

Brighton Central School District

Code of Conduct



2018-2019

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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 Brighton Code of Conduct partners with the District and Building Safety Health and Wellness Committees to foster student academic and behavioral success.

The District has developed and implemented a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of integrity, respect, responsibility, kindness and self-control. Responsible behavior by students, teachers, other district personnel, parents, and other visitors is essential to achieving this goal.

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 when discipline is necessary it is administered promptly and fairly. To this end, the Board adopts this Code of Conduct.

Unless otherwise indicated, this Code of Conduct applies to all students, District personnel, parents/guardians, and other visitors when on school property or attending a school event or activity, including sporting, visual and performing art events, and Brighton's Continuing Education classes.

Dignity for All Students

The Brighton Central School District seeks to create an environment free of harassment, bullying, and discrimination, to foster civility in its schools, and to prevent conduct which is inconsistent with its educational mission. The District, therefore, prohibits all forms of harassment and bullying of students by employees or other students on school property and at school functions. The District further prohibits discrimination against students, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or other students on school property and at school sponsored activities and events that take place at locations off school property. In addition, other acts of harassment, bullying, and/or discrimination which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline or other corrective action.

Under The Dignity For All Students Act, "Sexual orientation" means actual or perceived heterosexuality, homosexuality, or bisexuality; "Gender" means actual or perceived sex and shall include a person's gender identity or expression; "Discrimination" means discrimination against any student by a student or students and/or an employee or employees on school property or at a school function including, but not limited to, discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex; and "Harassment" and "bullying" mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional, or physical well-being; or reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or 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.

Acts of harassment and bullying include, but are not limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. For the purposes of this definition the term "threats, intimidation, or abuse" shall include verbal and non-verbal actions.

"Cyberbullying" means harassment or bullying where such harassment or bullying occurs through any form of electronic communication.

"Material Incident of Harassment, Bullying, and/or Discrimination" means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying, and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, where such incident or incidents: create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property; and is or are the subject of a written or oral complaint to the superintendent, principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

The Brighton Central School District has developed a mission statement and a set of core values which identify the essential principles needed to ensure our students are afforded possible environment in which to develop their intellectual, ethical, social and potential. These values represent the community's expectations for student behavior and lifestyles. They are the basis for the Student Code of Conduct.

MISSION STATEMENT

The mission of the Brighton Central School District is to realize the high aspirations our community has for its children. We expect all students to achieve their full potential for social development, educational success, and lifelong learning. We are committed to equipping students with knowledge, values, and skills that will enrich their lives and enable them to become responsible, contributing citizens of a changing global community.

I. Definitions

For purposes of this Code of Conduct, the following definitions apply:

- "Bullying" and "harassment" mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that:

Has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional, or physical well-being; or

Reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or

Reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or

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.

Acts of harassment and bullying include, but are not limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. For the purposes of this definition the term "threats, intimidation, or abuse" shall include verbal and non-verbal actions.

- **Color** means the term that refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.
- **Cyberbullying** means harassment or bullying where such harassment or bullying occurs through any form of electronic communication. Cyberbullying involving District students may occur both on campus and off school grounds and can involve student use of the District Internet system or student use of personal digital devices while in school buildings, on school buses, on school property, and/or at school sponsored events/activities whether occurring on or off school campus, such as cell phones, digital cameras, and personal computers to engage in bullying. Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings (including blogs). Cyberbullying that occurs off-campus, that causes or threatens to cause a material or substantial disruption in the school, could allow school officials to apply the "Tinker standard" where a student's off-campus "speech" may be subject to formal discipline by school officials when it is determined that the off-campus speech did cause a substantial disruption or threat thereof within the school setting. Such conduct could also be subject to appropriate disciplinary action in accordance with the *District Code of Conduct* and possible referral to local law enforcement authorities.
- **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.

- ***Disruptive student*** means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.
- ***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 IX(B) of Article V 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.
- ***Ethnic Group*** means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.
- ***Gender*** means actual or perceived sex, and shall include a person's gender identity or expression.
- ***Harassment*** see above under bullying.
- ***Material Incident of Discrimination and Harassment*** means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying, and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, where such incident or incidents: create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property; and is or are the subject of a written or oral complaint to the superintendent, principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.
- ***National Origin*** means a person's country of birth or ancestor's country of birth.
- ***Parent*** means parent, guardian, or person in parental relation to a student.
- ***Race*** means a group of persons related by a common descent or heredity. The New York State Education Department reports aggregate racial and ethnic data to the US Department of Education in the following seven categories: (1) Hispanic/Latino; (2) American Indian or Alaskan Native; (3) Asian; (4) Black or African American; (5) Native Hawaiian or Other Pacific Islander; (6) White; or (7) Two or more races.

- **Religion** means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices; or a religious or spiritual belief of preference, regardless of whether this belief is represented by an organized group or affiliation with an organized group having specific religious or spiritual tenets.
- **Religious Practice** means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc. Determining whether a practice is religious is based not on the nature of the activity, but on the person's motivation. The determination of whether a practice is religious is a situational, case-by-case inquiry.
- **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.
- **School Function** means a school sponsored extracurricular event or activity.
- **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 or other District-provided transportation. "School property" may also include all property owned or leased by the District, and all property used by the District to conduct its programs, activities, sporting events or school functions (including those held at non-District schools).
- **Sex** means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)
- **Sexting** means sending, receiving, or forwarding of sexually suggestive nude or nearly nude photos through text messages, email or social media.
- **Sexual Orientation** means actual or perceived heterosexuality, homosexuality, or bisexuality.
- **Transgender** refers to individuals who identify their gender differently from what is transitionally associated with the sex assigned to them at birth. This includes people who have undergone medical procedures to change their sex and those that have not.
- **Violent student** means a student under the age of 21 who:
 1. Commits an act of violence upon a school employee, or attempts to do so
 2. Commits or attempts to commit, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function

3. Possesses a weapon while on school property or at a school function
 4. Displays, while on school property or at a school function, what appears to be a weapon
 5. Threatens, while on school property or at a school function, to use a weapon
 6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function
 7. Knowingly and intentionally damages or destroys school District property
- **Weapon** means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or bodily injury as defined in 18 USC 930(g)(2). For purposes of this Code of Conduct, weapons are the following items, including, but not limited to:
 1. A firearm is defined in 18 USC §921(a) for purposes of the Gun-Free Schools Act, as implemented by New York Education Law §3214 and New York Penal Law 265.01 as one that fires a projectile by the action of an explosive or any other gun, including, but not limited to a BB gun, pellet gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, paintball gun, stun gun, air gun, silencer, etc..
 2. Another “weapon” such as a chukka stick, billy club, blackjack, pilum ballistic knife, metal knuckle knife, cane sword, electronic dart gun, Kung Fu star, explosive or incendiary bomb, dagger, dirk, straight razor, stiletto, switchblade knife, gravity knife, or metal knuckles, a slingshot, pocket knife, Swiss Army knife, multi-purpose tool with blade, or other type of knife, box cutter, pepper spray or other noxious sprays.
 3. “Weapon” also means any other device, instrument, material, or substance that can cause physical injury or death-under the circumstances in which it is used, attempted to be used, or threatened to be used. This would also include matches or lighters when used, or attempted to be used, to injure another student.
 - **Weight** means aside from the obvious meaning in the physical sciences, the word is used in reference to a person's "size."

NOTE: Students may be disciplined for conduct that occurred outside of the school that may endanger the health or safety of pupils within the educational system or adversely affect the educative process.

II. Student Rights and Responsibilities

A. Student Rights

The District is committed to safeguarding the rights of all students under state and federal law. In addition, to promote a safe, healthy, orderly and civil school environment, all District students have the right to:

1. Participation in all district activities on an equal basis regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender or any other categories of individuals protected against discrimination by federal, state or local law.
2. Ongoing communication directly to them or through their parent from administrators, teachers and support staff regarding course objectives, grade level expectations, requirements and assignments, marking/grading procedures.
3. A copy of the school and classroom behavior expectations.
4. Ask questions when they do not understand (applies to content or directives).
5. Consider themselves representatives of the district when participating in or attending school sponsored extracurricular events.
6. A school community that is drug, tobacco, and alcohol free.
7. Walk in the hallways from one location to the next without fear or impediment.
8. Use of computers, software and the internet/intranet accounts with approval by staff/administration.
9. Redress from or grievances to appropriate school personnel.
10. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
11. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
12. Form clubs and social and political organizations consistent with school policies and regulation.
13. Student groups shall have access to school facilities as appropriate.

B. Student Responsibilities

All District students have the responsibility to maintain a safe and orderly school environment conducive to learning and respectful to all people and property.

School is a place where students learn that they are responsible for their actions. All District students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property
2. Use language that is appropriate for a school environment
3. Be familiar with and abide by all District policies, rules, and regulations dealing with student conduct
4. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn
5. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible; completing assignments as given
6. React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner
7. Adhere to the principles of academic honesty
8. Work to develop mechanisms to control their anger
9. Settling disagreements and conflict with respect and in a nonviolent manner with peer mediation, reflective listening and respectful communication, and refrain from the use of physical or verbal behaviors

10. Refrain from verbal, physical and/or sexual harassment
11. Refrain from any conduct that may constitute hazing
12. Refrain from any and all harassing/bullying/cyberbullying behaviors
13. Will not possess weapons on school property or at any school sponsored activities
14. Remaining drug, tobacco, and alcohol free
15. Respect acceptable use guidelines for district computer network
16. Ask questions when they do not understand and seek help in solving problems that might lead to discipline
17. Dress appropriately for school and school functions (refer to Section IV, Student Dress Code)
18. Accept responsibility for their actions
19. 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
20. Maintain a climate of mutual respect and dignity for all regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender or any other categories of individuals protected against discrimination by federal, state or local law.
21. Respond to incidents of harassment/bullying/discrimination by reporting to school personnel. If you see something, say something!

These responsibilities apply to all students from Kindergarten through Twelfth Grade. Naturally, however, the expectations we have of our youngest students will differ somewhat from those at the middle and high school levels. For this reason, Council Rock Primary School (CRPS) has developed age-appropriate expectations for the students in their school which are based upon the Core Values and the Student Responsibilities listed above. These are incorporated into this document as Appendix A. The CRPS Code of Conduct is also available online at www.bcsd.org under forms and documents for CRPS.

In addition, French Road Elementary School (FRES), Twelve Corners Middle School (TCMS), and Brighton High School (BHS) have building-specific and age appropriate disciplinary action plans. The French Road Elementary School Code of Conduct is incorporated into this document as Appendix B. The Twelve Corners Middle School Code of Conduct is incorporated into this document and can be found in the TCMS Student Planner, which is reviewed with students on the opening day of school and is also available on the district website at www.bcsd.org under TCMS forms and documents. The Brighton High School Code of Conduct, also incorporated into this document, is found in the BHS Parent/Student Handbook and reviewed with students at the beginning of the school year. The BHS Parent/Student Handbook is available online at www.bcsd.org under BHS forms and publications.

Written elementary and secondary summary Codes of Conduct are also shared with students in Kindergarten through grade 12. These summary Codes of Conduct are available online at www.bcsd.org on the Code of Conduct webpage.

III. ESSENTIAL PARTNERS

Parents, teachers, administrators, and all other District employees are essential partners in supporting student success and providing positive learning environments where students can achieve academically.

Schools in the district use positive behavioral supports to provide for a positive and productive learning environment and to teach/reinforce behaviors appropriate for school. Schools review data and site information to acknowledge positive behavior and provide interventions for inappropriate behaviors.

In order to best educate the students in Brighton Central School District, it is essential to have a partnership with and full participation of students, parents/guardians, teachers, support staff, administrators, the superintendent, and the board of education. This partnership is essential to provide a strong foundation for learning in school.

A. Parent Rights

Every parent has the right to assist their child in realizing their goal of academic and behavioral success within the school environment. These rights include (but are not limited to):

1. Participation in all district activities on an equal basis regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender or any other categories of individuals protected against discrimination by federal, state or local law.
2. Presentation to school personnel on behalf of their child, individual accounts and details of events in connection with the imposition of a consequence.
3. Ongoing communication directly to them or through their child from administrators, teachers and support staff regarding course objectives, grade level expectations, requirements and assignments, and an explanation of marking/grading procedures.
4. Excusing (in writing) their child as they deem necessary from attending classes due to illness, family emergency or obligations.
5. A school community that is drug, tobacco, and alcohol free.
6. Knowing that attending functions for the sake of supporting their child's school activities in assigned buildings will not be considered trespassing.

B. Parent Responsibilities

School is a place where parental involvement and support is essential for affecting change and achieving success for students. These responsibilities include (but are not limited to):

1. Recognizing that the education of their child(ren) is a joint responsibility of the parents/guardians and the school community
2. Sending their children to school ready to participate and learn

3. Ensuring their child attends school regularly and on time according to the school calendar.
4. Ensuring absences are excused by calling in their children's absences each day and sending in a written excuse the first day their child returns to school
5. Insisting their children be dressed and groomed in a manner consistent with the student dress code (refer to Section IV, Student Dress Code)
6. Reinforcing with their children the expectation that inappropriate language does not belong in a school setting
7. Helping their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment
8. Knowing school policies, regulations, and procedures and help their children understand their meaning and purpose
9. Conveying to their children a supportive attitude toward education and the District
10. Providing a place of study for their child and making certain homework assignments are completed to the best of the child's ability
11. Informing school officials of changes in the home situation that may affect their child's conduct or performance
12. Informing school officials of changes in home address, telephone and email addresses that affect ongoing communication with the district
13. Modeling positive behavior for students and school community
14. Teaching their children respect and dignity for themselves, and other students regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender or any other categories of individuals protected against discrimination by federal, state or local law.

C. Teachers and Support Staff Rights

All district teachers and support staff are expected to maintain a climate of mutual respect and dignity that will strengthen students' self-concept and promote confidence to learn.

Both teachers and support staff have a right to an orderly, respectful environment that is conducive to instruction in all areas of learning. All district teachers and support staff are expected to maintain a climate of mutual respect and dignity that will strengthen students' self-concept and promote confidence to learn. These rights include (but are not limited to):

1. Working in a climate of mutual respect and dignity for regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender or any other categories of individuals protected against discrimination by federal, state or local law.
2. Intervening with any action that endangers the health, welfare and safety of self or others.
3. Reporting to supervisors any behaviors or actions that threaten a respectfully safe educational learning environment within this school community.
4. Expecting the opportunity to teach to be without ongoing distracting or disrupting behaviors.

5. Requesting a student to temporarily leave the classroom to reduce the impact of an anxiety producing situation and/or give the student an opportunity to regain composure and self-control.
6. Assigning homework to support the instructional lessons.
7. Setting course objectives, grade expectations, requirements and assignments
8. Determining classroom behavior intervention plans
9. Ongoing training to enhance academic and management skills within the school community

D. Teacher and Support Staff Responsibilities

All educational staff has a responsibility to create an orderly and stimulating teaching and learning environment

Schools are where teaching and learning evolve and develop through mutual respect, conscientiousness and accountability. Responsibilities include (but are not limited to):

1. Maintain a climate of mutual respect and dignity for all regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender or any other categories of individuals protected against discrimination by federal, state or local law.
2. Define, supervise, teach model and support appropriate student behaviors to create positive school environments.
3. Arrive on time for homeroom, building meetings and classroom instruction.
4. Know and demonstrate through modeling and implementation school policies, regulations, and procedures and enforce them in a fair and consistent manner.
5. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
6. Maintain confidentiality in conformity with federal and state laws.
7. Participate in school wide efforts to provide adequate supervision in all school areas/spaces.
8. Communicating regularly and in an on-going manner with students, parents, administrators, and other teachers about student growth, achievement, behavior and/or concerns.
9. Model positive behavior for students and school community.
10. Communicate with students and parents:
 - Course objectives, grade level expectations, requirements and assignments
 - Marking/grading procedures
 - Classroom management/intervention plan
 - Expectations for students
11. Being prepared to teach and expand (their) professional knowledge in the areas of instruction and classroom management through specialized reading and participation in available trainings/professional development opportunities
12. Demonstrate interest in teaching, knowledge of current instructional methods, concern for student achievement.

13. Refer to appropriate personnel/leadership any academic or behavioral concerns or questions regarding any member of or happening within the school community.
14. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employees or any person who is on school property or at a school function.
15. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or the Dignity Act Coordinator in a timely manner.

E. School District Health, Mental Health Personnel (Psychologists, Social Workers, School Counselors, School Nurse-Teachers, etc.) Rights

All District Health and Mental Health personnel are expected to maintain a climate of mutual respect and dignity that will strengthen students' self-concept and promote confidence to learn.

District Health, Mental Health personnel have a right to an orderly, respectful environment that is conducive to all areas of social, physical, and emotional learning and growth. These rights include (but are not limited to):

1. Working in a climate of mutual respect and dignity for regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender or any other categories of individuals protected against discrimination by federal, state or local law.
2. Intervening with any action that endangers the health, welfare and safety of self or others.
3. Reporting to supervisors any behaviors or actions that threaten a respectfully safe educational learning environment within this school community.
4. Expecting the opportunity to work with students without ongoing distracting or disrupting behaviors.
5. Setting course objectives, grade expectations, requirements and assignments
6. Determining behavior intervention plans
7. Ongoing training to enhance academic and management skills

F. School District Health, Mental Health Personnel (Psychologists, Social Workers, School Counselors, School Nurse-Teachers, etc.) Responsibilities

All personnel have a responsibility to create an orderly and stimulating teaching and learning environment.

Schools are where teaching and learning evolve and develop through mutual respect, conscientiousness and accountability. Responsibilities include (but are not limited 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, sex, sexual orientation, gender or any other categories of individuals protected against discrimination by federal state or local law.

2. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
3. Initiate conferences with the primary stake holders, as necessary and appropriate, as a way to resolve problems.
4. Encourage parents and students to benefit from the curriculum and extracurricular programs.
5. Regularly review with students their educational progress and career plans.
6. Provide information to assist students with career planning.
7. Maintain confidentiality in accordance with federal and state law.
8. Make known to students and families the resources in the community that are available to meet their needs.
9. Participate in school-wide efforts to provide adequate supervision in all school areas/spaces.
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.
12. Know school policies, regulations, and procedures and enforce them in a fair and consistent manner.
13. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or the Dignity Act Coordinator in a timely manner.
14. Confront issues of discrimination, harassment and bullying in any situation that threatens the emotional or physical health or safety of any students, school employees or any person who is on school property or at a school function.

G. Principals' and Building Administrators' Rights

As leaders of school buildings, all district principals and administrators are expected to bring groups of people together, creating a common vision convincing, encouraging, motivating and modeling the best practices of all who are part of the Brighton Central School District community.

School is a place where principals are educators, role models, friends and visionary leaders who have the right to an orderly, respectful environment that is conducive to leadership instruction in all areas of learning. These rights include (but are not limited to):

1. A workplace of mutual respect and dignity for all regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender or any other categories of individuals protected against discrimination by federal state or local law.
2. Evaluation on a regular basis of all instructional programs.
3. Enforcing the Code of Conduct on a case by case basis which takes into account:
 - Student's age.
 - Nature of the misbehavior and the circumstances surrounding it.

- Student's self-defeating pattern of behavior.
 - Effectiveness of previously tried intervention strategies.
 - Information from parents, teachers and /or others as appropriate.
 - Impact of a disability or suspected disability on patterns of behavior.
 - Other variables and/or circumstances that would assist in or influence a fair decision process.
4. Creating and developing standards that address circumstances that may not be covered by the Code of Conduct.
 5. Removing from school for the balance of an instructional day or longer any student who threatens the philosophy and practices of this school community.
 6. Referring a student to the appropriate Team for review, counseling, and/or intervention by appropriate staff.
 7. Putting into action detention and in or out-of-school suspension as indicated to change behavior, set example of consequences, and for the physical and psychological safety of all members of the school community.
 8. Referring students with extensive, consistently warranted documentation, and need, to the district Committee on Special Education.
 9. Recommending students with extensive, consistently warranted documentation, and need, for alternative educational placement in programs either in or out of the district.

H. Principals' and Building Administrators' Responsibilities

All educational leaders have a responsibility to create an orderly, safe environment where all members of the school community can depend on them to promote success, accommodate differences and motivate teaching and learning.

School is a place where leadership thrives through the development of mutual respect, conscientiousness and accountability. Responsibilities include (but are not limited 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, sex, sexual orientation, gender or any other categories of individuals protected against discrimination by federal, state or local law.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal/administrators, and have access to the principal/administrators for redress of grievances.
3. Maintain confidentiality in accordance with federal and state law.
4. Evaluate on a regular basis all instructional programs to ensure infusion of civility education in the curriculum.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Provide support in the development of the Code of Conduct, when called upon.
7. Disseminate the Code of Conduct and anti-harassment policies.
8. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
9. Participate in school-wide efforts to provide adequate supervision in all school spaces.

10. Address issues of discrimination, harassment and bullying 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. Set the expectation for all students and staff that inappropriate language and/or dress will not be tolerated in school.
13. Know school policies, regulations, and procedures, and enforce them in a fair and consistent manner.
14. Give feedback to staff that contains knowledge of results for improvement and/or continuation of effective instructional approaches both academically and behaviorally.
15. Respond swiftly, fairly and efficiently to acts of any kind that threaten the safety and wellbeing of students, staff, administration or any immediate member of the school community or their property.
16. Delegate assignments to staff to encourage growth and leadership development within a building.
17. Accommodate differences among staff and students (fair versus same) allowing for variations in style, approach, output and final performance.
18. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employees or any person who is on school property or at a school function.
19. Follow up on any incidents of discrimination, harassment and bullying that are witnessed or otherwise brought to a Principal's or Building Administrator's attention in a timely manner in collaboration with the Dignity Act Coordinator.

I. Superintendent's Rights

As the leader of the school district, the superintendent is expected to bring groups of people together, creating a common vision convincing, encouraging, motivating and modeling the best practices of all who are part of the Brighton Central School District community.

School is a place where safety, order and a stimulating teaching and learning environment are the right of all. To fulfill this expectation the Superintendent's Rights include (but are not limited to):

1. Reviewing with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
2. Creating instructional programs that through research and practice can minimize problems of misconduct and are sensitive to student and teacher needs.

J. Superintendent's Responsibilities

All educational leaders have a responsibility to create an orderly, safe, environment free from intimidation, discrimination, and harassment, where all members of the school

community can depend on them to promote success, accommodate differences, and motivate solid leadership, instruction and learning.

School is a place where leadership thrives through the development of mutual respect, conscientiousness and accountability. Responsibilities include (but are not limited 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, sex, sexual orientation, gender or any other categories of individuals protected against discrimination by federal, state, or local law.
2. Review with district administrators the policies, regulations and procedures of the Board of Education and state and federal laws relating to school operations and management.
3. Maintain confidentiality in accordance with federal and state law.
4. Inform the Board about educational trends relating to student discipline.
5. Work to create instructional programs that minimize incidence of misconduct and are sensitive to student and teacher needs.
6. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
7. Participate in school-wide efforts to provide adequate supervision in all school areas/spaces.
8. Working with district administrators in putting into effect the Code of Conduct and ensuring that all cases are resolved as quickly as possible in a fair and equitable manner.
9. 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.
10. Address personal biases that may prevent equal treatment of all students and staff.
11. Working collaboratively with the Brighton Police Department or other appropriate law enforcement or social agencies when necessary based on the totality of circumstances
12. Model positive behavior for students and school community.

K. Board of Education Rights

As governing leadership of the school community, the Board of Education for the Brighton Central School District is expected to establish the foundation for a common mission and vision for the best practices of the Brighton school community.

School is a place where safety, order and a stimulating teaching and learning environment are the right of all. To fulfill this expectation the Board of Education rights include (but are not limited to):

1. Adopting and reviewing at least annually the district's Code of Conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
2. Adopting and reviewing all district policies.

L. Board of Education Responsibilities

School is a place where leadership thrives through the development of mutual respect, conscientiousness and accountability. Responsibilities include (but are not limited 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, sex, sexual orientation, gender or any other categories of individuals protected against discrimination by federal, state, or local law.
2. Maintain confidentiality in accordance with federal and state law.
3. Develop and recommend a budget that provides programs and activities that support achievement of the goals of the code of conduct, and the district mission and vision.
4. Collaborate with student, teacher, administrator, parent organizations, school safety personnel, and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, district personnel, and visitors on school property and at school functions.
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. Lead by example by conducting Board meetings in a professional, respectful, and courteous manner.
7. 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.
8. Address personal biases that may prevent equal treatment of all students and staff.
9. Model positive behavior for students and the school community.
10. Appoint a Dignity Act Coordinator in each school. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender and/or any other categories of individuals protected against discrimination by federal, state or local law.

M. All Other School Personnel Rights

All school personnel are expected to maintain a climate of mutual respect and dignity.

All personnel have a right to an orderly, respectful environment.

All district personnel have the responsibility to promote and create an orderly and stimulating environment suitable for student learning.

Schools are where teaching and learning evolve and develop through mutual respect, conscientiousness and accountability. Responsibilities include (but are not limited 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, sex, sexual orientation, gender or any other categories of individuals protected against discrimination by federal, state, or local law.
2. Maintain confidentiality in accordance with federal and state law.
3. Be familiar with the Code of Conduct and district policies, regulations and procedures.
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 areas/spaces.
6. Address issues of discrimination, harassment and bullying 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.

IV. Student Dress Code

The purpose of a dress code is to reinforce the District's mission of lifelong learners and student attire should be a reflection of an atmosphere of mutual respect and not a distraction to the learning environment. Dress code expectations are intended to promote an emotionally safe environment for all students. This code is applicable at all district schools, facilities, and grade levels. Following the dress code is not optional.

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting. Please note that the student dress code may be building-specific, therefore, students must be familiar with their school building code of conduct.

A student's dress, grooming and appearance shall:

- A.** Be safe, appropriate, not disrupt or interfere with the educational process or infringe on the rights of others. *Examples of unacceptable dress may include but are not limited to:*
 1. Extremely brief or revealing garments such as tube tops and half shirts;
 2. Clothing that allows any undergarments (underwear/bra) or bare midriffs to be exposed;
 3. Underwear should be covered by outer clothing

4. See through garments;
 5. Skirts or shorts that are shorter in length than at or below the fingertips when arms are fully extended at side with shoulders relaxed;
 6. Items of clothing with sexual references or innuendos;
 7. Clothing attachments or accessories that could be considered weapons (e.g. long chains).
- B.** Include footwear at all times. Footwear that is a safety hazard will not be allowed. This includes the prohibition against wearing “heelies” and other types of roller equipped footwear UNLESS such footwear is being worn exclusively for special events (FRES Rollerskating, Spirit Days, etc.)/clubs.
- C.** The wearing of hats will be left to the discretion of the building administrators.
- D.** Clothing, jewelry, clothing attachments cannot include items that are vulgar, obscene, libelous or denigrate others on account of actual or perceived race, color, religion, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or age. Clothing containing lewd, vulgar or demeaning sexual references or innuendos is prohibited.
- E.** Clothing, jewelry, clothing attachments cannot promote and/or endorse the use of alcohol, tobacco or illegal drugs, and/or encourage other illegal or violent activities.
- F.** Not include any dress or clothing that a school principal has designated as a gang or group identity that may become disruptive, is negative, or intimidating.
- G.** Electronic devices such as headsets, CD players, Ipods/MP3, and Bluetooth may be worn in the school buildings only as proscribed by the specific rules designated for each school building, and/or at the discretion of each principal; or by a teacher for instructional purposes.

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

Staff is expected to question student dress when necessary and ask the student to report to their grade level Assistant Principal or other designated administrative staff member as needed. Parents will be contacted to help ascertain the appropriate corrective action necessary.

Students in violation of the dress code shall be asked to modify their appearance by covering or removing the offending item or replace it with an acceptable item. If needed, the parent or guardian will be required to provide appropriate clothing. Any student who refuses to modify

their appearance shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out-of-school suspension.

V. PROHIBITED STUDENT CONDUCT

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

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 on school property or engaged in a school function specific and clear. Any behavior which is prohibited under the Code of Conduct is also prohibited when performed using computers, the Internet, cell phones, telephones or other communications media when the communication originates or ends on District property or at any school function (for example, use of a cell phone to announce the time or location of a fight). The Code of Conduct also applies when the act/behavior disrupts or interferes with the educational process or poses a threat to the safety of any person lawfully on District property or at a school function as determined by District personnel.

With regard to weapons, in particular, it is the intention of the Board through this Code of Conduct to emphasize to students that the mere possession of weapons is inherently dangerous to everyone in the school environment and, therefore weapons must not be brought onto school property, or if discovered they must be turned into the school office immediately.

Use of Surveillance Cameras

While the Board of Education recognizes the importance of privacy, it has authorized the use of surveillance cameras on District property including in school buildings, school facilities, as well as on school buses, when necessary. These surveillance cameras will help to assist the Board in maintaining the overall safety and welfare of the District's students, staff, property, and visitors, as well as to deter theft, violence, and other criminal activities. Video recordings or footage from District surveillance cameras may be used in student or employee disciplinary proceedings, as appropriate.

Further, surveillance cameras will only be placed in public or common areas, such as stairwells, hallways, cafeterias, parking lots, or playgrounds, and not in private areas such as locker rooms, bathrooms, or other areas in which individuals have a reasonable expectation of privacy. Audio recordings will not be utilized by the District officials, however, this prohibition may not preclude the use of audio recordings by law enforcement officials in accordance with their official duties or as otherwise authorized by law.

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.

The type and extent of disciplinary action for violations of the code of conduct shall be determined by the building administration or Superintendent. Disciplinary measures shall be appropriate to the seriousness of the offense and/or applicable to the previous disciplinary record of the student.

Students may be subject to disciplinary action, up to and including suspension from school, when they:

A. Engage in conduct that is disorderly – Examples of disorderly conduct include, but are not limited to:

1. Running in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar or abusive

It is expected that all students will use language and gestures appropriate to the school/campus setting at all times. ***ANY PROFANITY DIRECTED AT A STAFF PERSON WILL RESULT IN A SUSPENSION.**

4. Obstructing vehicular or pedestrian traffic on district property.
5. Engaging in any willful act which disrupts the normal operation of the school community including those acts as defined in the New York State Penal law on Disorderly Conduct.
6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
7. Minor Altercations. Students will also refrain from engaging in any form of minor altercation, which is defined as striking, shoving, or kicking another person or subjecting another person to unwanted physical contact with intent to harass, alarm or seriously annoy another person, but no physical injury results.
8. 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.
9. Use of a skateboard on school property.
10. Use of pagers or cellular phones during instructional time. These devices must be off and out of sight unless authorized by school personnel. No cell phones or other electronic devices are allowed in exam rooms. As per the NYS Education Department Office of State Assessment guidelines, students cannot have any communication devices with them during exams or during breaks from exams such as restroom breaks. Prohibited devices include: Cell phones, Blackberry devices and other PDAs, iPods and MP3 players, iPads, tablets, and other eReaders, Laptops, notebooks, or any other personal computing devices, Cameras or other photographic equipment, Headphones, headsets, or in-ear headphones such as earbuds, and any other device capable of

recording audio, photographic or video content, or capable of viewing or playing back such content.

B. Engage in conduct that is insubordinate

1. Failing to comply with the lawful and reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect; failing to comply with rules or district policies; failing to comply with initial consequences for behavioral consequences.
2. Lateness for, missing or leaving school without permission.
 - Tardiness: it is expected that all students will arrive on time for all assigned classes. Students will be informed by their teachers of their tardy policy at the beginning of the school year.
 - Leaving school grounds: Brighton Central Schools operates an open campus policy during limited periods for high school students only. With the exception of students permitted to leave campus during open campus, all other students are expected to remain on school grounds from the time they arrive until legally dismissed or unless permission has been obtained through the attendance office indicating an early dismissal.
3. Skipping classes or detention – multiple tardiness or absences will result in parent conference and/or in/out of school suspension.
4. Truancy

It is expected that students will attend school on all scheduled school days unless they are legally excused by a call and/or note from a parent indicating an awareness of the student's absence. All incidents of truancy will be handled in accordance with the attendance policy District 7110 and Regulation 7110R.1.

C. Engage in conduct that is disruptive.

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

1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
2. Inappropriate public sexual contact.
3. Display or use of personal electronic devices, such as, but not limited to, cell phones, I-pods, digital cameras, in a manner that is in violation of District policy (**except as noted below**).

Radios, Pagers, Cell Phones, & Other Electronic Equipment Radios (walkman, iPods, headsets, boom boxes, MP3 players, etc.), pagers, DVD players, video game systems (Game Boy, PSP®, etc.) and other sound and/or recording equipment used in the general setting of the school are often considered disruptive to the learning process. Such

equipment is only permitted in school buildings in accordance with the specific building Code of Conduct. Otherwise, the electronic equipment will be confiscated and held at school until it is picked up by a parent/guardian.

The production, possession, transmission and/or distribution, by any means, or text material including but not limited to sexually suggestive images, nude or partially nude images, or sexually explicit text in any media is strictly prohibited. Any student receiving such images is required to immediately report to a building administrator. Students may be subject to all district forms of discipline, including police involvement/ arrest. Any student communication to or from home will be handled through the main office. The appropriate assistant principal's office or school's main office may also be contacted. Students will be located as soon as possible for a response.

Students at the high school level are permitted to use their cell phones (*and text messaging features*) and personal music devices (*iPods, MP3s*) during non-instructional times of the day. Non-instructional time refers to passing times and other settings as deemed appropriate by the high school administrators. These devices are to be turned off during scheduled classes, homeroom, study hall, assemblies, or any time students are in a classroom or other instructional setting unless authorized by school personnel.

Students at Twelve Corners Middle School are expected to keep their cell phones in their lockers. Usage during classes or in the halls is prohibited. A phone is located in the main office for students to use. Students may also use a classroom phone at the end of day as needed.

Students who inappropriately utilize a cell phone or personal music device may have their use restricted further, as determined by the administrative team. Other electronic devices, such as DVD players, video gaming systems, boom boxes, etc. are prohibited at all times during the school day, and as such, a student found to be using such a device will face disciplinary action.

Students found using cell phones and/or personal music devices during times when they are prohibited, will have their device confiscated. In the event that a student's device has been confiscated by a staff member, (the device will be given to the assigned assistant principal), the student will not be permitted to pick up the device until the parent has contacted their student's assistant principal's office, but no earlier than the end of the school day. Please note that there may be situations where it is impossible for the assistant principal's office to get the device back to the student on that day. If a second incident occurs, the parent must contact the assistant principal's office to schedule a time to pick up the device. Any additional incidents will be considered "ignoring the directive of a school official" and will be treated as insubordination and appropriate disciplinary action will be taken.

*** During emergency situations, it is imperative that we are able to effectively communicate with students; therefore, students are not permitted to use electronic devices during emergency situations.**

**The Brighton Central School District is not responsible for damage, missing or loss of personal property. Nor is the district responsible for locating personal property that has allegedly been stolen or missing.*

D. Engage in conduct that is violent.

Examples of violent conduct include each of the acts summarized in the *Violent and Disruptive Incident Report (VADIR)* published by the New York State Education Department. Other examples include but are not limited to the following:

1. Committing an act of violence (such as hitting, kicking, punching, or scratching) upon a teacher, administrator or other school employee or attempting to do so.
2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. Intentionally damaging or destroying school District property.
4. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function (see Policies 3411 and 7360).
5. Displaying what appears to be a weapon (see Policies 3411 and 7360).
6. Threatening to use any weapon (see Policies 3411 and 7360).
7. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
8. Threatening bodily harm to staff or students. A threat exists whenever a reasonable person would interpret the statement as a serious expression of intent to harm.

Policy 3411 – WEAPONS ON SCHOOL GROUNDS

With the exception of law enforcement officers, as permitted by law, and individuals who have the express written permission of the Board of Education or its designee, no person may have in his/her possession any weapon on school grounds, in any District building, on a school bus or District vehicle, or at any school-sponsored activity or setting under the control and supervision of the District. This prohibition shall include, but not be limited to: any of the objects or instruments referred to in Section 265.01 of the New York State Penal Law; any air-gun, spring-gun or other instrument or weapon in which the propelling force is a spring, air, piston or CO2 cartridge; and any object that could be considered a reasonable facsimile of a weapon.

Policy 7360 - WEAPONS IN SCHOOL AND THE GUN-FREE SCHOOLS ACT

With the exception of those students who receive prior written permission from the Board of Education or its designee, no student may bring in or possess any "firearm" or "weapon" on school property, on a school bus or District vehicle, in school buildings, or at school sponsored activities or settings under the control or supervision of the District regardless of location. Any student who has been found guilty of bringing in or possessing a firearm or weapon in violation

of this policy will be disciplined in a manner consistent with State and Federal law and the District's Code of Conduct. Such discipline may include a mandatory suspension for a period of not less than one (1) calendar year for a student who is determined to have violated the Federal Gun-Free Schools Act and its implementing provisions in the New York State Education Law, provided that the Superintendent may modify the suspension requirement on a case-by-case basis.

Students who have brought a "weapon" or "firearm" to school will be referred by the Superintendent to either a presentment agency (the agency or authority responsible for presenting a juvenile delinquency proceeding) or to appropriate law enforcement officials. Such referrals will be made as follows: a student who is under the age of sixteen (16) and who is not a fourteen (14) or fifteen (15) year-old who qualifies for juvenile offender status under the Criminal Procedure Law will be referred to a presentment agency for juvenile delinquency proceedings; a student who is sixteen (16) years old or older, or who is fourteen (14) or fifteen (15) and qualifies for juvenile offender status, will be referred to the appropriate law enforcement authorities.

For the purposes of this policy, the term "weapon" will be as defined in 18 USC 930(g)(2).

For the purposes of this policy, the term "firearm" will be as defined in 18 USC 921(a).

Students with disabilities continue to be entitled to all rights enumerated in the Individuals with Disabilities Act and Education Law Article 89. This policy shall not be deemed to authorize suspension of students with disabilities in violation of those authorities.

This policy does not diminish the authority of the Board of Education to offer courses in instruction in the safe use of firearms pursuant to Education Law Section 809-a.

E. Engage in any conduct that endangers the safety, physical or mental, health or welfare of others. Examples of such conduct include, but are not limited to:

1. Misrepresenting one's self to school personnel by lying, forging or giving false identification.
2. 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.
3. Stealing or attempting to steal the property of another student's, school personnel, or any other person lawfully on school property or attending a school function.
4. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
5. Discrimination, which includes the use of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender, sexual orientation, or disability to deny rights, equitable treatment, access to facilities available to others or as a basis for treating another in a negative manner.

6. Harassment" and "bullying," which means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional, or physical well-being; or reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or 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.

Acts of harassment and bullying include, but are not limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. For the purposes of this definition the term "threats, intimidation, or abuse" shall include verbal and non-verbal actions.

7. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm. This includes bomb threats of any nature.
8. Hazing, this includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
9. Cyberbullying or harassment or bullying through any form of electronic communication.
10. Selling, using, distributing or possessing obscene material.
11. Possessing, consuming, selling, distributing or exchanging alcoholic beverages, drug paraphernalia, or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cannabimimetic agents, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs," and the unauthorized use or misuse of prescription and over-the-counter drugs, vitamins, supplements, herbs, or other similar substances is also prohibited.
12. Smoking or possessing any smoking paraphernalia or nicotine dispensing device, including tobacco products defined as one or more cigarettes or cigars, bidis, chewing tobacco, powdered tobacco, nicotine water or any other tobacco products; vaping which includes the use of E-cigarettes, which means an electronic device delivering vapor inhaled by an individual user, and includes any refill, cartridge, and any other component of such a device. (Policy 5640).
13. Using vulgar or abusive language, cursing or swearing.
14. Inappropriately using or sharing prescription and over-the counter drugs.
15. Gambling.
16. Indecent exposure, that is, exposure of the private parts of the body.
17. Sexual Harassment, all unwelcome behavior of a sexual nature which may impose a requirement of sexual cooperation, or which may have the purpose or effect of creating an intimidating, hostile, or offensive learning environment. Sexual harassment may include, but is not limited to, the following:
 - Verbal harassment or abuse.
 - Pressure for sexual activity.
 - Repeated remarks to a person, with sexual or demeaning implications.

- Unwelcome touching, leering, flirtations or propositions.
 - Graphic verbal comments or intrusive sexual conversation or questioning.
 - Sexual jokes stories, drawings, pictures or gestures.
 - Spreading sexual rumors.
19. Encouraging others to fight as well as failing to follow directives to disperse in the event of a fight.
18. Possession of a laser pointer.
19. Driving in an unsafe manner on school/district property.
20. Misuse of Computer Hardware/Software (See also Acceptable Use Policy #7315).
The Brighton Board of Education prohibits the use of any computer hardware/software in any inappropriate, fraudulent, or destructive manner.
Examples of misuse include, but are not limited to:
- sending out unauthorized messages.
 - entering a code protected file.
 - unauthorized entry into a computer file or program.
 - altering of a software program.
 - vandalizing hardware or software components.
 - visiting inappropriate sites on the Internet.
21. E-mail and Internet Use.
The Brighton Central School District provides access to the Internet and District e-mail for authorized instructional, business, and administrative purposes only. Personal privacy in the use of the district Internet is not guaranteed. The District has the right to examine any personal electronic files to assure that the District Internet facilities and connections are being used only for authorized purposes.
22. Bomb Threats.
The reporting of a false bomb threat, as well as falsely reporting an incident of explosion, fire, or the release of a hazardous substance, is a Class E felony. Any individual(s), if convicted of falsely reporting a bomb threat, could face felony criminal prosecution, as well as a one year suspension of their driver's license. Persons may face youthful offender or juvenile delinquency adjudication. Any bomb threat or falsely reporting an incident unrelated to school grounds is a Class A misdemeanor. Restitution of up to \$10,000 may be paid to municipalities, fire districts, and any other emergency service providers for costs associated with their response to a bomb threat on school grounds.
23. False Fire Alarms/Tampering With Safety and/or Security Devices. It is expected that students will never report or pull a fire alarm without cause. Students will also not touch or in any way tamper with the AED devices or safety and security devices, including surveillance cameras. Any false reporting to 911 or any other emergency responder or school personnel, or tampering with safety and/or security devices is prohibited and subject to disciplinary action, including referral to the Brighton Police Department. These actions are a danger to the health and safety of all members of the community including the emergency responders who respond to the call.

F. Engage in misconduct while on a school bus.

The Brighton Central School District maintains and operates an extensive transportation system for the purpose of bringing students to and from school safely and on time. Since riding school transportation is an extension of the school day, all student Codes of Conduct are in

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

Student/parent cooperation is necessary to ensure the safety of all passengers during transit. Any misbehavior on the bus may be a danger to the health and safety of others. Listed below are possible actions that may be taken by the Principal and/or the Director of Transportation.

1. Radio contact by the bus driver: The bus driver will radio the dispatcher in the event of immediate need of assistance.
2. Written conduct report: The bus driver will make a written report and turn it in to the Transportation Department office. The head driver or director will evaluate the incident and forward the report to the appropriate administrator or principal. The Principal will decide if any further action is to be taken. Repeated conduct reports may lead to suspension of busing services from one to five days. During that time, the parents will be responsible for the transport of their child.

Call the Transportation Dept. @ 242-5200 ext. 5092 with concerns/questions.

The Board of Education recognizes its responsibility to maintain and improve discipline and ensure the safety and welfare of its staff and students on school transportation vehicles.

Surveillance cameras/Bus Monitors may be used to monitor student behavior on school vehicles transporting students to and from school or extra-curricular activities. Video recordings shall be used primarily for the purpose of evidence of disciplining of students. However, the District may use such recordings for any other purpose it deems appropriate.

Students in violation of bus conduct rules shall be subject to disciplinary action in accordance with established board policy and regulation governing student conduct and discipline.

G. Engage in any form of academic misconduct.

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

1. Plagiarism is the use or close imitation of the language and ideas of another author and representation of them as one's own original work. This includes copying from electronic sources (from the World Wide Web), even with minor alterations. Lack of intent does not necessarily cancel or excuse the act.
2. Cheating.
3. Copying.
4. Altering records (e.g. forgery).
5. Assisting another student in any of the above actions.

Note: Violation of Regents exams (See also Section V(A)(11)) is subject to New York State Education Law.

H. Engage in off-campus misconduct that interferes with, or can reasonably be expected to substantially disrupt the educational process in the school or at a school function.

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

1. Cyberbullying (i.e., inflicting willful and repeated harm through the use of electronic communication). Examples include, but are not limited to:
 - a. Bullying/harassment of a person or persons through electronic/digital means/devices such as cell phones, text messaging, instant messaging, online forums, online blogs or web logs, websites, and/or other online, digital, or electronic social networking means, etc. such that the bullying or harassment to one or more others negatively impacts or endangers the personal behaviors, practices, outlooks, emotional wellbeing, in-school performance or activities, etc. of those persons and/or others within or on school premises. (This can include posting or publishing video, audio recordings or pictures [written material, cell phones, Internet, You Tube, etc.]
 - b. Denigration of another person either within/on/proximate to school premises through the use of electronic/digital means/devices, as referenced in #1, such that the denigration to one or more others negatively impacts or endangers the personal behaviors, practices, outlooks, emotional wellbeing, in-school performance or activities, etc. of those persons and/or others within or on school premises.
 - c. Cyber stalking of another person within/on/proximate to school premises through the use of electronic/digital means/devices, as referenced in #1, such that the cyber stalking of one or more others negatively impacts or endangers the personal behaviors, practices, outlooks, emotional wellbeing, in-school performance or activities, etc. of those persons and/or others within or on school premises.
 - d. Masquerading or pretending or assuming the identity of another person through the use of electronic/digital means/devices, as referenced in #1, such that the masquerading or pretending or assumption of another's identity negatively impacts or endangers the personal behaviors, practices, outlooks, emotional wellbeing, in-school performance or activities, etc. of the person or persons whose identity has been assumed and/or others within or on school premises.
 - e. Trickery, which involves the use of subversive means to obtain information about another person or persons through the use of electronic/digital means/devices, as referenced in #1 and then publishing that information or making it publicly available through digital, electronic, or online means such that the outing and trickery and digital or online publishing of illicitly obtained information about another person or persons negatively impacts or endangers the personal behaviors, practices, outlooks, emotional wellbeing, in-school performance or activities, etc. of those persons and/or others within or on school premises.
 - f. Counterfeiting, which involves the intentional and/or illicit changing or modification of one or more persons original online, digital, or other content and then publishing the changed or modified content or making it publicly available through digital, electronic, or online means such that the counterfeiting and digital or online publishing of illicitly changed or modified content negatively impacts or endangers the personal behaviors, practices, outlooks, emotional wellbeing, in-school performance or activities, etc. of those persons and/or others within or on school premises.

2. Threatening or harassing students or school personnel over the phone or other electronic medium.

VI. ATHLETIC/CO -CURRICULAR CODE OF CONDUCT

A. Academic Ineligibility

This section is applicable to high school students participating in sports, VPA performances and co-curricular clubs; and middle school students playing a sport at the high school level.

1. One Failure (Participation):

Student may compete/participate/practice while on watch list for 3 weeks, or until next report card/progress report, whichever comes first. Written notification is sent to parent/guardian. The coach/advisor/director meets with the student. Student must complete run-around sheet and submit to coach/advisor/director

2. Two Failures (Limited Participation):

Student is on notice for 2 weeks. Student may participate/practice, but not compete or perform. Written notification is sent to parent/guardian. The coach/advisor/director meets with the student. Student must complete run-around sheet and submit to coach/advisor/director. *Student must be passing **all** courses in order to return to full participation.*

Consequence for non-compliance (meaning grades for a minimum of one course have not been brought up to passing): Student moves to non-participation (no competition/participation/practice/performance) for an *additional 5 weeks*. All requirements apply. Letter to parent, meeting with student, coach/director/advisor follow-up expected.

3. Three Failures (Nonparticipation):

No competition/participation/practice for 5 weeks. After 5 weeks student must be passing all classes. Academic support options (help rooms assigned, after school study hall assigned, meeting with the classroom teacher before/after school and during office hours) will be accessed. Letter to parent, meeting with student, coach/director/advisor follow-up expected.

Attendance Policy

All students are expected to attend a full day of school. In order to practice, compete, rehearse or perform, a student must be in school for a full school day. This includes

homeroom. Conversely, if a student chooses not to attend school, or is frequently tardy, he/she will not be able to practice, compete, rehearse or perform. Occasionally, unforeseen circumstances may prevail which will be documented and addressed by the coach, advisor, Athletic Director, VPA Director or Assistant Principal overseeing clubs/activities. Daily attendance sheets will be checked by individual coaches or advisors.

Practices, Rehearsals or Performances

Every student is expected to participate for a complete sports or performance season. All teams and casts need a full squad or cast for practice and rehearsals. The student/athlete must make all practice sessions, rehearsals, performances, and athletic contests. There may be practices, contests, rehearsals, or performances on Saturdays, holidays and over school vacations.

For athletics, if an athlete elects to leave one sport during a season to start another, the move must be approved by the Athletic Director. Practices only count for a specific sport. An athlete, who quits a team before the season has been completed, may not practice or be involved with informal workouts with another out of season school team.

Behavioral Expectations for Athletes and Student Participants in Co-Curricular Activities

Students/athletes are representatives of the Brighton Community. The behavior they demonstrate is a direct reflection upon their school. His/her conduct on and off the field of play or stage, etc. can result in either positive or negative consequences. It is the expectation that all athletes and students exemplify good citizenship at all times both in and out of school. An athlete and student failing to do so may be suspended from interscholastic sports or activity. An athlete or student serving an in or out of school suspension will not be allowed to practice or participate with their team or group during the suspension. Frequent suspensions may result in an athlete or student being removed from the team or group permanently. The competitive edge common to all athletes and groups needs to be kept under control. Individuals who willfully use inappropriate behavior will receive a "one-game" suspension. The following behaviors are a sampling of activities that would warrant such a response: inappropriate language or actions, head butting, stick swinging, taunting or hazing (classmates, other teammates or the opposing team), disrespect to officials or directors, throwing of equipment, spitting, inappropriate behavior in school or on the bus, such as violations of the Parent Student Code of Conduct and/or the District Code of Conduct. If a suspension occurs, the parent(s)/guardian will be notified. Suspension means the athlete or student may not participate with the team or group in practice, recitals, or games while the suspension is in force. He/she may, however, attend games and practices as a spectator.

B. Athletic/Co-Curricular Behavioral Expectations - Substance Abuse Policy (former "Training Rules")

The behavioral expectations will be in effect from the beginning of the student's participation in athletic and/or co-curricular activities through the student's high school graduation. We expect that participants in athletic and co-curricular activities make healthy and responsible choices both during the school day as well as outside of school. As leaders in the school community, we also expect that participants in athletic and co-curricular activities adhere to behavioral expectations year-round.

If a student attends a party where alcohol or drugs are present, the student must leave the party within a reasonable amount of time of learning that alcohol or drugs are present. A reasonable amount of time is defined as 15 minutes. We expect students to exercise good judgment to ensure the safety of themselves and others. If a dangerous situation exists, the student should contact a parent/coach/advisor/administrator immediately for assistance. Students are encouraged to contact a coach or administrator to establish their role in connection with the event. If such an event occurs during the summer or off-season the student should contact Athletic Director Nate Merritt (242-5200 ext. 5070), Director of VPA, Mike Liener (242-5200 ext. 5047), or their Assistance Principal. The purpose of the call is to protect students who have made the right choice from future allegations regarding the specific event.

C. Code of Conduct Actions:

1. First Offense (Suspension):

The student will be suspended 25% of his/her regular scheduled events as stated at the beginning of the season.

Example- 16 scheduled games-25%= 4.

- Athletic Director/Director for VPA/BHS Assistant Principal gives written notification to parent/guardian, counselor and coach/director/advisor
- Student meets with Athletic Director/ VPA Director/BHS Assistant Principal
- Automatic Brighton Support Team (BST)*Referral to establish an educational/counseling component of the consequence.

2. Second Offense (Suspension):

A second violation of these training rules will result in the suspension of the student for 50% of scheduled events.

- Athletic Director/Director for VPA/BHS Assistant Principal gives written notification to parent/guardian, counselor and coach/director/advisor
- Student meets with Athletic Director/ VPA Director/BHS Assistant Principal
- Automatic Brighton Support Team (BST)* Referral to establish an educational/counseling component of the consequence.
- Any subsequent offense will be dealt with on an individual basis

3. Third Offense (Suspension):

A third violation of these rules will result in the suspension from interscholastic athletics/VPA/Activities of that student for one calendar year.

- Athletic Director/Director for VPA/BHS Assistant Principal gives written notification to parent/guardian, counselor and coach/director/advisor
- Student meets with Athletic Director/ VPA Director/BHS Assistant Principal
- Automatic Brighton Support Team* (BST) Referral to establish an educational/counseling component of the consequence.
- Any subsequent offense will be dealt with on an individual basis

*Brighton Support Team is a diverse group of trained staff members who discuss and plan intervention strategies for students who have been referred because they are struggling with various issues, which may include academic, alcohol, tobacco, and/or drugs.

D. Definitions/Notes

1. An event is defined as a regular scheduled game or performance. Scrimmages and rehearsals are not considered events.
2. If the duration of the consequence goes beyond the end of the current season, it will carry over into the next season in which the student athlete participates. It will not affect the tryout for the next season.
3. Any violation of behavioral expectations will result in loss of student leadership positions.

E. Appeal Process for Reinstatement:

1. Student appeals:
 - “If the student agrees to participate in an approved program, as recommended by the school’s prevention coordinator, he/she can make a written request to the Athletic Director/VPA Director/BHS Assistant principal for reinstatement as an active member of an athletic team/production/club. The written request can be made 90 days after the initial meeting with the athlete and his/her parents.”
2. Parent appeals:
 - The parent/guardian can request an appeal of the decision. If an appeal is requested a review board will be formed to consider and resolve the situation. The student will remain ineligible until the review board has reached a decision. The review board will be an objective committee consisting of the following members:
 1. Director of Athletics/Director for Visual & Performing Arts/BHS Assistant Principal
 2. Member of the school’s (Care) Team
 3. Teacher/Coach/Artistic Director/Advisor
 - Other areas of concern will be discussed with the school administration, Director of Athletics/Director for Visual & Performing Arts/BHS Assistant Principal and coaches/directors/advisors. The administrative leadership reserves the right to act promptly and with the best interest of the student in mind.

VII. Student Driving Privileges

Students who have a valid need to drive to school on either a regular or short-term basis must submit a completed application signed by a parent or guardian, and obtain a parking permit from their Assistant Principal. Driving to school is a privilege. In order for a student to maintain these privileges, he or she must:

1. Possess a valid New York State driver's license
2. Be properly insured in accordance with New York State requirements
3. Display the student parking sticker as required
4. Only leave the school parking lot during open campus periods, legally excused appointments, and/ or after school hours.
5. No students under the age of 18 are permitted as passengers in the vehicle
6. Park only in the designated student parking areas, on school property
7. Observe all rules and regulations for the safe operation of a motor vehicle Parking space is limited.

Failure to abide by student parking rules and regulations may result in the loss of parking privileges.

VIII. Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to a teacher, school counselor, or building principal or his/her designee. Any student observing a student possessing a weapon, alcohol, or illegal substance on school property or at a school function, or any other action that could endanger the health or safety of students or staff shall report this information immediately to a teacher, principal, his/her designee, or the superintendent. Failure to do so may result in disciplinary action.

All authorized District staff have the authority to investigate any alleged violation of above stated incidents including searches and interrogation (see Article XIII). Such searches may include the use of hand held breath test devices such as Alco Sensor screening.

All district staff that 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.

The building principal or his or her 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 as soon as practical, but in no event later than the close of business the day the principal or his or her designee learns of the violation. The notification may be made by telephone. The

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

Any weapon, alcoholic or illegal substance found shall be confiscated immediately, if possible. The parent of the student involved should then be notified and appropriate disciplinary action taken, if warranted, which may include permanent suspension. Incidents involving possession, use and/or distribution of illegal substances, or weapons must be referred to the Police.

The building principal or his or her designee must notify the appropriate local law enforcement agency and the office of the Superintendent of those Code of Conduct violations that constitute a crime and substantially affect the order or security of a school as soon as practical. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

IX. Disciplinary Penalties, Procedures and Referrals

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

Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

- The student's age
- The nature of the offense and the circumstances which led to the offense
- The student's prior disciplinary record
- The effectiveness of other forms of discipline
- Information from parents, teachers and/or others, as appropriate
- Other extenuating circumstances

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

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

Video recordings or footage from District surveillance cameras may be used in student or employee disciplinary proceedings, as appropriate.

A. Penalties

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

1. Oral warning – any member of the District staff
2. Written warning – bus drivers, hall and lunch monitors, coaches, school counselors, teachers, assistant principals, principal, superintendent
3. Written notification to parent – bus driver, hall and lunch monitors, coaches, school counselors, teachers, assistant principal, principal, superintendent
4. Detention – teachers, assistant principals, principal, superintendent
5. Suspension from transportation – director of transportation, assistant principals, principal, superintendent
6. Suspension from athletic participation – coaches, athletic director, assistant principal, principal, superintendent
7. Suspension from social or extracurricular activities – activity director, assistant principal, principal, superintendent
8. Suspension of other privileges – assistant principals, principal, Superintendent
9. Suspension or revocation of student's access to District computers and Internet connections – assistant principals, principal, superintendent
10. In-school suspension – assistant principals, principal, Superintendent
11. Removal from classroom by teacher – teacher, assistant principals, principal
12. Short-term (five days or less) suspension from school – principal, Superintendent, Board of Education
13. Long-term (more than five days) suspension from school – principal (can recommend only), Superintendent, Board of Education
14. Permanent suspension from school – Superintendent, Board of Education
15. Restitution – Superintendent, law enforcement

B. Procedures

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

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

1. Detention

Teachers, assistant principals, principals, and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Written notification will be communicated

to parent or guardian about detention and infraction. Detention will be scheduled when appropriate home transportation can be secured following detention.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the District will make appropriate arrangements to provide for the student's education.

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

3. Suspension from athletic participation, extracurricular activities and other privileges

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

4. In-school suspension

The Board recognizes the school must balance the need of students to attend school and the need for a classroom environment that is conducive to learning. As such, the Board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension." A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher disciplinary removal of disruptive students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an elementary classroom or in an administrator's office; (2) sending a student to the principal's office for the remainder of the class time only; or (3) sending a student to a school 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 of Conduct.

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 two days. The removal from class applies to the class of the removing teacher only.

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

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

The teacher must complete a District-established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal 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 beginning of classes on the next school day.

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

Written notice must be provided to the parent/guardian 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 parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

The principal may require the teacher who ordered the removal to attend the informal conference.

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

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

- 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

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

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

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

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

6. Suspension from school

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

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

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

Upon receiving a recommendation/referral for suspension, or when processing a case for suspension, the principal or superintendent 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 parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. 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 parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. 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 have established. The notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within 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/guardians 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 superintendents’ 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.

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

When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she will give reasonable notice to the student and the student’s parents/guardians of their right to a fair hearing. At the hearing the student has protected due process rights such as the right to be represented by counsel, with 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.

If a parent or person in parental relation wishes to appeal the decision of the building principal or Superintendent to suspend a student from school, regardless of the length of the student's suspension, the parent or person in parental relation must appeal to the Board before commencing an appeal to the Commissioner of Education. Any appeal to the Board must be commenced within 30 days from the date of the Superintendent's decision. To be timely, the appeal must be received by the District Clerk within this 30-day period.

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.

C. Minimum Periods of Suspension

For the safety of students and school staff, some behaviors call for a minimum period of suspension. The student and parent/guardian will be notified of the disciplinary action and given an opportunity for an informal conference for short-term suspensions or a hearing for long-term suspensions.

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

1. Students who bring a weapon to school

Any student found guilty of bringing a weapon onto school property, as defined by the federal Gun Free Schools Act of 1994 (20 USC §8921) or by Education Law §3214, will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:

- 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/guardians, teachers, and/or others
- f. 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, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents/guardians will be given the same notice and opportunity for an informal

conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents/guardians will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

- 3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere with the teacher's authority over the classroom** Any student, other than a student with a disability, who 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 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 of Conduct on four or more occasions during a semester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's 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 minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

D. Referrals

1. Counseling

The Counseling Office shall handle all referrals of students to counseling and will work with site staff to refer families for support to the Family Support Center, other social/human service agencies, and outside agencies when necessary.

2. Person In Need of Supervision

The District may file a petition in Family Court on any student under the age of 18 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. Knowingly and unlawfully possessing marijuana in violation of Penal Law §221.05. A single violation of §221.05 will be a sufficient basis for filing a petition.

3. Juvenile Delinquents and Juvenile Offenders

- a. The superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:
 1. Any student under the age of 16 who is found to have brought a weapon to school, or
 2. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).
- b. The superintendent 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.

X. 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.

XI. Discipline of Students with Disabilities

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

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

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. A *suspension* means a suspension pursuant to Education Law §3214.
- b. 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.
- c. An *IAES* (Interim Alternative Educational Setting) 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.

2. School personnel may order the suspension or removal current educational placement as follows:
 - a. The Board, the 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.
3. 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.

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 or is a pattern of removals which constitutes a

- change of placement 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, a manifestation must be made.
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 shall:
 - a. Conduct a functional behavioral assessment to determine why a student engages in a particular behavior, and develop or review a behavioral intervention plan whenever the District is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary. If one or more members of the CSE believe that modifications are needed, the 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/guardians of a student who is facing disciplinary action, but who has not been determined to be eligible for services under Individuals with Disabilities Education Act (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 parents/guardians 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/guardians 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/guardians 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/guardians 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 of Conduct.
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 of Conduct.

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 of Conduct, 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 during the pendency of 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.
 - 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 parents/guardians 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 parents/guardians 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.

XII. 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. Protecting someone from hurting themselves.
3. Protect the property of the school or others
4. 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

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

XIII. Searches and Interrogations

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To this end, the Board of Education authorizes the search of students and their possessions for illegal matter or matters which otherwise constitutes a threat to the health, safety, welfare or morals of the schools or which would materially and substantially interfere with the requirements of appropriate school discipline in the operation of the school ("subject material"). Any such matter discovered by a school official shall be subject to immediate seizure, the disposition thereof to be determined by the relevant facts and circumstances. Any illegal or contraband materials will be turned over to an appropriate law enforcement agency.

The student's parent or guardian will be notified if any illegal, prohibited, or dangerous articles or materials are found in the student's locker, vehicle, or other property or possessions, or on the student's person, as a result of a search.

To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the District Code 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 parent before questioning the student. However, school officials will inform all students why they are being questioned.

In addition, the Board authorizes the superintendent, building principals, assistant principals, the school nurse, and District security officials 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 of Conduct, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. **School officials, whenever possible, will seek the least intrusive means to conduct a search to safeguard the privacy interests of students in their person and property.**

Whenever practical, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched. Searches will be conducted in the presence of two adults whenever possible.

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 students' 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. Each student is responsible for the contents of his or her locker.

B. Strip Searches

Under no circumstances will any school personnel conduct a strip search of any other person. For the purposes of this section, requiring the removal of an outer coat or jacket, or shoes and socks, shall not constitute a strip search. In the unlikely event that such a thorough search is warranted, the police should be summoned to the scene.

C. 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 his or her title and position
7. Witnesses, if any, 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 parental notification

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

D. Interrogation of Students Suspected of Possession or Consumption of Alcohol

All authorized District staff have the authority to investigate the suspected consumption or use of alcohol or illegal substances on school property or at a school function. Such investigations may include (but are not limited to):

- Searching students lockers, desks, and other storage spaces
- Searching student clothing
- Questioning students
- Conducting prescreening tests (e.g. examining coordination, mannerisms, speech) and
- Using hand-held breathe test devices

E. Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials 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 requested by school officials to investigate a reported or suspected crime.

When the police are investigating a reported or suspected crime on school grounds or at a school function, school officials should defer to the police officers concerning their questioning of students or searching of any student's person or property. School officials should defer to police judgment whether or not it is necessary to call any student's parents before questioning or searching the student, whether or not it is necessary to advise the student of any rights before questioning or searching, whether or not it is necessary to obtain a warrant before conducting a search, and whether or not it is necessary to advise parents before taking a student into custody. School officials should cooperate with police procedures to assist the successful investigation of the suspected crime, and not advise students of their rights or call parents without police consent. School officials should not advise parents that a student will be or is being questioned or searched by the police in connection with the investigation of a suspected crime in school until after the investigation has been completed or the student has been taken into police custody from school. Police questioning of students under sixteen considered as suspects should not be done without notifying the parents. However, the decision when and how to notify parents should be made by the police, not school

officials. School officials are not authorized to give consent to police questioning of students under the age of 16 as required by section 305.2 of the Family Court Act.

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

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

G. Searches of Student Vehicles

An authorized school official may search a student's unlocked vehicle on school grounds if the school official has reasonable suspicion to believe that the vehicle contains contraband in violation of the law or this Code of Conduct. A trunk is considered unlocked if the passenger compartment is unlocked and the trunk lid can be released from within the passenger compartment. If the vehicle is locked, the school official should ask the student to unlock the vehicle. If the student refuses to unlock the vehicle, the school official may either call the student's parent(s) for permission to open the vehicle or, if there is reasonable suspicion that the vehicle contains illegal contraband, call the police to determine whether or not they have grounds to search the vehicle, either with or without a warrant. If a student and/or a student's parent(s) refuse to open a locked vehicle to allow a search by school officials based on reasonable suspicion, or if they remove the vehicle from school grounds to avoid the search, the student's parking privileges may be suspended or revoked as a consequence.

H. District Computer Equipment/Websites/E-mail Used by Any Person

No person using District faxes, computer equipment, software owned, leased or controlled by the District, or websites, e-mail or Internet access, etc. provided by the District has a reasonable

expectation of privacy with respect to such equipment, software, websites, e-mail or Internet access provided by the District. No user shall use District equipment to engage in extensive or abusive non-business or nonacademic projects or Internet searches, since such use tends to slow and/or compromise the system and make it less accessible for District educational and business operations. The District reserves the right to monitor the use of its equipment and software, and to monitor email, websites and Internet access, etc. using School District equipment or on school property without prior notice or consent. Any use of such equipment or facilities which violates provisions of this Code of Conduct may result in both disciplinary action and denial of prospective use of such equipment and of Internet access.

XIV. Visitors to the Schools

The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

- A. Anyone who is not a regular staff member or student of the school will be considered a visitor.
- B. All visitors shall be required to enter each school building through main entrances only and be prepared to follow the protocol of the district's visitor management system to ensure the safety and security of our students and staff. Once inside the school building, visitors will be required to follow the sign-in procedures to enter the building and will be issued a visitor's identification badge/sticker, which must be worn at all times while in the school or on school grounds. *All visitors to Brighton High School must report to the Main Office upon arrival, unless they have an appointment with another staff member.*
- C. Visitors attending school functions that are open to the public after the end of the school day are not required to register.
- D. Parents/guardians who wish to view a classroom while school is in session are required to arrange such visits in advance with the building administrator. The building principal or his/her designee has the final authority to approve these requests based upon the nature of the request, the need to protect student confidentiality, FERPA, disruption to the class, and other potential circumstances.
- E. Teachers are not expected to take class time to discuss individual matters with visitors.
- F. Any unauthorized person on school property will be reported to the administrator in charge or his or her designee. Unauthorized persons will be asked to leave. Law enforcement may be called if the situation warrants.
- G. All visitors will abide by the rules for public conduct on school property contained in this Code of Conduct.

XV. Public Conduct on School Property

The District is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the Code

of Conduct, “public” shall mean all persons when on school property or attending a school function including students, teachers, and District personnel.

The restrictions of public conduct on school property and at school functions contained in this Code of Conduct 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 of Conduct 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 of which 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 (including graffiti and arson) District property or the personal property of a teacher, administrator, other District employee, or any person lawfully on school property
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. Use language that is inappropriate for a school community
6. Intimidate, harass, bully, or discriminate against any person on the basis of actual or perceived race, age, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or any other categories of individuals protected against discrimination by federal, state or local law.
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 of Conduct applies
9. Violate the traffic laws, parking regulations, or other restrictions on vehicles
10. Possess, consume, sell, distribute, or exchange alcoholic beverages, 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. Loiter on or about school property
13. Gamble on school property or at school functions
14. Refuse to comply with any reasonable order of identifiable school District officials performing their duties
15. Willfully incite others to commit any of the acts prohibited by this Code of Conduct
16. Violate any federal or state statute, local ordinance, or Board policy while on school property or while at a school function
17. Use a skateboard on school property

B. Penalties

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

1. Visitors shall have their authorization, if any, to remain on school grounds or at the school function 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 hold.
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 hold.
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 hold.

C. Enforcement

School district administrators or his/her designee shall be responsible for enforcing the conduct required by this Code of Conduct.

When the School district administrators or his/her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the administrator/designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The administrator/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 administrator/designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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

CI. Dissemination and Review

A. Dissemination of Code of Conduct

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

1. Providing a copy of an age-appropriate, written in plain language, summary of the Code to all students at an assembly to be held at the beginning of each school year.

2. Providing a plain language summary to all parents at the beginning of the school year on request.
3. Posting a copy of the Code of Conduct on the District website before the beginning of the school year and making a copy available upon request
4. Posting a copy of the Code of Conduct (and all amendments upon adoption) on the Intranet so it is available to all employees and providing a copy upon request.
5. Providing all new employees with a copy of the current Code of Conduct when they are first hired
6. Making copies of the Code of Conduct available for review by students, parents/guardians and other community members

B. Review of Code of Conduct

The Board of Education will review this Code of Conduct annually and update it as necessary. Before adopting any revisions to the Code of Conduct, the Board will hold at least one public hearing at which school personnel, parents/guardians, students and any other interested party may participate. The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

Appendix A

CRPS Code of Conduct



COUNCIL ROCK PRIMARY SCHOOL
Student Code of Conduct
(Based on District Core Values and Code of Conduct)



We come to school ready to work and learn.

- get a good night's sleep
- eat a good breakfast
- arrive on time
- have materials ready
- wear warm clothes and boots in the winter



We are careful about what we do and say.

- know and follow school rules
- use polite and helpful language
- leave anything that could hurt someone at home

We show respect for other people and their property.

- show kindness to everyone by never calling names or making comments
- move through the halls quietly
- use good manners and quiet voices in the cafeteria
- politely follow directions given by adults
- take care of books, computers, and other school property



We work out our problems together.

- use our words and not our fists
- listen to each other

We behave well in the community

- use good manners
- be polite and cooperative on field trips
- follow school rules

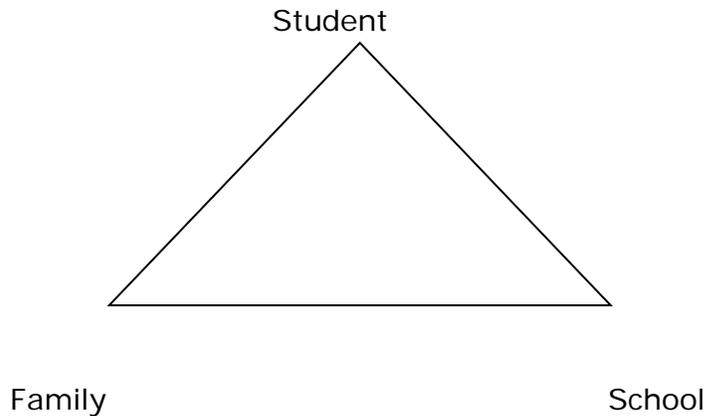


Appendix B

FRES Code of Conduct

French Road Elementary School – Student Code of Conduct

When students, families, and teachers co-operate with each other using the five Star Qualities of respect, responsibility, kindness, integrity and self-control, opportunities for success are greater.



Student Responsibilities/ Expectations

1. **Responsibility-** Come to school on time ready to learn and willing to work. Showing that you are reliable and dependable.
 - Have materials ready (homework, lunch money, library books, and musical instruments)
 - Come to school rested
 - Eat breakfast
2. **Respect-** Respect the rights and property of others. Showing consideration for others.
 - Accept and appreciate people and their differences
 - Refrain from verbal, sexual, and physical harassment
 - Harassment may take the form of comments, name calling, jokes, creating rumors or gossiping, offensive gestures or language, assault or any other behavior that is designed to annoy, intimidate or cause fear. This includes cyber bullying
 - Respect others' right to learn
 - Respect school and others' property and equipment.
3. **Self-Control-** Resolve conflicts in a non-violent manner. Think before you act.
 - Cooperate with others
 - Be a good listener

- Solve problems with self-control
 - Keep your hands to yourself
 - Do not fight or strike another person
 - Be alcohol, tobacco, and drug-free
 - Use acceptable language
 - Never bring weapons or toys/objects that look like weapons to school at any time.
4. **Kindness**-Kindness should be shown through actions and deeds. Show that you care for others.
- Cooperate with others
 - Lend a helping hand
 - Use good manners ("Please" and "Thank you," when addressing adults or peers
5. **Integrity**- Represent the school community and yourself positively. Do the right thing even when you think no one is watching.
- Follow district and school rules at all times: This includes the bus, field trips, assemblies, lunch, recess, and during before/after school activities.
 - Know and follow school rules
 - Be honest in all situations
 - Work to the best of your ability in all situations

Expectations at FRES

General Rules

1. Gum chewing is not allowed.
2. Appropriate clothing that does not distract from instruction should be worn at all times.
3. Appropriate language should be used when talking to peers and adults.
4. The wearing of hats is not allowed.
5. The use of personal electronic equipment is not allowed (cell phones, music players, video games, etc.)

Beginning and End of Day

1. Upon arrival into the building, students are expected to go directly to their lockers and then directly to their homeroom, except in cases where students are dropping off instruments. The day starts promptly at 9:10 a.m.
2. Students will exit the building in line with their class and teacher as soon as an announcement has been made that 12 buses have arrived.
3. Students who have a bus pass to go home with a friend will meet their friend at the bus loop.

Hallway Behavior

1. Always WALK.
2. Keep right

3. Keep hand at your side and objects to yourself.
4. Move through the halls quietly.

Bathroom Behavior

1. Flush
2. Wash hands
3. No fooling around
4. Get in and get out

A productive, satisfying, and wholesome learning environment depends upon relationships that permit students to learn and teachers to teach. Each student is expected to be responsible for his/her behavior.

The following rules of conduct, focusing on personal safety and respect for the rights and property of others, apply both in the classrooms and throughout the school. Behavior that, in the opinion of school personnel, falls within any of the following categories shall be subject to appropriate disciplinary action:

1. Disruption of the educational process, whether in classrooms, halls, other school facilities, or off school grounds.
2. Insubordination, which shall include, but is not limited to: failing to follow school rules, failing to obey the reasonable directions of school personnel and/or the refusal of students to identify themselves to school personnel.
3. Acts or threats of violence which threaten the safety and welfare of others, including, but not limited to: the carrying of weapons, sending false fire alarms, engaging in physical actions against others, etc.
4. Destruction or defacing of school property, equipment, or supplies.

Disciplinary Penalties/Consequences

Students who are found to have violated school rules, the code of conduct and/or school board policy may be subject to any or a combination of the following disciplinary actions, including but not limited to:

- Verbal warning
- Phone call home
- Written letter of apology
- Lunch detention
- Recess detention
- Parent conference
- Behavioral contract
- Student removal from class
- Assigned bus/cafeteria seat
- Suspension from social, athletic or extracurricular activities, privileges, and/or school transportation
- In-School Suspension
- Principal's Hearing

Informal hearing including the principal, student, parents of the student, assistant principal, counselor of the student and any other relevant parties the student/parent and/or the school deem appropriate. Specific student behaviors are discussed and plans are developed and implemented to make improvements in the student's behavior.

- **Out of School Suspension**

During periods of out-of-school suspension, students may not attend any school-sponsored function, may not participate in co-curricular activities and may not participate in social activities. Students are also not allowed on school grounds during periods of out-of-school suspension. Students who appear on school grounds may face further disciplinary consequences. All students who are suspended out of school must have a reentry meeting after the suspension with the student, the student's parents, a counselor, administrator and any other appropriate staff member invited by the administration.

- Restitution for damages
- Superintendent's Hearing

Reasons for Suspension – Board Policy 7412

A student may be suspended for any of the following reasons:

- a. The student is insubordinate or disorderly (failing to comply with the reasonable directions of teachers, school administrators, other school employees or otherwise demonstrating disrespect and/or failing to comply with school policies/rules) or violent or disruptive or the student's conduct otherwise endangers the safety, morals, health or welfare of others.**
- b. The student's physical or mental condition endangers the health, safety or morals of himself/herself or other students.**

A "disruptive student" is defined as an elementary or secondary student under the age of twenty-one years of age who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

A "violent student" means a student under the age of 21 who:

- 1. Commits an act of violence upon a school employee or attempts to do so;**
- 2. Commits, while on school District property or at a school sponsored activity, an act of violence upon another student or any other person on school property or at a school sponsored activity or attempts to do so;**
- 3. Possesses, while on school property or at a school sponsored activity, a weapon;**
- 4. Displays, while on school property or at a school sponsored activity, what is or appears to be a firearm or weapon;**
- 5. Threatens, while on school property or at a school sponsored activity, to use a firearm or weapon;**

6. **Knowingly and intentionally damages or destroys the personal property of any school employee or any person on school property or at a school sponsored activity; or**
7. **Knowingly and intentionally damages or destroys school District property.**

Range of Disciplinary Consequences

As a general rule, discipline will be progressive. Repeated failure to follow any school rules/policies will result in escalation of disciplinary consequence.

These guidelines cannot cover every form of misconduct and its potential consequence. Extenuating circumstances may, in some instances, necessitate deviation from these guidelines.

A more detailed list of actions and consequences can be found in the district code of conduct and the board policy handbook located in the main office of FRES and in the Central Office Administration Building.