promote confidence to learn.
2. Recognize that the education of children is a joint responsibility between the caregivers and the school community.

3. Be respectful and courteous to students, caregivers, colleagues, and serve as a role model for students.
4. Be prepared to facilitate learning under the direction of the supervising teacher.
5. Demonstrate interest in teaching and concern for student achievement.
6. Know school policies and rules and enforce them in a fair and consistent manner.
7. Promptly, within 24 hours report incidents of discrimination and/or harassment that are witnessed or brought to the teacher's attention.
8. Promptly, within 24 hours address personal biases that may prevent equal treatment of all students in the school or classroom setting.

E. School Counselors, Social Workers, and School Psychologists All district school counselors are expected to:

1. Instill a climate of mutual respect, safety, 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 expression, or sex, which will strengthen students' self-concept and promote confidence to learn.
2. Recognize that the education of children is a joint responsibility between the caregivers and the school community.
3. Be respectful and courteous to students, caregivers, colleagues, and serve as a role model for students.
4. Assist students in demonstrating self-control regarding peer pressure and emerging personal, social and emotional problems in alignment with SEL curriculum and restorative practices.
5. Initiate teacher, student, counselor conferences and caregiver, teacher, student, counselor conferences, as necessary, as a way to resolve problems.
6. Regularly review and document with students their educational progress and career plans.
7. Provide information to assist students with career planning.
8. Encourage students to benefit from the curriculum and extracurricular programs.
9. Communicate regularly with students, caregivers and teachers concerning student growth and achievement.
10. Promptly, within 24 hours report incidents of discrimination and/or harassment that are witnessed or brought to the teacher's attention.
11. Promptly, within 24 hours address personal biases that may prevent equal treatment of all students in the school or classroom setting.

F. All Transportation Employees

All district transportation employees are expected to:

1. Encourage a climate of mutual respect, safety, 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

expression, or sex, which will strengthen students' self-concept and promote confidence to learn.

2. Recognize that the education of children is a joint responsibility between the caregivers and the school community.
3. Be respectful and courteous to students, caregivers, colleagues, and serve as a role model for students.
4. Know school policies and rules, enforce them in a fair and consistent manner.
5. Understand and implement "Care and Custody".
6. To transport students to and from school and other sites within designate route(s) and to ensure the safety of the student passengers while in a school vehicle.
7. Promptly, within 24 hours report incidents of discrimination and/or harassment that are witnessed or brought to the teacher's attention.
8. Promptly, within 24 hours address personal biases that may prevent equal treatment of all students in the school or classroom setting.

G. School Resource Officers (SRO)

All district school resource officers are expected to:

The primary functions of the SRO are to help provide a safe and secure learning environment, foster a positive school climate, reduce/ prevent crime, serve as an educational resource, and serve as a liaison between the school and the police department/sheriff's office. Specific daily assignments to accomplish this function will vary by school. The SRO and school principal or designee will meet on a regular basis to discuss plans and strategies to address specific issues or needs that may arise. As required by law, SROs should never be assigned to duties within schools in place of or in lieu of a certified teacher. Instead, the guidelines for SROs are listed below:

1. To protect the students, staff, and public at large against criminal activity.
2. Foster mutually respectful relationships with students and staff to support a positive school climate.
3. Be respectful and courteous to students, caregivers, colleagues, and serve as a role model for students.
4. Provide information concerning questions about law enforcement topics to students and staff.
5. Provide classroom instruction on a variety of topics including, but not limited to, safety, public relations, occupational training, leadership, and life skills.
6. Perform investigative procedures between police and school administrators when appropriate.
7. Be a part of the Threat Assessment Response Team on initial reports of threats to or on campus/buildings.
8. Take enforcement action on criminal matters when appropriate and after consultation with school
9. Attend school special events as needed.
10. Prepare lesson plans as necessary for the instruction provided.

11. Collect data on SRO activities (relationship development with students and families, program or protocol implementation, etc.)
12. Promptly, within 24 hours report incidents of discrimination and/or harassment that are witnessed or brought to the teacher's attention. Under no circumstances shall the SRO be a school disciplinarian.
13. The SRO will not be involved in the enforcement of disciplinary infractions.
14. Promptly, within 24 hours address personal biases that may prevent equal treatment of all students in the school or classroom setting.

H. Principals/Administrators

All district Principals and Administrators are expected to:

1. Create and enforce a climate of mutual respect, safety, and dignity for all people regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or expression, or sex, which is required to promote teaching and learning.
2. Create and model a philosophy that the education of children is a joint responsibility between the caregivers, the students, the school district, and the school community.
3. Be respectful and courteous to students, caregivers, colleagues, and serve as a role model for students.
4. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
5. Evaluate the implementation of all instructional programs on a regular basis.
6. Evaluate on a regular basis all instructional programs to ensure infusion of equity that acknowledges the dignity of all individuals in the curriculum.
7. Support the development of and student participation in appropriate extracurricular activities.
8. Provide support in the development of the Code of Conduct, when called upon. Disseminate the Code of Conduct and anti-harassment policies.
9. Participate in school-wide efforts to provide adequate supervision in all school spaces.
10. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
11. Communicate regularly with students, caregivers, teachers, and pupil personnel staff concerning student growth and achievement.
12. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
13. Address personal biases that may prevent equal treatment of all students and staff.
14. Promote a trauma-informed approach to addressing student behavior by supporting professional development, providing safe work environments, forming trusting relationships with students, allowing for student choice and autonomy, and encouraging student skill-building and competence.

I. Superintendent

The Superintendent is expected to:

1. Maintain a climate of mutual respect, safety, 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 expression, or sex, which will strengthen students' self-concept and promote confidence to learn.
2. Recognize that the education of children is a joint responsibility between the caregivers and the school community.
3. Be respectful and courteous to students, caregivers, colleagues, and serve as a role model for students.
4. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.
5. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
6. Inform the Board about educational trends relating to student discipline.
7. Work to create instructional programs that minimize problems of inappropriate behavior and are sensitive to student and teacher needs.
8. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
9. Communicate regularly with students, caregivers, teachers, administrators, and pupil personnel staff concerning student growth and achievement.
10. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
11. Address personal biases that may prevent equal treatment of all students and staff.
12. Promote a trauma-informed approach to addressing student behavior by supporting professional development and appropriate staffing.

J. Board of Education

All members of the Board of Education are expected to:

1. 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.
2. Recognize that the education of children is a joint responsibility between the caregivers and the school community.
3. Develop and recommend a budget that provides programs and activities that support achievement of the goals of the Code of Conduct.
4. Collaborate with student, teacher, administrator, and parent/caregiver 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.

5. Adopt and review at least annually the district's Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function, and report incidents of discrimination and harassment that are witnessed or otherwise brought to the attention of the Board member, to the building administrator who is acting as the Dignity Act Coordinator, in a timely manner.
7. Address personal and educational biases that may prevent equal treatment of all students and staff, caregivers/guardians, other personnel and the community.

K. The Dignity Act Coordinators

Reporting requirements specific to discrimination, harassment, bullying, cyberbullying and retaliation

1. The District will act to promptly investigate all complaints, verbal and written, formal or informal, of allegations of discrimination, harassment, bullying and retaliation, and will promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment, bullying and retaliation, and will promptly take appropriate action to protect individuals from further discrimination, harassment, bullying
2. It is essential that any student who believes that he/she has been subjected to discrimination, harassment, bullying or retaliatory conduct, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report the same to any staff member or administrator. The staff member/administrator to whom the report is made (or the staff member/ administrator who witnessed or suspects discrimination, harassment, bullying or retaliatory conduct) shall document and take appropriate action to address the situation immediately and shall promptly report.
3. Upon receipt of a complaint (even an anonymous complaint), or if a District employee otherwise learns of any occurrence of possible conduct prohibited by this Code, the district employee shall promptly and orally notify the appropriate building principal no later than one school day after such employee witnesses or receives the complaint or learns of such conduct. Such an employee should file a written report with the appropriate building principal no later than one school day after such employee witnessed or received the complaint or learned of such conduct. Such employee shall also file a written report with the appropriate building Dignity Act Coordinator no later than two days after making such oral report.
4. After receipt of such complaint, the appropriate building principal, or their designee, shall lead or supervise a thorough investigation of the alleged discriminatory, harassing, bullying, or retaliatory conduct. The appropriate building principal or that person's

designee shall ensure that such investigation is completed promptly and in accordance with the terms of this Code. All complaints shall be treated as confidential and private to the extent possible within legal constraints.

All District Dignity Act Coordinators are expected to:

1. Promote a safe, supportive, 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.
2. Oversee and coordinate the work of the District-wide and building-level bullying prevention committees.
3. Identify curricular resources that support infusing civility in classroom instruction and classroom management and provide guidance to staff as to how to access and implement those resources.
4. Be responsible for monitoring and reporting on the effectiveness of the District's anti-bullying, harassment & discrimination policy/dignity for all students act policy.
5. Address issues of discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students and staff.
7. Respond to any reports of bullying, harassment, or discrimination.

L. Other School-Related Professionals

All school related professional staff are expected to:

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Recognize that the education of children is a joint responsibility between the caregivers and the school community.
3. Know school policies and rules and enforce them in a fair and consistent manner.
4. Help children understand the district's expectations for maintaining a safe, orderly environment.
5. Participate in school-wide efforts to provide adequate supervision in all school spaces.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students.
8. Lead by example and conduct themselves in a courteous, respectful, and professional manner.

V. Levels of Behavior Concerns, Violations and Responses: Interventions and Consequences

The following facts must be considered prior to determining the appropriate assignment of consequences and interventions:

- The student's age and maturity
- The student's disciplinary record (including the nature of any prior misconduct, the number of prior instances of misconduct)
- The disciplinary consequences and interventions applied in prior behavior violations
- The nature, severity, and scope of the behavior
- The number of persons involved in the behavior
- The student's IEP, BIP, and 504 Accommodation Plan, if applicable • The student's response to interventions

All opportunities and interventions must be accessible to every student, including students with disabilities. Consequences of interventions at Level 2 and 3 must be consistently applied across all groups of students. Data must be transparent to determine the use and impact of all consequences and interventions.

Pre-Kindergarten through Grade 2

Aggressive behavior in young children is rarely an intentional act to harm another. Rather, aggressive acts are often a result of children's unskillful attempts to communicate what they want, what they need, and what they don't like. When a child engages in a violent act that threatens or harms others or makes the learning environment feel unsafe, special procedures need to be in place to ensure that both children involved in the incident (the child threatened or hurt and the child who has engaged in the violent act) receive immediate attention and care.

Caregivers can expect that these actions will take place:

- A staff person may temporarily remove the child who has engaged in the violent act immediately without the use of corporal punishment or restraint (unless the restraint is aligned to the guidance provided under the law). This removal will help the student regain a sense of calm so that the staff member can speak with the child about the incident.
- A staff person will speak to the child who has been harmed or threatened immediately to ensure that the child has an opportunity to talk about the incident and to help the child regain a sense of safety.
- Caregivers of children involved in the incident will be contacted and school staff will explain what happened before the incident, share how adults responded to the incident, discuss the short-term plan for restoring a sense of calm and safety, and discuss the longer-term plan for preventing similar incidents in the future.
- Caregivers of either child involved in the incident can request a mediated conference with the other caregiver.

Suspension of Pre-K through Grade 2

If a student in grades K-2 engages in pervasive or serious aggressive acts that cause injury or threaten an individual's safety in the classroom, the principal can determine the most appropriate interventions and determine that an out-of-school suspension is the best response. When out-of-school suspension is enacted, an intervention and re-entry plan is expected to be developed. Caregivers must be involved in the development of the intervention/re-entry plan to support their child's success.

The New York State Education Department (NYSED) committed to take steps to reduce and severely limit expulsion and suspension practices, with the goal of eliminating these practices in all early childhood settings by the 2017-18 school year.

Grades 3 through 12

Levels of Behavior Concerns, Violations, and Responses

Level 1: Incorporates universal schoolwide and classroom practices that promote the development and practice of pro-social behaviors, self-discipline, habits of learning, and healthy well-being. Through observation and immediate responses, teachers aim to prevent minor discipline problems from becoming major disciplinary issues.

Level 2: Involves targeted interventions and assigned consequences when a student's behavior violation warrants a more focused behavioral response beyond the immediate situation or incident in the classroom or other location. Assigned consequences include in-school suspension. Student support teams include administration, social workers and psychologists, school counselors, attendance officers, mentors, and nurses.

Levels 3 and 4: Involve behavior violations that seriously jeopardize school and classroom safety and order. Students who are experiencing high-risk or pervasive behavioral, academic, and physical and mental health concerns are assigned more intensive, individualized interventions.

Out-of-School Suspensions Grades 3 through 12

For a student in grades 3-12, the principal can determine the most appropriate interventions up to and including out-of-school suspension for up to five days. For very serious acts, the principal may request a 3214 Hearing. For out-of-school suspensions of more than five days, the principal must develop an intervention and re-entry plan. Caregivers must be invited to be directly involved in the development of the intervention/re-entry plan to support their child's success.

Responses and Interventions Grades 3-12

LEVEL 1 Behavior

Classroom Interventions and Responses: These interventions aim to interrupt unsuccessful behaviors and teach skills so students can learn and demonstrate safe and respectful behavior. Teachers are encouraged to try a variety of teaching and classroom management strategies. Teachers are expected to collaborate effectively, and report concerns to support staff.

Positive directives that state expectations	Increase teacher proximity	Develop relationship with families	Reflection activity
Positive and specific feedback	Verbal prompt, redirection, and/or correction	Family conference	Other evidence-based student specific strategies
Re-teaching and rehearsal of skill or practice	Reminders and redirection	Daily progress sheets on behavior	Restitution/restoration strategies
Increase opportunity to respond during instruction	Student/teacher conferences	Create a classroom check-in plan	RULER
Culturally responsive pedagogy and curriculum	Trauma-informed teaching practices	Restorative conference	Use of restorative questions

Student Support Team Interventions and Responses: These interventions aim to engage the student’s support system at school and at home to ensure success by working to change the conditions that contribute to student’s unsuccessful behaviors. They can involve school staff and partner and community agency staff.

Reflection activity	Peer mediation	Referral to school-based health or mental health services	Referral to community organization
Check-in with school building staff	Mediated conflict resolution conference	Restitution plan	Utilize support staff
Mentoring			

LEVEL 2 Behavior

Classroom Interventions and Responses: These interventions may be appropriate when supports have been put in place in the classroom to address behavior has become persistent (after three offenses) and has continued to negatively influence the learning of the student and others.

Positive directives that state expectations	Use of Restorative questions	Restitution/Restorative strategies	Peer Mediation
Positive and specific feedback	Restorative conference	Collaborate with family	Collaborative family conference

Re-teaching and rehearsal of skill or procedure	Daily progress sheets on behavior	Collect progress monitoring data about the behavior and interventions attempted	Conflict resolution
Increase teacher proximity	Create a classroom check-in plan	Student/teacher conference	Verbal prompt, redirection, and/or correction
Reflection activity	Referral to DASA coordinator	Reminders and redirection	Other evidence-based student specific strategies

Administrative Level and Student Support Team Interventions and Consequences: These interventions can involve support staff or administrative staff when needed and are designed to correct behavior while keeping the student in school.

Reflection activity	Restitution plan	Conflict mediation	Referral and coordination with community-based supports
Check-in with school building staff	Administrative and/or support team conference	Mentoring/coaching	In-school suspension for up to three days
Referral to school-based health or mental health providers	Utilize support staff in root cause assessment or trauma assessment	Individualized case management for students with 504 plans or IEPs	

LEVEL 3 Behavior

Classroom and Student Support Team Interventions and Responses: If a student is removed from the learning environment, teachers/staff are expected to:

Student/teacher conference	Restitution/Restoration strategies	Initiate a student-centered discussion about the incident (and Repair, Restore, and Re-Teach expectations)	Restorative conference
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Develop relationship with family	Collect progress monitoring data about the behavior and interventions tried	Create, implement, and monitor a transition plan for student returning to classroom, restorative circle	Plan for classmates as student returns
Daily progress sheets on behavior			

Intensive Administrative Level and Support Team Interventions and Responses: These interventions and responses may include removing the student from the classroom or school environment because of the seriousness of the demonstrated behavior. The duration of the removal from the learning environment is to be limited as much as possible while still adequately addressing the seriousness of the behavior.

Mediated conflict resolution conference	Individualized case management for students with 504 plans or IEPs	Informal conferences with principal and student	Family/Caregiver/Student/School Team Conference
Utilize support staff for root cause assessment/trauma assessment	Referral and coordination with community-based supports	Develop functional behavioral assessment and behavioral intervention plan	Up to three-day suspension from transportation
Administrative and/or support team conference	In-school suspension up to three days	Mentoring/coaching	

LEVEL 4 Behavior

Classroom and Support Team Interventions and Responses: If a student is removed from the learning environment, teachers/staff are expected to:

Initiate a student-centered discussion about the incident (and Repair, Restore, and Re-teach expectations	Create, implement, and monitor a transition plan for student returning to the class (may include a restorative circle)	Plans for classmates as student returns
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Intensive Administrative Level and Support Team Interventions and Responses: These interventions and responses may include removing the student from the classroom or school environment because of the seriousness of the demonstrated behavior. The duration of the removal from the learning environment is to be limited as much as possible while still adequately addressing the seriousness of the behavior.

Mediated conflict resolution conference	Referral and coordination with community-based supports	Long-term suspension from transportation
Restitution plan	Develop Functional Behavioral Assessment and Behavior Intervention Plan	Up to 5 days of Out-of-School suspension with potential request for district hearing to request long-term suspension/alternative placement
Informal conference with principal and caregiver notification of due process rights	Referral to school-based health or mental health providers	Comprehensive student success plan meeting
Individualized case management for students with 504 plans or IEPs	Develop, implement, and monitor a transition plan	

LEVELS OF BEHAVIOR CONCERNS, VIOLATIONS, AND RESPONSES
Grades 3-12

<p>LEVEL 1: Classroom support and student support team <i>May be appropriate when the behavior is a minor infraction, the student has had no prior incidents, and/or interventions have not been put in place</i></p> <p><i>Support plans introduced</i></p> <p><i>Other interventions introduced</i></p>	<p>LEVEL 2: Intensive support staff and appropriate administration <i>May be appropriate when supports have been put in place in the classroom to address behavior; but the behavior has become persistent and has continued to negatively influence the learning of the student and others</i></p>	<p>LEVEL 3: Short Term in and out of school suspensions <i>May be appropriate given the seriousness of the offense and the impact on the school community, and/or when documented interventions and supports have been put in place but the behavior is escalating</i></p>	<p>LEVEL 4: out of school short- and long-term suspensions or change of placement requests <i>May be appropriate when behavior is illegal, presents an imminent threat of serious harm to the school community, or when the student's behavior seriously affects the safety of others in the school and/or educational process</i></p>
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BEHAVIOR VIOLATIONS AND LEVELS OF RESPONSE

Definitions and clarifying language are in Section XVI Definitions, p. 61

School principals have discretion to deviate from the guidelines below by assessing appropriate document responses if she or he determines in her or his sole discretion that there are mitigating or aggravating circumstances.

BEHAVIOR VIOLATION	Level 1	Level 2	Level 3	Level 4	SRO	NOTES
Absences						
Occasional refusal to attend class	O					Classroom teacher will inform social worker, attendance officer,
Persistent or excessive absences from school	O					
Habitual truancy (i.e. unlawfully absent from school for a number of days in excess	O					
of 20 percent any marking period, quarter, or year)						guidance, caregiver
Academic Dishonesty						

Plagiarism, copying another's work, cheating, or altering records	O	O				Student may receive a failing grade for assignment
Alcohol						
Under the influence		O	O	O	O	School staff is required to refer student to appropriate substance abuse counseling School nurse must be immediately notified
Using or possessing		O	O	O	O	
Distributing or selling			O	O	O	
Arson						
Starting a fire			O	O	O	NYS Uniform Fire Prevention and Building Code 401.3 requires building principals to contact the fire department for any and all unwanted fires. Principals must complete the NYSED Office of Facilities Planning Fire Incident Report Form 2014.
Starting a fire causing destruction of property				O	O	
Attack on Student						
Attack on student with injury			O	O	O	DASA investigation may required. Injury as documented by seeking care with school nurse, or advisement by
Attack on student with serious bodily injury (see page 66)				O	O	
Two or more persons intentionally attacking a student with injury (see page 66)			O	O	O	

Two or more persons intentionally attacking a student with serious bodily injury				<input type="radio"/>	<input type="radio"/>	school nurse to seek medical
						attention and can provide documentation.
Bomb Threat						
Making threats or providing false information about the presence of explosive materials or devices on school property			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Bullying – Verbal, Physical, and Electronic						
Intentional conduct (including verbal, physical, or written conduct) or electronic communication that is threatening	<input type="radio"/>	<input type="radio"/>				DASA investigation is required
Persistent and repeated incidents of bullying targeted at the same person or group		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Very serious incidents that are seriously harmful or personally damaging to the person who is targeted				<input type="radio"/>	<input type="radio"/>	
Classroom Distraction						
Does not work silently or independently without bothering others	<input type="radio"/>	<input type="radio"/>				
Throws objects without physical injury to others	<input type="radio"/>	<input type="radio"/>				
Talking out in class or talking out of turn	<input type="radio"/>	<input type="radio"/>				
Makes excessive, distracting, or disruptive movements or noises	<input type="radio"/>	<input type="radio"/>				
Damage to Personal or School Property						
Minor damage (less than \$50)	<input type="radio"/>	<input type="radio"/>				
Damage to another person's or school property (\$50 to \$500)		<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	
Damage to another person's or school property (over \$500)			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Dress Code						
Dress Code violations	<input type="radio"/>	<input type="radio"/>				
Drugs						
Under the influence		<input type="radio"/>	<input type="radio"/>		<input type="radio"/>	School staff is required to refer
Using or possessing		<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

Distributing or selling			O	O	O	student to appropriate
						substance abuse counseling School nurse must be immediately notified
Electronic Devices						
Unauthorized use of cell phones, handheld mobile devices, electronic game devices, and other similar devices	O	O				Possession and/or transmission of child pornography is subject to prosecution and must be reported to the police DASA investigation may be warranted
Use of electronic devices that lead to the threat of harm to another person		O	O			
Recording or publishing a fight		O	O	O		
Use of electronic devices for which it is determined that such use directly causes physical or emotional harm to another person			O	O	O	
Emotional Outburst or Rage						
Emotional outburst or rage which causes harm		O	O	O	O	SRO involvement as needed
Extortion						
Obtaining money or property from another student through coercion, intimidation, or threat of physical harm			O	O	O	
False Activation of Fire Alarm						
Intentional false activation of fire alarm			O	O	O	If the fire alarm is activated the fire department must be notified and they have jurisdiction until event/source is investigated
Fighting						
Physical aggression with another student		O	O			DASA

Fighting which causes the principal to initiate emergency procedures and prevents large numbers of students from moving through the hallways, disrupts the educational process for large numbers of students across the school, and poses a serious and grave threat to the safety of large numbers of students, such as a threat of substantial bodily harm to students			O	O	O	investigation may be warranted
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Fighting with serious bodily injury				O	O	
Fighting that continues without change, even after the documented implementation of interventions have been given ample time to be effective			O	O		

Gambling						
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Requires the use of money or exchangeable goods	O	O			O	SRO involvement as needed
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Hallway Misbehavior						
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Running, making excessive noise, loitering, or persistent hall-walking	O	O				
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Harassment Based on Race, Ethnicity, Gender/Gender Identity/Gender Expression, Sexual Orientation, Disability or Religion, including Cyber-harassment, Against Members of the School Community						
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Minor harassment	O	O				DASA investigation may be warranted
Serious harassment		O	O	O	O	
Very serious incident that is life-threatening, seriously harmful or personally damaging to the person who is targeted				O	O	

Inciting or Participating in Disturbance						
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Causing a large disruption to the atmosphere of order and discipline in the school that is necessary for effective learning, outside of general classroom disruption (such as a riot)			O	O	O	A large disruption is defined as a disruption which causes the principal to
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Using an electronic device to bring others to initiate or engage in a disturbance		O	O	O	O	initiate emergency procedures and prevents large numbers of students from moving through the hallways, disrupts the educational process for large numbers of students across the school, and poses
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						a serious and grave threat to the safety of large numbers of students
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Inhalants						
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Under the influence		O	O		O	School staff is required to refer students to appropriate substance abuse counseling. School nurse must be immediately notified and SRO involvement as needed.
Using or possessing		O	O	O	O	
Distributing or selling			O	O	O	

Leaving Classroom or School without Permission						
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Leaving classroom or school without permission	O					
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Non-Compliance and Insubordination						
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Failure to comply with school rules, regulations, policies, or procedures	O	O				Nonviolent and/or nonphysical
Failure to follow directions	O					
Failure to respond to school staff directives, questions, or requests	O	O				

Physical Contact						
Unintentional physical contact with school personnel	O	O				
Unintentional striking a staff member who is intervening in a fight or other aggressive behavior		O	O	O		
Intentional physical attack on school personnel			O	O	O	
Offensive touching, poking, pushing, shoving, or physical intimidation of school personnel or student		O	O	O	O	
Public Space Misconduct						
Minor public space misconduct		O				Serious public space misconduct is defined as conduct which prevents others from moving through spaces, disrupts the educational process for students and/or poses serious threat to the safety of large numbers of people
Serious public space misconduct			O			
Robbery						
Taking money or property from another by force			O	O	O	
Sexual Offenses						
Sexual assault				O	O	School staff is required to refer students to appropriate counseling Possession and/or
Sexual harassment (e.g., inappropriate verbal or written conduct of a sexual nature)			O	O	O	
Sexual harassment (e.g., inappropriate physical conduct of a sexual nature)			O	O	O	

Sexual misconduct (e.g., engaging in sexual activity, etc.)			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	transmission of child pornography is subject to prosecution and must be reported to the police
Tardiness						
Excessive tardiness to class or school	<input type="radio"/>					
Technology Acceptable Use Policy Violation						
Violation of MCSD Technology Acceptable Use Policy	<input type="radio"/>	<input type="radio"/>				Possession and/or transmission of child pornography is subject to prosecution and must be reported to the police
Theft						
Under \$500		<input type="radio"/>	<input type="radio"/>			
Over \$500			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Threat Against School Personnel, Written (including electronic), or Verbal						
Verbal or written (including electronic) threat against school personnel or school community			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Tobacco						
Use or possession	<input type="radio"/>	<input type="radio"/>				
Verbal Aggression Against School Personnel						

Name calling, insults, making inappropriate gestures, symbols, or comments, or using profane or offensive language	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>			Documented interventions for repeated violations
Confrontational and aggressive arguing	<input type="radio"/>	<input type="radio"/>				
Confrontational or aggressive arguing that repeatedly impacts the school environment and persists after interventions have been put in place			<input type="radio"/>			
Misleading or giving false information to school staff	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>			
Weapons, Firearms, Explosives						
Verbal or written (including electronic) threat involving weapons against school community				<input type="radio"/>	<input type="radio"/>	Weapon must be present
Firearms (possession of a firearm as defined in 18 USC 921 of the federal code; e.g., handguns, rifles, shotguns, and bombs)				<input type="radio"/>	<input type="radio"/>	Expulsion for no less than one calendar year is mandated by state law for firearms violation, but can be modified on a case-by-case basis by the Superintendent
Other guns (possession of any gun of any kind, loaded or unloaded, operable or inoperable, including BB guns and pellet guns, etc.)				<input type="radio"/>	<input type="radio"/>	
Possession of weapons (knife, mace, etc.)			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Instruments or objects used as weapons with intent to cause injury			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Explosives (possession, sale, distribution, detonation, or threat of detonation of an incendiary or explosive material or device including firecrackers, smoke bombs, flares, or any combustible or explosive substances or combination of substance or articles, other than a firearm)			<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

Level 1 Promotion, Skill-Building, and Preventions

School personnel are responsible for teaching, practicing, recognizing, and assessing positive behaviors and promoting social emotional learning. Administrators, teachers, school counselor, social workers, psychologists, and other school staff are also expected to use promotion and prevention strategies to engage students that facilitate students' academic and social-emotional growth, assist them in following school rules and procedures, and support correction when behavioral issues arise.

Levels 2, 3, and 4 Responses

Building on the skills in Level 1, the goal of Levels 2, 3, and 4 Responses is to build capacity to take responsibility for one's behavior. This includes:

- Empathizing and taking on the perspective of the other
- Engaging in collaborative problem solving
- Offering opportunities to make amends
- Repairing the harm done
- Restoring good standing through right action

The goal is to help students to right themselves, self-correct, regain their equilibrium and resiliency (the capacity to bounce back from challenging situations), increase their self-awareness, and strengthen their personal efficacy (the capacity to regulate and manage themselves), and make a plan to get back on track.

VI. Student Dress Code

We acknowledge that clothing is an expression of personal identity and expect both students and staff to dress in a manner that is conducive to a productive learning environment.

As such, the Board establishes the following Dress Code for students:

1. Students are prohibited from wearing clothing, jewelry, book bags, or other articles of personal appearance which:
 - a. depict profanity, vulgarity, obscenity, or violence;
 - b. promote use or abuse of tobacco, drugs, vaping, or alcohol;
 - c. may create a threat to the health or safety of the student or others;
 - d. are associated with intimidation, violence or violent groups and about which students have been notified, or
 - e. may create a significant risk of disruption to the educational process or to the operation of the school.

2. The following specific items are also not permitted:
 - a. clothing worn in such a manner so as to reveal underwear, or bare skin between the upper chest (armpit) and mid-thigh)
 - b. bare feet, bedroom slippers, flip flops
 - c. sunglasses worn inside the school;
 - d. Any article of clothing that covers or disguises the face unless it is for religious purposes or worn for medical reasons with documentation;

3. If a student's dress or appearance violates this Dress Code, the Principal or Principal's designee may require the student to change their dress or appearance. Repeated violation of this code will result in disciplinary action. The Principal may make reasonable accommodations to the code based upon a student's religious beliefs or medical conditions.
4. This code shall apply to all students in all schools during the regular school day, on field trips, any school related function, and when students formally represent the school. This code shall also apply to all students at all times on all Board of Education property; including in schools and on school grounds; on all school buses and other school vehicles. This code does not apply to school-sanctioned uniforms and costumes approved by the Principal for athletic, choral or dramatic performances or Special Event Days.

VII. Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to a school professional. Any student observing a student possessing a weapon, alcohol, or illegal substance on school property or at a school function shall report this information immediately to a teacher, the Principal, the Principal's designee or the Superintendent.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

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

The principal or their designee must notify the appropriate local law enforcement agency of those Code violations that constitute a crime and substantially affect the order or security of a school immediately. The notification may be made by telephone, followed by a letter mailed on same day as the telephone call is made or upon the administrator's awareness of the violation.

The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

VIII. Disciplinary Responses, 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, impartial and compassionate. School personnel

who interact with students are expected to demonstrate positive behavior, help students understand the harm that has been caused by their actions and to place an emphasis on the student's ability to grow.

In determining the appropriate disciplinary action, school personnel authorized to implement disciplinary responses 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 caregivers, teachers and/or others, as appropriate.
6. other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's continued violations will usually merit a more serious response than previous violations.

Progressive consequences use incremental interventions to address negative behavior, with the goal of teaching pro-social behavior. Progressive consequences do not seek punishment. Instead, progressive consequences seek concurrent accountability and behavioral change. The goal is to prevent a recurrence of negative behavior by helping students learn from their mistakes, beginning with redirection. For example, preventing negative behavior may be as simple as utilizing redirection as an initial intervention/first step. Essential to the implementation of progressive discipline is helping students, who have engaged in unacceptable behavior, to:

1. understand why the behavior is unacceptable and the harm it has caused
2. understand what they could have done differently in the same situation.
3. take responsibility for their action.
4. be given the opportunity to learn pro-social and/or problem-solving strategies, decision making skills, and methods of self-calming to use in the future.
5. understand the progression of more severe consequences if the behavior recurs.

Students under the Committee on Special Education shall be disciplined for behavior in accordance with and consistent with the Code of Conduct and in accordance with IDEA and 504 of the Rehabilitation Act of 1973.

A. Responses

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

1. Oral warning – any member of the staff
2. Written warning – Bus Drivers, Teacher Aides, Teacher Assistants, Coaches, Guidance Counselors, Teachers, Principal, Superintendent

3. Written notification to caregiver – Bus Drivers, Teacher Aides and Assistants, Coaches, Guidance Counselors, Teachers, Principal (or designee), Superintendent (or designee)
4. Detention – Teachers, Principal (or designee), Superintendent (or designee)
5. Suspension from transportation – Director of Transportation, Principal (or designee), Superintendent (or designee)
6. Suspension from athletic participation – Coaches, Athletic Director, Principal (or designee), Superintendent (or designee)
7. Suspension from social or extracurricular activities – Activity Advisor, Principal (or designee), Superintendent (or designee)
8. Suspension of other privileges – Principal (or designee), Superintendent (or designee)
9. Removal from classroom by teacher – Teachers, Principal (or designee)
10. Short-term (five days or less) suspension from school – Principal, Superintendent
11. Long-term (more than five days) suspension from school – Superintendent

B. Procedures

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

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

1. Detention:

Students who fail to attend detention may be assigned in school suspension and may be kept from participating in school activities. Detention will be imposed as a response only after the student's caregiver has been notified and the student has appropriate transportation home following detention.

2. Suspension from transportation:

If a student does not conduct themselves properly on a bus, the bus driver is expected to bring such misconduct to the 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 caregiver will become responsible for seeing that their child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's caregiver will be provided with a

reasonable opportunity for an informal conference with the Principal/designee to discuss the conduct and the response involved.

3. Suspension from athletics, extra-curricular activities, and other privileges

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

4. 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 their composure and self-control in an alternative setting. Such practices may include but are not limited to: (1) short-term "time out" in another classroom or in a support staff's office; (2) sending a student to a support staff's office for the remainder of the class time only; or (3) sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this Code.

On occasion, a student's behavior may become disruptive. For purposes of this Code of Conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules. A classroom teacher may remove a disruptive student from class for up to the end of the period. The removal from class applies to the class of the removing teacher only.

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

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student

why he or she was removed from the classroom and give the student a chance to present their version of the relevant events within 24-hours.

The teacher must complete a district-established disciplinary referral and meet with the Principal or their 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 referral.

If the Principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the Principal or designee prior to the beginning of classes on the next school day.

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

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the caregivers. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting caregivers.

The Principal will require the teacher who ordered the removal to attend the informal conference. If at the informal meeting the student denies the charges, the Principal or the Principal's designee must explain why the student was removed and give the student and the student's caregivers 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 caregiver and Principal.

The Principal or the Principal's designee may overturn the removal of the student from class if the Principal finds any one of the following:

- a. The charges against the student are not supported by substantial evidence.
- b. The student's removal is otherwise in violation of law, including the district's Code of Conduct.
- c. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.
- d. The Principal or their designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of

business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the Principal makes a final determination, or the period of removal expires, whichever is less. Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

e. Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from their class. The Principal must keep a log of all removals of students with an IEP from class. Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement.

Accordingly, no teacher may remove a student with a disability from their class until he or she has verified with the Principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

5. Suspension from Technology Use

If a student does not follow the guidelines as outlined on the technology "Acceptable Use Policy," s/he will face disciplinary action. The incident will be brought to the attention of the school level administrators and action will be taken based on the offense. Depending on the seriousness of the offense, disciplinary action may include the following: the loss of privileges to accessing the district's computer network and other technology resources for a specified period of time, a Superintendent's Hearing, and/or the involvement of the local or state police.

6. Suspension from School

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

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

Any staff member may recommend to the Superintendent or the Principal that a student be suspended. All staff members must immediately report and refer a violent student to the Principal or the Superintendent for a violation of the Code of Conduct. All

recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member 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.

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

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

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

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

After the conference, the Principal shall promptly advise the caregivers in writing of their decision. The Principal shall advise the caregivers that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within ten business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the caregivers are not satisfied with the Superintendent’s decision, they may file a written appeal to the Commissioner of Education. For

information on Appeals to the Commissioner of Education, please contact the Office of Counsel at the New York State Education Department, 89 Washington Avenue, Albany, New York 12234 or by telephoning (518) 474-8927.

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

When the Superintendent determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's caregivers of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against them and the right to present witnesses and other evidence on their behalf. The Superintendent, or designee, shall personally hear and determine the proceeding or may, at their discretion, designate a Hearing Officer to conduct the hearing. The Hearing Officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before them. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A 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 that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within 30 business days of the date of the Superintendent's decision, unless the caregivers can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

c. Minimum Periods of Suspension

1. Students who bring weapons to school

Any student found guilty of bringing a weapon onto school property may be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. In deciding the response, the Superintendent may consider the following:

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

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

school

Any student who is found to have committed a violent act, other than bringing a weapon onto school property, may be subject to suspension from school for at least five days. If the proposed response is the minimum five-day suspension, the student and the student's caregivers will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed response exceeds the minimum five-day suspension, the student and the student's caregivers will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension.

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

Any student who repeatedly is substantially disruptive of the educational process or repeatedly substantially interferes with the teacher's authority over the classroom may be suspended from school for at least five days. For purposes of this Code of Conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214(3-a) and this Code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed response is the minimum five-day suspension, the student and the student's caregiver will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed response exceeds the minimum five-day suspension, the student and the student's caregiver will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension.

D. Referrals

1. Counseling

The Pupil Personnel Services Office shall handle all referrals of students to counseling.

2. Person in Need of Supervision (PINS) Referral Program

The district may file a PINS referral on any student under the age of 17 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.

- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.
- c. Substance abuse
- d. Physical aggression at home, school, and/or in the community

3. Juvenile Delinquents and Juvenile Offenders

The Superintendent is required to refer the following students to the appropriate law enforcement authorities for a juvenile delinquency proceeding before the Family Court:

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

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

IX. Alternative Instruction

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

X. Discipline of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address unacceptable behaviors. The Board also recognizes that students with disabilities are entitled to 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 IDEA, and Section 504 of the Rehabilitation Act of 1973.

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

All students under the Committee on Special Education and their caregivers will be given a copy of their due process rights annually. Any other caregiver may request a copy of these due process rights.

XI. Corporal Punishment

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

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

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

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

XII. Student Searches and Interviews

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 response on a student may question a student about an alleged violation of law or the district Code of Conduct. 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 caregiver before questioning the student. However, school officials will tell a student why they are being questioned.

In addition, the Board authorizes the Superintendent, Principals and Assistant Principals 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 of Conduct.

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.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

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.

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

The rules in this Code of Conduct 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.

B. 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. Reasons 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. Person conducting search and their title and position.
7. Witnesses to the search.
8. Time and location of search.
9. Results of search (that is, what items(s) were found).
10. Disposition of items found.
11. Time, manner and results of caregiver 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 their designee shall clearly label each item taken from the student and retain control of the item(s), until the item(s) is turned over to the police. The Principal or their designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

C. Police Involvement in Searches and Interviews 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 building Principal or their designee shall first try to notify the student's caregiver to give the caregiver the opportunity to be present during the police questioning or search. If the student's caregiver 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

E. 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 Director of Student Support Services or their Assistant. The Director of Student Support Services will notify the Principal of the pending visit of the CPS worker and or police. If the Director or their Assistant believes 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, they will make that request to CPS. If the nature of the allegations is such that it may be necessary for the student to remove any of their clothing in order for the child protective services worker to verify the allegations, it will be requested of CPS that the school nurse or other district personnel will be present during that portion of the interview.

XIII. Visitors to the Schools

The Board encourages caregivers and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The Principal or their designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

Anyone who is not a regular staff member or student of the school will be considered a visitor and must receive permission from the Principal to visit the school.

1. All visitors to the school must report to the main office upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the main office before leaving the building.
2. Visitors are required to show a government issued picture ID before entering the building.
3. Caregivers or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
4. Teachers are expected not to take class time to discuss individual matters with visitors.
5. Any unauthorized person on school property will be reported to the Principal or their designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
6. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

XIV. Public Conduct on School Property

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

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

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

A. Prohibited Conduct: No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.

4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass, or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
6. Use language or gestures that are profane, lewd, vulgar or abusive.
7. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
8. Obstruct the free movement of any person in any place to which this Code applies.
9. Violate the traffic laws, parking regulations or other restrictions on vehicles;
10. Possess, consume, sell, distribute, or exchange alcoholic beverages, or controlled substances, or be under the influence of either on school property or at a school function.
11. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
12. Smoke on school grounds or school functions
13. Loiter on or about school property.
14. Gamble on school property or at school functions.
15. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
16. Willfully incite others to commit any of the acts prohibited by this Code.
17. Violate any federal or state statute, local ordinance, or Board policy while on school property or while at a school function.

B. Responses

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

1. **Visitors.** Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection and possibly a no trespass.
2. **Students.** They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
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. **Staff members** other than those described in subdivisions 3 and 4. They 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 Principal or their designee shall be responsible for enforcing the conduct required by this Code.

When the Principal or their designee sees an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, the Principal or their designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or their designee shall also warn the individual of the consequences for failing to stop.

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

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

XV. Discipline of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them that may be considered a change in their placement. 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 IDEA, and Section 504 of the Rehabilitation Act of 1973.

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

All students/caregivers under the Committee will be given a copy of their due process rights annually. Any other caregiver may request a copy of these due process rights.

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the Code of Conduct, the following definitions apply: A **"suspension"** means a suspension pursuant to Education Law § 3214.

A **"removal"** means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an Interim

Alternative Educational Setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to themselves or others.

An “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.

- a. The Board, the district (BOCES) Superintendent of Schools or a building Principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
- b. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
- c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- d. The Superintendent may order the placement of a student with a disability 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.

- 1) “Weapon” means the same as “dangerous weapon” under 18 U.S.C. § 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 pocket knife with a blade of less than 2 1/2 inches in length.”

- 2) “Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
 - 3) “Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
2. 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 their current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either:
 - a. for more than 10 consecutive school days; or
 - b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the 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.
2. 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.

C. Special Rules Regarding the Suspension or Removal of Students with Disabilities 1.

The district’s Committee on Special Education (CSE) shall:

- a) 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 their 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 school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

- b) 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 their 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.

2. The caregivers 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 misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.

- a) The Superintendent, building Principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
- b) A 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:

- (1) conducted an individual evaluation and determined that the student is not a student with a disability, or
- (2) determined that an evaluation was not necessary and provided notice to the caregivers 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 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.

3. The district shall provide caregivers 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 their 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 of placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
4. The caregivers 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 caregivers of non-disabled students under the Education Law.
5. Superintendent 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 response phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this Code.

6. 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 an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this Code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this Code, if:
 - a) The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in their current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in their current educational placement during such proceedings.
 - b) The caregiver requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - (1) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the caregivers and the district agree otherwise.
 - (2) If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the

student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

2. 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 caregivers 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.

E. Referral to law enforcement and judicial authorities

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

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The Superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

XVI. Definitions

For purposes of this Code, the following definitions apply:

Academic Dishonesty includes plagiarism; copying another's work; altering records and cheating by providing, receiving, or viewing answers to quiz or test items or independent assignments, using texts, documents, notes, or notebooks during tests without permission from a staff member. Academic Dishonesty also includes being an accomplice, which is assisting another student in any of the above actions.

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

Bully Repeated individual acts done willfully, knowingly and with deliberation, by individuals or an individual, that target and harm another person physically or emotionally. Bullying is characterized by an imbalance of power between two students. If two students are equally engaged in an altercation, this is not a bullying situation, but instead considered a conflict between two students. Because the act of bullying involves repeated actions intended to target, intimidate, or harm an individual, it is different than a one-time attack on a student.

Bystander A person who witnesses bullying but does nothing to try to stop it. Most young bystanders do not act maliciously but are simply unaware of their ability to help.

Caregiver means guardian, or person in parental relation to a student

Cutting Class unauthorized absence from a mandatory class or school activity or function

Cyber-bullying (electronic bullying) The use of information and communication technologies-email, cell phones, pagers, chat rooms, text messages, instant message, personal website or blogs, or a combination of these or any other electronic means- to support deliberate, repeated and hostile behavior by an individual or group with the intention of physically or psychologically intimidating and/or harming others. Cyber-bullying or harassment includes, but is not limited to, the following misuses of technology:

- Harassing, teasing, intimidating, threatening, or terrorizing another student by way of any technological tool, such as sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures or images, or website postings (including blogs);
- Sending mean, vulgar or threatening messages or images;
- Posting sensitive, private information about another person; • Pretending to be someone else in order to make that person look bad.

Cyber-bullying or harassment involving District students may occur on school property, or off school property. It may involve student use of the district internet system, or students use of personal digital services including, but not limited to: cell phones, digital cameras, personal computers and electronic tools.

Incidents considered to be cyber-bullying or harassment can have any of these effects:

- Causing physical, social/relational, emotional or mental harm to a student;
- Placing a student in reasonable fear of physical, emotional or mental harm;
- Placing a student in reasonable fear of damage to, or loss of, personal property; and/or
- Interfering with a student's educational performance and/or denying or limiting a student's ability to participate in or to receive benefits, services or opportunities in District programs.

Dangerous Instruction any instrument used as a weapon to inflict bodily harm including any object of instrument capable of causing harm to another; this includes but is not limited to laser pointers, pencils, and scissors.

Defamation which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.

Dignity Act Coordinator means at least one (1) employee designated in every school who is instructed in the provisions of DASA and thoroughly trained in methods to

respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex.

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

Discrimination means treating another individual in a negative manner 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 expression, or sex. This includes any act against any individual by another on school property or at a school function.

Disorderly Conduct disorderly conduct include but are not limited to:

- Running in hallways.
- Making unreasonable noise that disrupts learning.
- Using language or gestures that are profane, lewd, vulgar, or abusive.
- Obstructing vehicular or pedestrian traffic.
- Engaging in any willful act which disrupts the normal operation of the school community.
- Trespass. No student may be on the campus of another school in the Monticello Central School District during the school day without the knowledge and consent of the officials of the school she/he is visiting.
- Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's Acceptable Use Policy. (AUP)

Disruptive student A student who fails to comply with the reasonable direction of school professionals, leading to the disruption of classroom or school activity, or use of personal electronic devices, such as, but not limited to, cell phones, I-pods, digital cameras and accessories to the electronics including but not limited to (Bluetooth devices, earphones, smartwatches etc.) except for instructional purposes or by permission from the administration, in a manner that is in violation of district policy.

Distribution Transfer possession of alcohol, drugs, or inhalants to another person with or without the exchange of money.

Emotional harm that takes place in the context of “harassment or bullying” means harm to a student’s emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student’s education.

Essential Partners: are people who have a responsibility for school safety and compliance with the Code of Conduct. They include students, caregivers, teachers, guidance counselors, administrators, the Superintendent and the Board of Education.

Extortion theft using coercion, which includes obtaining money or property from another student through coercion, intimidation, or threat of physical harm.

Fighting displaying or engaging in violence, combat, or aggression.

Gender means actual or perceived sex and includes a person’s gender identity or expression (Education Law §11[6]).

Gender Expression the way in which we each express gender to others through behavior, clothing, haircut, voice, and other forms of presentation.

Harassment pursuant to the Dignity for All Students Act (DASA) (Education Law §10-18) means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse, that (a) 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; (b) reasonably causes or would reasonably be expected to cause a student to fear for their physical safety; (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The harassing behavior may be based on any characteristic, including but not limited to a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex. For purposes of this definition, the terms “threats, intimidation or abuse” shall include verbal and non-verbal actions.

Bullying, cyberbullying (harassment through any form of electronic communication) and hazing (harassment in connection with induction, initiation or membership) are forms of harassment, which are also covered by this definition.

Hazing defined as any activity expected of someone joining a group (or to maintain full status in a group, organization, club, or team) that humiliates, degrades, or risks emotional and/or physical harm, regardless of the person’s willingness to participate.

Illegal substances include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, ecstasy, look-alike drugs, edibles, and any substances commonly referred to as “designer drugs.”

Indecent exposure exposure to the sight of the private parts of the body in a lewd or indecent manner.

Insubordinate Conduct Includes but is not limited to

1. Failing to comply with the reasonable directions of school professionals or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving class or school without permission.
3. Skipping detention.
4. Refusing to leave any building, bus, or facility after being requested to do so by an authorized administrator.

Instigating behavior which is likely to incite or produce aggressive or physical conflict between two or more individuals

Intervention specific programs, strategies, restorative conferencing protocols, skill building sessions and individual and group counseling activities that enable students to reflect on their behavior, attitudes, needs, and feelings; learn replacement behaviors and habits; work through personal obstacles; resolve conflicts; and develop goals and plans to get back on track for school success.

Non authorized or inappropriate use and misuse of school equipment, school materials, and electronic devices including: Misuse of technology:

- Any situation in which a student or students deliberately tampers with, damage, alter, access, crash, or corrupt a computer or communication system for a class, school, or district resulting in the loss or corruption of information, or the ability of the system to operate, or in any way disrupt or degrade the school or district’s technology infrastructure.

Non-Sexual Offensive Touching unintentional act taking against another student with a part of the body or instrument, including, but not limited to, shoving, pushing, and striking thereby causing offense, alarm, or minor physical harm.

Physical Aggression behavior causing or threatening physical harm to another, including but not limited to hitting, kicking, biting, and shoving.

Public Space Misconduct willful acts that impede normal operations and navigation of school grounds outside of buildings and in public spaces within any school building, including but not limited to hallways, stairwells, cafeteria, library, auditorium, all offices,

and all spaces not designated as classrooms. Public space misconduct can be classified as serious and include but is not limited to:

- Bringing in unauthorized pets or animals
- Shoving, horseplay, playfighting
- Clustering in groups in ways that impede the movement of students from one place to another
- Making unreasonable and excessive noise
- Obstructing vehicular traffic or pedestrian movement • Unauthorized presence in any school area

Reckless Endangerment conduct that creates a substantial risk of serious physical injury or death to another person.

Root Cause a system planning process. Problem-solving approach asks four questions: Where are we now? Where are we going? How will we get there? What is holding us back?

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

School Bus Misconduct Excessive noise, pushing, shoving, verbal bullying, and fighting will not be tolerated and will carry the same disciplinary repercussions based on the Code of Conduct as if they occurred in school.

School Function means any school-sponsored extracurricular or co-curricular event or activity, on or off school property.

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, as defined in Vehicle and Traffic Law §142.

Serious Bodily Injury a serious physical injury which requires hospitalization or treatment in an emergency room or physician's office and includes, but is not limited to, a serious stab or puncture wound, fracture or broken bone or teeth, concussion, cuts requiring stitches, and any other injury involving a risk of death or disfigurement.

Sexual Offenses

- Sexual assault physical sexual act by force or threat of force against a staff member or another student including inappropriate touching. The sexual assault offender suggests, solicits, requests, commands, demands, or otherwise attempts to induce another individual to have sexual contact or sexual intercourse or unlawful sexual penetration knowing that it is likely to cause annoyance, offense, or alarm to that individual.
- Sexual harassment unwelcome sexual advances, requests for sexual favors, taking or sending sexually explicit videos, pictures, or auditory recordings or other inappropriate verbal, written, or physical conduct of a sexual nature directed toward others.
- Sexual misconduct which includes but is not limited to physical touching of intimate body parts of another or oneself. Consensual acts of intimacy are not appropriate in an educational setting and are not permitted.

Sexual Orientation means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]).

Tardiness arriving late to school or class

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

Under the Influence altered physical and/or mental state after consuming alcohol, drugs, or inhalants.

Unintentional not intentional or deliberate; accidental.

Violent student: means a student who:

1. Commits an act of violence (such as hitting, shoving, kicking, punching, spitting, and scratching) upon a school employee, student, or any other person lawfully on school property or attempts to do so.
2. Possessing a weapon, displaying what appears to be a weapon and or threatening to use any object as a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.

3. Threatens, while on school property or at a school function, to use a weapon.
4. 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, including graffiti or arson.
5. Knowingly and intentionally damages or destroys school district property, including technology equipment and devices.
6. Possessing and/or using any explosive or noxious material(s) including but not limited to firecrackers, fireworks, hydrogen sulfide capsules, stink bombs and caps.

Weapon: means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, a knife with a blade longer than 2.5”, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

XVII. Dissemination & Review

A. Dissemination of the Code of Conduct

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

1. Providing copies of a summary of the Code to all students at a general assembly held at the beginning of each school year.
2. Making copies of the Code of Conduct be available to all caregivers at the beginning of the school year.
3. Mailing a summary of the Code of Conduct written in plain language to all caregivers of district students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a copy of the Code of Conduct and a copy of any amendments to the Code of Conduct at the beginning of the school year.
5. Providing all new employees with a copy of the current Code of Conduct
6. Making copies of the Code of Conduct available for review by students, caregivers and other community members.
7. Making the Code of Conduct document available to read on the district’s website:
<http://www.monticelloschools.net>

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

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

The Board may appoint an Advisory Committee to assist in reviewing the Code and the district's response to Code of Conduct violations. The committee will be made up of representatives of students, teachers, administrators, caregiver organizations, school safety personnel and other school personnel.

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

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

B. Board of Education Adoptions of the Code of Conduct:

First Adoption:	June 14, 2001
Readopted for the 2002-03 School Year:	June 27, 2002
Readopted for the 2003-04 School Year:	July 24, 2003
Readopted for the 2004-05 School Year:	June 10, 2004
Readopted for 2005-06 School Year:	June 9, 2005
Readopted for 2006-2007 School Year:	July 11, 2006
Readopted for 2007-2008 School Year:	June 19, 2007
Readopted for 2008-2009 School Year:	May 1, 2008

Readopted for 2009-2010 School Year:	May 7, 2009
Readopted for 2010-2011 School Year:	May 6, 2010
Readopted for 2011-2012 School Year:	May 5, 2011
Readopted for 2011-2012 School Year:	September 1, 2011
Readopted for 2012-2013 School Year:	July 2, 2012
Readopted for 2013-2014 School Year:	August 2013
Readopted for 2014-2015 School Year:	June 5, 2014
Readopted for 2015-2016 School Year:	July 23, 2015
Readopted for 2015-2016 School Year: (Update DASA Coordinators)	August 20, 2015
Readopted for 2015-2016 School Year:	September 17, 2015
Readopted for 2016-2017 School Year:	July 28, 2016
Readopted for 2017-2018 School Year:	August 10, 2017
Readopted for 2018-2019 School Year	June 7, 2018
Readopted for 2019-2020 School Year	August 8, 2019
Readopted for 2020-2021 School Year	July 2, 2020
Readopted for 2021-2022 School Year	August 8, 2021
Readopted for 2022-23 School Year	July 7, 2022
Readopted for 2022-23 School Year	February 16, 2023
Readopted for 2023-24 School Year	July 6, 2023
Readopted for 2024-25 School Year	July 18, 2024