

WEBSTER CENTRAL SCHOOL DISTRICT



One Webster Code of Character, Conduct, and Support
“Steps to ensure we are always helping ourselves and others succeed!”

Effective JANUARY 2021

TABLE OF CONTENTS

<u>WHY WE HAVE A CODE OF CHARACTER, CONDUCT AND SUPPORT</u>	3
<u>GOALS FOR THE CODE - STATEMENT OF PHILOSOPHY</u>	3
<u>DISTRICT VALUES/MISSION/VISION</u>	4
<u>RIGHTS AND RESPONSIBILITIES</u>	5
<u>GETTING HELP</u>	9
○ <u>PERSONAL NEEDS</u>	9
○ <u>ACADEMIC NEEDS</u>	9
○ <u>EXTRACURRICULAR NEEDS</u>	9
<u>DASA</u>	9
<u>POLICIES, PROCEDURES, AND GUIDELINES</u>	9
○ <u>ATTENDANCE POLICY</u>	9
○ <u>STUDENT DRESS CODE POLICY</u>	9
○ <u>USE OF TECHNOLOGY</u>	10
○ <u>VISITORS TO THE SCHOOL</u>	13
○ <u>PUBLIC CONDUCT ON SCHOOL PROPERTY</u>	14
○ <u>PROHIBITED STUDENT CONDUCT</u>	15
○ <u>CONSEQUENCES FOR PROHIBITED CONDUCT</u>	16
○ <u>IMPLEMENTATION</u>	16
<u>DISCIPLINARY CONSEQUENCES, INTERVENTIONS, AND PROCEDURES</u>	17
○ <u>TYPES OF CONSEQUENCES</u>	17
○ <u>ENVIRONMENTAL REMEDIATION STRATEGIES</u>	17
○ <u>ADMINISTRATIVE RESPONSES AND PROCEDURES</u>	18
○ <u>DETENTIONS</u>	19
○ <u>SUSPENSION OF INDIVIDUAL RIDING PRIVILEGES</u>	19
○ <u>SUSPENSION FROM EXTRA CURRICULAR ACTIVITIES & OTHER PRIVILEGES</u>	19
○ <u>IN SCHOOL SUSPENSION</u>	19
○ <u>TEACHER USE OF BEHAVIOR MANAGEMENT STRATEGIES</u>	19
○ <u>SUSPENSION FROM SCHOOL</u>	21
○ <u>MINIMUM PERIODS OF SUSPENSION</u>	23
○ <u>REFERRALS</u>	24
○ <u>STUDENTS WITH DISABILITIES</u>	24
○ <u>ALTERNATIVE INSTRUCTION</u>	29
○ <u>CORPORAL PUNISHMENT</u>	29
○ <u>DISSEMINATION</u>	29
○ <u>REVIEW</u>	29
<u>DEFINITIONS FOR STRENGTHENING UNDERSTANDING OF THE CODE OF CONDUCT, CHARACTER, AND SUPPORT</u>	30

Why do we have a Code of Character, Conduct, and Support?

All members of the school community have the responsibility to maintain a safe and orderly school environment conducive to learning and respectful to all people and property. The *Webster Code of Character, Conduct, and Support* complements the district-wide implementation of Positive Behavior Interventions and Supports (PBIS) to foster student academic and behavioral success. All members of this school community are expected to work together to develop prosocial behaviors in order to create a positive, supportive, respectful learning environment for all.

Positive Behavior Intervention and Supports (PBIS) establishes the foundation for delivering regular, proactive support and preventing unwanted behaviors. It emphasizes prosocial skills and expectations by teaching and acknowledging appropriate student behavior. District and building PBIS teams use data to monitor student needs, ensure students receive equitable access to supports, and evaluate the effectiveness of their PBIS systems. Key practices of PBIS include setting school-wide positive expectations and behaviors, establishing classroom expectations and routines consistent with these expectations, developing a continuum of procedures for encouraging expected behavior and discouraging problem behavior, and encouraging school-family partnerships.

All public schools must have an environment that fosters civility in school and is free from discrimination and harassment. The Dignity for All Students Act (DASA) focuses on preventing harassment and discriminatory behaviors by promoting educational measures meant to positively impact school culture and climate. The Dignity Act states that no student shall be subjected to harassment, discrimination, bullying or cyberbullying based on their actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender/gender identity by school employees or students. This applies on school property, at a school function, or off school property where such acts create, or would foreseeably create, a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

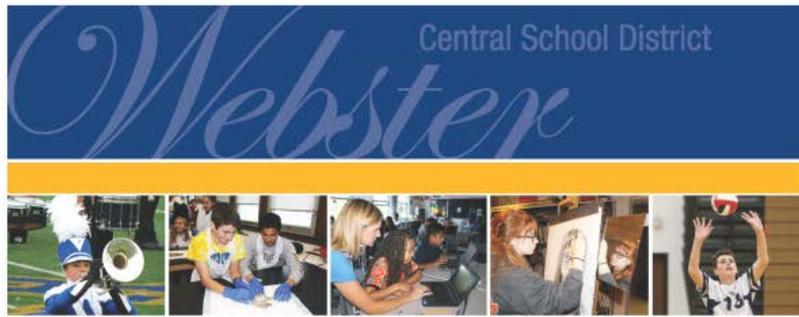
The Dignity Act emphasizes the importance of tolerance and respect for others by students and staff alike. Therefore, all members of the school community, including essential partners such as the superintendent, school board members, parents, students, teachers, support staff, principals, administrators, and other school personnel have particularly important roles to play in its implementation.

The principles of our school community will be clarified, supported, and implemented by all buildings through this *Code of Character, Conduct and Support*. The rules supporting these principles should be clearly outlined in the individual building implementation plans.

Goals for the Code - Statement of Philosophy

The Webster school community believes in and is committed to providing an environment in which mutual respect is evident for all. We trust that every member of this school community has a right to achieve their potential and to be heard. Contrary behavior to this philosophy will be addressed effectively, fairly, and equitably. Within our school community, we will uphold an atmosphere where education and learning can thrive in a safe, respectful, and caring environment.

District Values/Mission/Vision



Mission

We are a community of learners who nurture and inspire personal excellence, foster creativity and explore diverse opportunities, celebrate achievements and overcome challenges, and contribute locally and globally for positive change.

Vision

Compassionately Connected, Joyfully Engaged, Always Learning.

Core Beliefs

Students First

Each student is invaluable.

Continuous Improvement

Growth is a process that involves risk-taking, making mistakes, and perseverance.

Exploration and Innovation

Creativity and discovery are inspired by asking questions where answers are uncertain.

Collaboration

We are smarter and stronger together.

Communication

Open exchange of ideas builds trust and confidence.

Accountability

Attaining excellence is a shared responsibility.

Fiscal Responsibility

Students are worthy of our wise investments.

Essential Skills

Resilience

Learning to grow stronger through life's challenges.

Perseverance

Sticking to it because it's worth it, even when it's tough.

Collaboration

Working together to benefit all.

Integrity

Keeping my words and actions connected to the best I have to offer.

Time Management

Balancing work and play for today and tomorrow.

Self Management

Knowing myself and all the different things I can do to be at my best.

Communication

Understanding what's important to others and how to share what's important to me.



Webster Central School District made a commitment to an extensive, dynamic strategic planning process since 2010 that continues to this day. Strategic planning is spearheaded by the Webster CSD Board of Education and includes representatives from WCSD's community, including residents, students, faculty, and staff. Through regular community engagement surveys, valued feedback has resulted in a vibrant One Webster district culture that is focused on educating the whole child, preparing each student to learn and practice the skills and habits necessary to be Compassionately Connected, Joyfully Engaged, and Always Learning. In addition, we have identified seven essential skills for students to develop throughout their time in Webster schools, so that they will be prepared to be successful, engaged citizens of the world after graduation.

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

In this school community, we believe that the best discipline is self-imposed. Students learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

The board recognizes the need to make its expectations for student conduct while students are on school property or engaged in a school function understandable and in-line with the district's philosophy. The rules of conduct in this code provide examples of behaviors that support the district's focus on safety and respect for the rights and property of others. School personnel will work to help individuals and/or groups understand and accept responsibility for their behavior--and understand how it impacts others--as we work to build and strengthen our community.

In addition to our commitment to our mission, core beliefs, and essential skills, we are working to strengthen our One Webster community by proactively supporting students through social-emotional learning and PBIS. Working to support all students entails providing tiered levels of support and interventions, which may include:

- Peer support groups and/or community building circles
- Corrective instruction or other relevant or service learning experience
- Supportive intervention
- Behavioral assessment or evaluation
- Behavioral management plans, with closely monitored benchmarks
- Student counseling and parent conferences

Strengthening Understanding Within This Code

If you have any questions about the wording in this code, please reference the definition section at the end of this document. You can also reach out to teachers or administrators for assistance.

Rights and Responsibilities

All students, district personnel, and other essential partners of the school community are entitled to expect proper regard for their rights and welfare. Through PBIS, we have developed prosocial, clear expectations and documented them in a "C.A.R.E".matrix, which we use for teaching, modeling, and continual reinforcement.. Cooperation, Accountability, Respect and Excellence (C.A.R.E.) define expected behaviors in our community. These expectations are also connected to our Essential Skills that we are fostering in all students. All members of the community are expected to follow our district C.A.R.E. matrix, which is included below.

	Students	Parents/ Guardians/ Community Members	School Staff	School Administration	Board of Education
Cooperation	Demonstrate collaboration by working together to benefit all. Demonstrate communication by understanding what is important to others and how to share what is important to me.	Model collaboration by knowing the school expectations and helping their child understand their meaning and purpose. Model communication by connecting with school teams to share information and problem solve together when concerns arise.	Model collaboration by working with colleagues, parents/guardians and students to build a safe and positive learning environment. Model communication by regularly contacting families and other staff to share student growth, achievement and when necessary concerns.	Model collaboration by working with colleagues, parents/guardians and students to build a safe and positive learning environment. Model communication by regularly contacting families and other staff to share student growth, achievement and when necessary concerns.	Model collaboration by working with colleagues, parents/guardians and students to build a safe and positive learning environment. Model communication by regularly contacting families and other staff to share student growth, achievement and when necessary concerns.
Accountability	Demonstrate time management by balancing work and play for today and tomorrow. Demonstrate self-management by knowing myself and all the different things I can do to be my best.	Model time management by ensuring their child attends school regularly and on time. Model self-management by providing a place of study for their child and reinforcing completion of tasks.	Model time management by meeting deadlines and schedules. Model self-management by knowing, demonstrating and implementing school expectations.	Model time management by meeting deadlines and schedules. Model self-management by knowing, demonstrating and implementing school expectations	Model time management by meeting deadlines and schedules. Model self-management by knowing, demonstrating and implementing school expectations

<p style="text-align: center;">Respect</p>	<p>Demonstrate integrity by keeping my words and actions connected to the best I have to offer.</p>	<p>Model integrity by teaching children to respect themselves and others regardless of a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.</p>	<p>Model integrity by teaching children to respect themselves and others regardless of a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.</p>	<p>Model integrity by teaching children to respect themselves and others regardless of a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.</p>	<p>Model integrity by respecting themselves and others regardless of a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.</p>
<p style="text-align: center;">Excellence</p>	<p>Demonstrate resilience by learning to grow stronger through life's challenges. Demonstrate perseverance by sticking to it because it's worth it even when it is tough.</p>	<p>Model resilience by teaching children to constructively manage and respond to life's challenges. Model perseverance by sticking to it during tough times.</p>	<p>Model resilience by teaching children to constructively manage and respond to life's challenges. Model perseverance by sticking to it during tough times</p>	<p>Model resilience by teaching children to constructively manage and respond to life's challenges. Model perseverance by sticking to it during tough times.</p>	<p>Model resilience by constructively managing and responding to life's challenges. Model perseverance by sticking to it during tough times.</p>

Getting Help

We recognize that all community members will need help at one time or another. Living our C.A.R. E. expectations means we are here to support students and help them find resources to address their needs and develop resilience and self-management.

Personal Needs

As the Webster Central School District staff works to build and strengthen community, it is also committed to helping solve problems as they occur. If students have a problem related to discipline, security, personal safety or welfare, or other issues, they are encouraged to pursue the following:

1. Tell the nearest staff member or seek administrative support as soon as possible.
2. Identify what has happened to the student or what the student has observed happening to someone else.
3. Seek support of a trusted adult or staff member (i.e. teacher, mental health worker, mentor or administrator).
4. In addition to alerting school personnel, the student should connect with their family or guardian about the problem.
5. Students may also contact the [Safe School Helpline](#) (1-800-418-6423 or text 66746, then Tips) to report a concern, and all reports are anonymous and confidential.

Academic Needs

As the One Webster community works to fulfill the district vision, it is further dedicated to helping solve academic problems for all students. This problem-solving process includes working alongside students, teachers, and at times, families and other school professionals. To obtain help with academic problems, students should follow these steps:

1. Seek out their teacher.
2. Attempt to work with the teacher, at their recommendation, for additional help.
3. If the teacher is unable to support the student, they can seek further support from another staff member (i.e. school counselor, mentor, support staff).
4. If the problem persists, students may seek out administrative support and/or discuss the matter with their parent/guardian.
5. School staff and parent(s)/guardian(s) may seek to schedule a conference to discuss the problem further.

Extracurricular Needs

The One Webster community is not just dedicated to problem solving during the school day. For help with problems involving extracurricular activities, students are encouraged to follow these steps:

1. See the activity advisor or athletic coach assigned to the activity at an appropriate time.
2. If the activity involves athletics, see the athletic coach, then the Athletic Director.
3. If the student does not know who is assigned as advisor to the activity, the student should see an administrator.
4. If the student is unable to get help in solving the problem after following these steps, they are encouraged to discuss the matter with their building administrator and parent(s)/guardian(s) and potentially have a problem-solving conference.

Dignity for All Students Act (DASA)

The Dignity Act's underlying premise is that preventive and non-punitive intervention, in response to incidents of discrimination and/or harassment, is the best way to achieve school environments free from harassment and discrimination. If you believe there has been a violation of DASA, please contact your building DASA Coordinator. You can also find further information on our [district website](#).

Policies, Procedures and Guidelines

Attendance Policy

The educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. The overall objective is to improve student attendance as a means to increase learning and achievement and increase the graduation rate. See Regulation # 5011 for further details.

Student Dress Code

The purpose of the student dress code is to reinforce the district's mission of preparing all students to be life-long learners and help prepare them for their post-graduation endeavors. Student attire should reflect C.A.R.E. expectations and should not be a distraction to the learning environment.

All parents are expected to recognize that the education of their child is a joint responsibility of the parents and the school community.

All students are expected to give proper attention to personal cleanliness and to dress for school and school functions in a manner that is in line with the principles of the Webster school community regarding respect for self and others. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

At the beginning of the school year, each building principal or his/her designee shall be responsible for informing all students and their parents of the student dress code for their child's building. Parents and students will be updated as needed on any revisions to the dress code.

Student attire should be a reflection of an atmosphere of mutual respect supported by the district and should not be a distraction to the learning environment. Building administrators have the final discretion in terms of deeming clothing inappropriate.

As such, all students are expected to follow the guidelines below:

Acceptable

- All underwear that is completely covered by the outermost garment at all times. This includes bra straps and boxer shorts.

- Shirts and tops that have straps that are at least two inches wide.
- Necklines that cover cleavage, and do not expose any undergarments.
- Dresses, skirts, and shorts that extend to at least the mid-thigh or the tips of a student’s fingers when arms are extended at the sides.

Not Acceptable

- Clothing that promotes displays, endorses, and/or encourages the use of alcohol, tobacco, drugs, and/or illegal or violent activities.
- Clothing that contains messages that are vulgar, obscene, libelous, sexually explicit, potentially disruptive, or that denigrate others because of race, religion, creed, national origin, gender, sexual orientation, disability.
- The wearing of hats will be left up to the discretion of building administrators. Hats will be allowed for religious requirements and/or for medical conditions with proper documentation.
- Athletic uniforms that are not consistent with the school dress code should not be worn during the school day.
- Clothing that is see-through, backless, or leaves a student’s mid-section exposed.

Safety

- Items that could be considered weapons such as heavy chains or “studs” are prohibited.
- Footwear is expected at all times. Certain classes require a particular type of shoes- for example sneakers for PE and closed-toed shoes for labs, Art, Tech. etc. Bedroom shoes are not appropriate school attire.
- Hoods and any garment that covers the face or side of the face are not acceptable. Exceptions will be made for religious dress requirements and/or for medical conditions with proper documentation.

Students who violate the Student Dress Code of their building shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item.

Following the dress code is not optional.

Digital Citizenship

Student Acceptable Use Regulation; Internet, Electronic Mail and Computer Usage

Students may be authorized to use District technology equipment and Internet facilities and connections for study, research, and communication related to their assigned course work, approved co-curricular activities, and appropriate lifelong learning opportunities.

Any on-site or off-site use of the WCSD Internet facilities and connections, which is not authorized or conducted strictly in compliance with this regulation or the District’s policies, procedures, and regulations is prohibited. Users who engage in unauthorized use of the Internet, or who violate any of the terms and conditions of Internet use as prescribed by the District may have their user privileges suspended or revoked. Users granted access to the Internet facilities and connections through the District assume personal responsibility and liability, both civil and criminal, for their unauthorized or improper use.

Expectations

Students may be authorized to use the WCSD technology equipment and Internet facilities and connections for study, research, and communications related to their assigned course work, approved co-curricular activities and appropriate lifelong learning opportunities. The instructional use of the Internet is governed by the District's policies, regulations, practices and procedures concerning the acquisition and use of textbooks, library books, and non-print media.

Any use of the Internet facilities, connections and computer equipment should always reflect academic honesty, high ethical standards and moral responsibility.

Users of the Internet and e-mail are expected to treat others with respect.

This means:

- Students must use only the same polite and respectful language to communicate on the Internet and e-mail as would be appropriate in face-to-face communications in school.
- Accessing or disseminating information that is illegal, defamatory, abusive, racially offensive, and/or adult-oriented will be deemed a violation of this regulation and could result in disciplinary and/or legal action against the violator.
- Students must respect their own privacy and the privacy of others by not revealing their or anyone else's personal address, telephone number, or password without authorization from a teacher or administrator.
- Students must treat the communications, information, and databases they may gain access to through the Internet as private property, and use them only in ways for which they are sure that they have permission.

Acceptable Uses

Acceptable use of technology and all related resources requires users to:

- Protect private information such as addresses, phone numbers, or passwords.
- Use appropriate language. This applies to public messages, private messages, and material posted on Web pages.
- Respect all copyright laws.
- Respect network limitations when sending or receiving information.
- Use the computers for their intended educational purposes only.
- Understand that use of the computer or the network for illegal activities is strictly prohibited.
- Shutdown all computers at the end of each day.

Unacceptable Use

Examples of unacceptable use of technology and all related resources include, but are not limited to:

- Damaging computers, peripherals, computer systems, or computer networks
- Gaining access to or trespassing in unauthorized files, folders, or computers
- Using the network for commercial purposes
- Accessing inappropriate Internet web sites or files

- Using the network for any illegal activity, including violation of copyright or other licenses or contracts
- Accessing chat rooms, instant messaging, or blogging which are not a part of a class
- Mass e-mailings for non-educational or non-professional purposes
- Degrading or disrupting equipment or system performance
- Using abusive or otherwise objectionable language in either public or private messages
- Threatening, harassing, insulting, or attacking others
- Posting anonymous messages
- Causing undue congestion of the network through lengthy downloads of files, or by engaging in idle activities i.e. wasting resources
- Vandalizing the data of another user
- Identifying one's self with another person's name
- Using an account or password of another user without authorization
- Theft of data, equipment, or intellectual property

A student's privileges may be revoked, suspended, or modified by the building principal. The building principal shall promptly notify the student and parents as necessary. The student and parents shall have the right to an informal conference with the building principal to discuss the basis of the action taken. The decision of the building principal may be appealed to the Superintendent. A student's conduct on the Internet that would be a violation of the WCSD student discipline code may result in disciplinary action in addition to a revocation, suspension, or modification of Internet privileges. Any such disciplinary action must be taken in accordance with the applicable due process of law and WCSD policies, practices, and procedures.

Electronics Use

The Webster Central School District recognizes that we live in a global society where modern technology makes many forms of electronic devices available for communication and computation. Examples of electronic devices include, but are not limited to; cell phones, calculators, personal laptops/computers, smart watches, tablets, laser pointers, music/media players, digital cameras, camera phones, recording devices of any kind, hand held devices, etc. The safekeeping of electronic devices is the sole responsibility of the student who brings them into school.

The Webster Central School District recognizes that responsible use of electronic devices can have a positive impact on student learning and allows students to use acceptable electronic devices as specified by each respective school policy.

Personal electronic devices (i.e. cell phones, smart watches) are not allowed during instructional time unless expressly stated by the teacher.

Further, personal electronic devices may not be used in a manner that will jeopardize the privacy of either staff or students. Students may not record or take pictures of other students or staff without their permission. The use of recording devices in restrooms or locker rooms is strictly prohibited.

Students who use electronic devices in inappropriate manners involving the following is strictly prohibited:

- The production, possession, transmission and/or distribution, by any means, or the transmission of materials as text, including but not limited to:
 - Sexually suggestive images
 - Nude or partially nude images
 - Sexually explicit text in any media

Students who violate this regulation (i.e., invading someone's privacy, cyberbullying others, etc.) and/or disrupt the academic setting (as determined by the district) may be subject to disciplinary action including but not limited to:

- Confiscation of devices
- Turning in devices to the classroom teacher prior to the start of class
- Turning in devices to administrators for a period or multiple periods
- Banning of devices from school property
- Suspension from school
- Police involvement/arrest
- And/or other disciplinary penalties as defined in the District Code of Conduct

Students who have been banned from using electronic devices on school property and at school functions are also banned from using other students' devices. These devices will be confiscated. Students sharing devices with other students are subject to disciplinary action and may be subjected to further discipline if their device is used to disrupt the academic setting and/or to invade someone's privacy, cyberbully others, etc. (as determined by the district).

Additionally, electronic devices (audio and visual) are not to be used in any manner that will jeopardize the integrity of any testing or assessment situation. Any violation of this provision will be subject to appropriate disciplinary action.

Visitors to the Schools

The board encourages parents and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers and other staff, when invited. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following criteria and expectations apply:

- Visitors may be restricted due to health and safety protocols
- Anyone who is not a regular staff member or student of the school will be considered a visitor.
- All visitors must report to the main office upon arrival to the school. They will be required to produce official photo identification and will be issued a visitor's identification badge which must be worn at all times while in the school or on school grounds. If the visitor does not have official photo identification, a building administrator must authorize the visit. The visitor must return the identification badge to the main office before leaving the building.
- Visitors attending school functions that are open to the public may be required to register.

- Parents/guardians who wish to observe a classroom while school is in session are required to arrange such visits in advance with the building administrator(s), so that class disruption is kept to a minimum.
- Teachers are not expected to take class time to discuss individual matters with visitors.
- Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
- All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Character, Conduct and Support.

Public Conduct on School Property

The district is committed to providing an orderly, respectful environment that is conducive to learning. 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.

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

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

Violation of Criminal Code

This district is a place where other students, district personnel and other members of the school community have a right to feel safe from verbal or physical attack. Any violation of criminal code including, but not limited to the following, will result in the involvement of the School Resource Officer and may result in referral to the appropriate law enforcement agency:

- Threat to, or intimidation of, any staff members or students
- Sexual misconduct
- Gambling
- Extortion
- Forgery
- Arson
- Bomb Threat
- False reporting to 911
- Possession, sale or use of a weapon
- Possession, sale, manufacture or use of drugs or alcohol

- Possession, sale or use of fireworks or other substance that endangers the health and safety of students and/or staff
- Assault on a staff member or student
- Vandalism (district will seek restitution)
- Inappropriate use of electronic devices that violates criminal code (harassment, inappropriate content, and/or intentional malicious damage to devices, etc.)

Prohibited Student Conduct

The rules of conduct listed below are intended to provide examples of behaviors that jeopardize the district's focus on safety and respect for the rights and property of others. Individuals or groups who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences for their conduct.

Examples of such behavior could include (but not be limited to):

- Committing an act of violence against a school employee, or attempting to do so
- Committing, while on school property or at a school function, an act of violence against another student or any other person lawfully on school property or at a school function, or attempting to do so
- Engaging in bullying, harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical well-being on school property or off school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property
- Using language, gestures, or visual images that are profane, lewd, vulgar, or abusive
- Continually interfering, either verbally or physically, with staff's authority over the classroom and staff's ability to maintain an effective learning environment
- Engaging in verbal or physical intimidation that put an individual in fear of bodily harm
- Displaying and/or possessing a weapon while on school property or at a school function
- Threatening, while on school property or at a school function, to use a weapon
- Knowingly and intentionally damaging or destroying district property and/or personal property of any school employee or any person lawfully on school grounds or at a school function
- Engaging in public displays of unambiguous, excessive affection
- Violating the technology acceptable use regulations and policies

Consequences for Prohibited Conduct Under this Code

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, District personnel and other members of the school community, and for the care of school facilities and equipment.

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

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

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

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members 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 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 shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

Implementation

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

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

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

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

self-discipline and self-awareness. Understanding discipline as a "teachable moment" is fundamental to a positive approach to discipline. The goal is to prevent or deal with conflict before it escalates; build relationships and empower community members to take responsibility for the well-being of others; increase the social skills of those who have harmed others; address underlying factors that lead youth to engage in inappropriate behavior and build resiliency; provide people with opportunities to be accountable to those they have harmed; and enable them to repair the harm to the extent possible.

Disciplinary Consequences, Interventions and Procedures

When students are not able to meet C.A.R.E. expectations or demonstrate behavior in violation of this code, we must respond. Our focus will be on teaching and repairing harm through the different consequences and procedures that follow.

Types of Consequences:

- **Conventional Consequences** -- those commonly used in practice (i.e. removal from a classroom, suspension etc.).
- **Generic Consequences** -- include reminders, warnings, choice options, and/or behavior plans brought into play when there is misbehavior.
- **Instructional Consequences** -- teach and/or revisit the prosocial skills necessary for an individual to behave or respond in accordance with the Principles and Rules of the school.
- **Logical Consequences (Restitution)** -- where the individual makes right what they did wrong. This is logically related to the behavior.

Remediation strategies may include, but are not limited to:

- supervisory systems which empower school staff with prevention and intervention tools to address incidents of bullying and harassment
- school and community surveys or other strategies for determining the conditions contributing to the relevant behavior
- adoption of research based, systemic harassment prevention programs
- modification of schedules
- adjustment in hallway traffic and other student routes of travel
- targeted use of monitors
- staff professional development
- parent conferences
- involvement of parent/teacher organizations
- peer support groups and/or community building circles

A. Administrative Responses

School is a place where all members benefit from adherence to the rights, responsibilities and rules set forth in the district's Code of Character, Conduct and Support. Failure to follow this code could

result in administrative responses, either alone or in combination that could include (but are not limited to):

- Conference with staff member(s) and student.
- Conference with staff member(s), student and parent(s).
- Afterschool detention.
- Removal from school for balance of instructional day.
- Removal of student privileges.
- In-school suspension.
- Conference with School Resource Officer
- Out-of-school suspension followed by re-entry conference with student and parent/guardian.
- Referral to Building Special Services Team for review, counseling and/or intervention by appropriate support personnel.
- Change of student daily schedule.
- Seeking alternative opportunities to allow for course/grade level completion.
- Recommendation for placement in an alternative educational program either in or out of district.
- Superintendent's Hearing.

B. Procedures

School is a place where everyone has a right to feel safe in an environment of teaching and learning and a responsibility for their actions. Each member of the school community has equal worth and an opportunity to be heard by others. It is the duty of all members of the school community to support an environment that consistently upholds these rights and responsibilities.

Students who are to be given consequences beyond an oral warning, written warning or written notification to their parents may be entitled to present their version of the facts to school personnel before the consequence is required. In all cases, regardless of the event and the consequence, the school personnel authorized to set and carry out the intervention must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. These possible options for consequences are explained below.

a. Detention

- i. During or after school

b. Suspension of Individual Riding Privileges

- i. Will not be allowed to arrive by bus and parent should transport or if the transportation suspension interferes with attendance then the district will provide for a tutor.
- ii. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

c. Suspension from athletic participation/extracurricular activities or other privileges

- i. 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 parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved. (Please refer to Policy #5179.)

d. In-school suspension

- i. Student attends school but is not permitted to participate in classroom instruction or school activities. The in-school suspension teacher will be a certified teacher.
- ii. A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

e. Teacher use of behavior management strategies: Such practices may include, but are not limited to:

- i. Implementing short-term break in an elementary classroom or in an administrator's office.
- ii. Sending a student into the hallway briefly.
- iii. Sending a student to the principal's office for the remainder of the class time only.
- iv. Sending a student to a guidance counselor or other district staff member for counseling. (Time-honored classroom management techniques such as i-iv do not constitute disciplinary removals for purposes of this code.)
- v. If traditional classroom management techniques and/or administrative responses are not sufficient for dealing with this inappropriate student behavior, a classroom teacher may remove a student from the classroom for up to four school days or its equivalent under a block schedule. The removal from class applies to the class of the removing teacher only.
- vi. If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.
- vii. If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within twenty-four hours.
- viii. The teacher must complete a district-established disciplinary removal form (WCSD Student Referral Form) and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the next scheduled meeting of the class from which the student has been removed.
- ix. Within twenty-four hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he

or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

- x. The written notice must be mailed within twenty-four hours via first class mail. Notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.
- xi. The principal may require the teacher who ordered the removal to attend the informal conference.
- xii. If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within forty-eight hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.
- xiii. 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:
 - The misbehavior of the student is not supported by evidence.
 - The student's removal is otherwise in violation of law.
 - The seriousness and/or safety issue of the student's conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.
- xiv. 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.
- xv. 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.
- xvi. The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested.

f. Suspension from school

- i. A severe penalty, which may be imposed only upon students who through their actions, threaten and endanger the safety, morals, health or welfare of others as described in the principles and rules of this Code of Character, Conduct and Support.
- ii. Periods of suspension may range from one day to at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The superintendent has the authority to modify the one-year suspension on a case-by-case basis.
- iii. The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals.
- iv. Any staff member may recommend to the superintendent or the principal that a student be suspended.
- v. Recommendations and referrals for suspension shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases,

documentation is to be prepared as soon as possible by the staff member recommending the suspension.

- vi. Upon receiving a recommendation or referral for suspension or when processing a case for suspension, the principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested.
- vii. Suspensions may be characterized as:
 - 1. Short-term (5 days or less) suspension from school.

When the superintendent or principal (referred to as the “suspending authority”) proposes to suspend a student 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 or the designee must notify the student’s parents by phone within one school day of the decision to propose suspension via the telephone number(s) provided for the purpose of contacting the parents. The suspending authority or the designee must also notify the student’s parents in writing. The written notice must be provided by first class mail and shall be sent within one school day of the decision to impose suspension.

The notice shall provide a description of the events that resulted in this action and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

The notice and opportunity for an informal conference will take place prior to the suspension of the student unless the student poses a continuing danger to persons or property or is an ongoing threat of disruption to the academic process. In that case, the student’s notice and opportunity for an informal conference will take place as soon after the suspension as is reasonably practical.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent’s decision, they must file a written appeal to the Board of Education with the District Clerk within 10 business days of the date of the superintendent’s decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

2. 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 parents of their right to a fair hearing. The building principal may recommend to the superintendent that a suspension of more than five days is warranted. At the hearing, the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.
The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof. An appeal of the decision of the superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The board may adopt in whole or in part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.
3. Permanent suspension.
Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

Minimum Periods of Suspension

1. Students who bring to or possess a weapon on school property:

Any student, other than a student with a disability, found guilty of bringing to or possessing a weapon on school property will be subject to a long-term suspension from school for at least one calendar year.

Under certain mitigating circumstances, a shorter suspension may be considered. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the consequence, the Superintendent may consider the following:

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

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

2. Students who commit violent acts other than bringing to or possessing a weapon on school property:

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

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

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least one day and can be suspended up to 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. The proposed consequence is a minimum one-day suspension and up to five days suspension. The student and the student's parent will be given the same notice and opportunity for an informal meeting given to all students subject to a short-term suspension. If the proposed consequence exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the suspension on a case-by-case basis. In deciding whether to modify the consequence, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

Referrals

1. Referrals to Human Service Agencies

When any student need is beyond the scope of the district's resources, a referral to appropriate human service agencies will be made. All administrators, faculty, pupil services personnel, and other support staff will serve as mandated reporters of child abuse or neglect. They will communicate these and other referrals through the principal or his/her designee.

2. PINS Petitions

The District may refer a student to FACT who can then file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he/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) Knowingly and unlawfully possesses marijuana in violation of Penal Law §221.05. A single violation of §221.05 will be a sufficient basis for filing a PINS petition.

3. Juvenile Delinquents and Juvenile Offenders

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

Students with Disabilities

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

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

1. Authorized Suspension or Removal of Students with Disabilities

- a) For purposes of this section of the Code of Character, Conduct and Support, the following definitions apply.
 - i. A “**suspension**” means a suspension pursuant to Education Law § 3214.
 - ii. 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 himself or herself or others.
 - iii. 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.

- b) School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
- i. The board, the district (BOCES) superintendent 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.
 - ii. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (i) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - iii. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - iv. The superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student possesses and/or carries 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.
 - “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.”
 - “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.
 - “Illegal drug” 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.
- c) Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

2. Change of Placement

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

- A. More than 10 consecutive school days; or
- B. 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 accumulate to more than 10 school days in a school year. This takes into account 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.

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

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

1. The district's Committee on Special Education 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.
 - i. If subsequently a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.
 - ii. 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 his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.

2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of 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:
 - i. Conducted an individual evaluation and determined that the student is not a student with a disability, or
 - ii. Determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

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

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

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

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

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 penalty 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.

4. 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 his or her current educational placement, or pending the due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
 - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - i. Pending an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
 - ii. If school personnel propose to change the student's placement after expiration of an IAES placement, pending 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 parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

5. Referral to Law Enforcement and Judicial Authorities

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

- 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.
- 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.

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.

Corporal Punishment

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student and is strictly forbidden by any district employee. However, New York State Law states situations where alternative procedures and methods have been unsuccessful when the use of reasonable therapeutic physical intervention would not be considered corporal punishment. These circumstances include:

- Protecting someone from hurting themselves.
- Protecting oneself, another student, teacher or any person from physical injury.
- Protecting the property of the school or others.
- When a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, refuses to refrain from further disruptive acts or to leave the area when directed to do so.

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

Dissemination of Code of Character, Conduct and Support

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

- Reviewing summary of the code with all students at the beginning of each school year in classes, by teams in middle school, grade level assemblies or other such events where the focus is expressly to review the Code of Conduct.
- Including a notice in the annual back to school newsletter that a copy of the Code of Character, Conduct and Support is available online for review by parents, students, and community members.
- Inform all current teachers and other staff members that a copy of the Code of Character, Conduct and Support is available online.
- Inform all new employees when hired, that the Code of Character, Conduct and Support is available online.
- Staff in-service trainings will be held during the year at faculty meetings, department meetings, PLC meetings to ensure that the Code of Conduct is understood and properly implemented.

Review of Code of Character, Conduct and Support

- The Board of Education will review this Code of Character, Conduct and Support every year and update it as necessary.
- The board may appoint an advisory committee to assist in reviewing the code and the district's response to Code of Character, Conduct and Support violations. Representatives on this committee may include representatives of the student, teacher, administrator, and parent communities as well as school safety personnel.

- Before adopting substantive revisions to the code, the board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.
- The Code of Character, Conduct and Support and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

Definitions for Strengthen Understanding of the Code of Character, Conduct and Support

- **Consequence** -- the results of a previous action that breaks the rules. Those responsible for administering a consequence take into account, the behavior, the situation, the individual involved, and the best means for helping that individual.
- **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 shall 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. (N.Y. Executive Law § 292.21)
- **Disruptive student behavior** -- behavior from an elementary or secondary student under the age of 21 that substantially disturbs or distracts from the educational process or interferes with the teacher’s ability to manage and teach students.
- **“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
- **Employee** means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact. (N.Y. Education Law § 1125.3)
- **Fair** -- doing what is reasonable and in the best interest of the individual and/ or group.
- **Firearm** - is defined in 18 USC §921 for the purposes of the Gun-Free Schools Act.
- **Gender** means actual or perceived sexual orientation, and a person’s gender identity or expression. (N.Y. Education Law § 11.6)

- **Gender Identity and expression** means having or being perceived as having a gender identity, self-image, appearance, behavior or expression whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the sexual orientation assigned to that person at birth. (N.Y. AB 5039/SB 2873 (2011) “GENDA”)
- **Harassment or bullying** means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse, including cyber-cyberbullying as defined in Education Law section 11(8) that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or reasonably causes or would reasonably be expected to cause physical injury to a student or cause the student to fear for his or her physical safety. Such definition shall include acts of harassment or bullying that occur: on school property, at a school function or off school property where such acts create or would foreseeably create a risk of substantial disruption with the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The term “threats, intimidation or abuse” shall include verbal and nonverbal actions. Acts of harassment and bullying shall include, but not be limited to, acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) (N.Y. Education Law § 11.7)
- **Intervention** -- the modification of an event by school personnel to promote a safe physical and psychological environment for all members of the school community.
- **Parent** -- guardian or person in parental relation to a student.
- **Positive Behavioral Interventions and Supports (PBIS)**-- is a proven, research and evidence-based discipline program that emphasizes school-wide systems of support that include strategies for defining, teaching, modeling and supporting appropriate student behaviors to create positive school environments.
- **Principles** -- core values that demonstrate how individuals should conduct themselves and relate to each other. They encompass a set of beliefs that provide the reasons for the rules and the motivation for following them.
- **Rules** -- based on the principles (core values), they identify acceptable and unacceptable behavior that is observable, clear, specific and enforceable.
- **School bus**—every motor vehicle a) owned by a public or governmental agency or private school and operated for the transportation of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities or b) privately owned and operated-for-

compensation for the transportation of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

- **School function** -- any school-sponsored extracurricular event or activity.
- **School property** -- 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.
- **Sexual Orientation** means actual or perceived heterosexuality, homosexuality, or bisexuality. (N.Y. Education Law § 11.5)
- **Violent student behavior** -- behavior occurring on or around school property, before, during or after the school day that endangers self, others or property.
- **Weapon** - refers to the definition of firearm in the Gun-Free Schools Act. Any item that could cause physical harm to someone depending on intent and use (can include but is not limited to: BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb or other device, instrument, material or substance).