

BENJAMIN COSOR ELEMENTARY SCHOOL



STUDENT HANDBOOK

2023-2024



FALLSBURG CENTRAL SCHOOL DISTRICT VISION STATEMENT

Fallsburg Central School District is a safe, nurturing environment, where excellence is expected, diversity and individuality are celebrated, and learning prepares students to face the challenges of an ever-changing global society.

Home of the Comets!

Academic Honor Roll

The Honor Roll and Superintendent's Honor Roll are calculated by adding the grades for the core subject areas of English Language Arts, Math, Science, and Social Studies to a cumulative average of the Specials (PE, Art, Music, Computer and Library) grades. Students receiving an overall average of 3.0 to 3.5 are eligible for the Honor Roll Award. Those students with an overall average of 3.6 to 4.0 receive the Superintendent's Honor Roll Award.

Assemblies

Student assemblies are seen as part of the overall educational process. School assemblies, at all instructional levels, are often held to provide recognition of student accomplishments by peers, parents and staff members. Assemblies will be appropriate to the educational experience, as defined by the Fallsburg Board of Education, and reflect our school's educational mission.

Students are reminded of proper conduct at assemblies to ensure responsible audience participation:

- Take an assigned seat quietly.
- Do not speak above a whisper, and then only when necessary.
- Pay attention to the speaker/performance(s).
- Applaud only when appropriate.

Attendance & Participation in After-School Activities

Students who are not in attendance during a school day cannot participate in any after-school activity for that day. Students who come to school after 11:00 a.m. at BCES will not be able to participate in after-school activities. Any exceptions will be reviewed by the Principal or the assigned designee. Students who report to the nurse and leave school ill may not participate that day. Students who report to the nurse but do not leave school may participate if cleared to do so by the school nurse or his/her designee.

Any student who is serving OSS in the PM Program, or served a full day of ISS/Character Education that day is not permitted to attend or participate in any after-school activities.

Bullying: Olweus Definition of Bullying: *"Bullying is when someone repeatedly and on purpose says or does mean or hurtful things to another person who has a hard time defending him or herself."*

Bullying is characterized by:

- Power Imbalance: This occurs when a bully uses his/her physical or social power over a target.
- Intent to Harm: The bully seeks to inflict physical or emotional harm and/or takes pleasure in this activity.
- Threat of Further Aggression: The bully and the target believe the bullying will continue.
- Terror: When any bullying increases, it becomes a "systematic violence or harassment used to intimidate and maintain dominance.

Disciplinary Options

	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence	5 th Occurrence
Infraction:					
<i>Verbal Bullying:</i> Name calling, insulting remarks, verbal teasing, violent threats,	1-5	2-5	3-5	4-5	4-5
<i>Physical Bullying</i> Poking, slapping, biting, pinching, scratching, spitting, twisting arms/legs, damaging clothes/personal property	1-5	2-5	3-5	4-5	4-5
<i>Severe Physical Bullying –</i> Same as above, <i>but intentionally</i> meaning to cause harm; threatening gestures	4-5	4-5	4-5	4-5	4-5
<i>Social Bullying</i> Exclusion, shunning, isolation, spreading rumors, gossiping, undermining relationships, teasing about clothing, looks, giving dirty looks, aggressive stares	1-5	2-5	3-5	4-5	4-5
<i>Bystander</i>	1-4	1-4	1-4	1-4	1-4

All options are dependent on the severity of the incident.

1: Warning

- Conference between student and witness (Then notify the teacher if s/he is not the witness.)
- Parent Contact (by administration)
- Parent Meeting (with teacher, administration, social worker)
- Corrective Consequence*

2: Conference with student, teacher, administration and social worker

- Parent Contact (by administration)
- Parent Meeting (with teacher, administration, social worker)
- Corrective Consequence*

3: Conference with student, teacher, administration and social worker

- Parent Contact (by administration)
- Parent Meeting (with teacher, administration, social worker)
- Administrative Consequence (Lunch Detention, Administrative Detention, ISS)
- Corrective Consequence*

4: Conference with student, teacher, administration and social worker

- Parent Contact (by administration)
- Parent Meeting (with teacher, administration, social worker)
- Administrative Consequence (ISS/OSS, OSS/ with possible Superintendent Hearing)
- Corrective Consequence*

5: Superintendent's Hearing

*Corrective Consequences: (to be enforced by teacher, administration, ISS)

- Model Appropriate Behavior
- Classroom Consequence (ex: act of kindness)
- Hallway Restriction
- Written Apology
- Reflective Piece
- Safety Plan
- Behavior Plan

Bus Rules

All students being transported to and from school must be considerate of the safety and well-being of fellow passengers. The conduct expected of students on the school bus is the same as what is expected in class. Misconduct on a school bus can distract the driver's attention from his/her primary concern and responsibility; that of safely transporting all students on the vehicle.

For the safety of all riders, students will be required to:

- Show respect for the driver at all times.
- Enter and leave the bus in an orderly fashion. There should be no pushing or crowding.
- Be seated while the bus is in motion.
- Obey the NO SMOKING regulations on school buses at all times.
- Talk in a reasonable tone of voice. There is to be no calling out to passersby, and no profane or abusive language.
- Refrain from throwing objects of any kind from the bus or in the bus. Assigned seating may be necessary for the safety of all students.

Students violating bus rules will be subject to the penalties as described in the discipline code.

Cafeteria

The school cafeteria is maintained as a vital part of the health program of the Fallsburg Central School District. To encourage good nutrition, breakfast and lunch programs are available to all students.

Use of the cafeteria is a privilege and not a right. As such, the following rules will be in effect:

- No student will be allowed to leave the building for lunch or breakfast.
- All students are to remain in the cafeteria during their assigned lunch period. Students who wish to leave the cafeteria must have a pre-signed pass.
- All food and drink purchased in or out of the school must be eaten in the cafeteria only. Food and/or drink is permitted in classrooms during teacher-designated times.
- All lunch litter must be deposited in the wastebaskets and recycling bins provided. Students are expected to leave the table and floor in a clean condition for others to use.
- Any disruption in the cafeteria may warrant disciplinary action.

Complaints

The Fallsburg Central School District encourages the resolution of all student complaints as promptly as possible and at the lowest level possible. Accordingly, students are urged to discuss complaints first with the appropriate teacher, staff member or building Principal. However, if the complaint concerns sexual harassment, the student and/or parent should notify the Compliance Officer (the Superintendent of Schools) or his/her designee. In no event will the student be required to discuss the alleged harassment with the individual alleged to be harassing him or her.

Upon receipt of an informal complaint, the Compliance Officer, designee, building Principal or other appropriate staff member will conduct a prompt investigation to determine what occurred and then take appropriate steps to resolve the situation.

Student Complaints and Grievances

Students will be given an opportunity to be heard concerning any complaints and grievances they may have.

On issues affecting the student body, students should discuss the matter with their student government representatives before appealing to the school administration.

A student filing a complaint for any matter, or alleging discrimination on the basis of disability and/or sex

including sexual harassment or harassment on the basis of sexual orientation, should read the following

information regarding the resolution of the complaint. The following procedures may also apply to student

grievances over other matters such as racial harassment.

Investigation of a Complaint

Upon receipt of a complaint, a prompt, thorough and impartial investigation of the allegations will follow.

Witnesses shall be interviewed and complainants will be notified of the outcome of the investigation, within the parameters of confidentiality laws.

Dismissal

In order to ensure students' safety, the building Principal maintains a list of individuals who are authorized to obtain the release of students in attendance at the school. **No** student may be released to the custody of **any** individual who is not the parent or guardian of the student, unless the individual's name appears on the list.

A parent or guardian may amend a list of who may pick up their child, submitted pursuant to this regulation at any time, in writing, with a signature of the parent or guardian. Certified copies of any court orders or divorce decrees provided by the custodial parent, which restrict a parent's ability to seek the release of his or her child and/or school records, shall be maintained in the guidance office.

If anyone seeks the release from school of a student, he/she must report to the school office and present satisfactory identification to the principal. If the person seeking the release of a child exhibits to the school official an out-of-state custody order, the Superintendent of Schools will be called.

Early excuses for emergency reasons should be requested in writing by the parent. Medical releases are handled through the Nurse's Office. All other reasons for release must be submitted to the main office, and students must be picked up in the lobby by 3:15 PM, on a regular (non-early) dismissal) school day. The person seeking the student's release must sign the register in the office.

All other students, released to their parents/guardians, will be dismissed between 3:30 and 4:00, through the A.P.E. Gym.

**Students who are assigned to the PM Program must bring in a written note in order to be dismissed early.*

Home Instructional/Tutorial Program

The regulations of the Commissioner of Education and the State of New York allow application to the Superintendent of Schools for individualized home instruction of a student. Appropriate application and

documentation is required by both the Superintendent and the guidance department of the high school. Quarterly reports are required in an approved Home Instruction Program.

Medical information – Required Immunizations

The new dosing requirements are based on the Advisory Committee on Immunization Practices (ACIP) and are effective July 1, 2019. All immunizations will be according to the AICP requirements.

A chart summarizing the new requirements for the 2023-2024 school year is below or available at www.health.ny.gov/publications/2370.pdf.

2023-2024 School Year New York State Immunization Requirements for School Entrance/Attendance

NOTES: Children in a pre-kindergarten setting should be age appropriately immunized. The number of doses depends on the schedule recommended by the Advisory Committee for Immunization Practices (ACIP).

VACCINES	PRE-KINDERGARTEN (Day Care, Head Start, Nursery or Pre-K)	KINDERGARTEN – GRADE 1	GRADES 2-5	GRADES 6-7	GRADES 8-12
Diphtheria and Tetanus toxoid-containing vaccine and Pertussis vaccine (DTaP/DTP/Tdap)	4 doses	5 doses <u>or</u> 4 doses if the 4 th dose was received at 4 years of age or older <u>or</u> 3 doses if the series is started at 7 years of age or older		3 doses	
Tetanus and Diphtheria toxoid-containing vaccine and Pertussis vaccine booster (Tdap)	Not applicable			1 dose	
Polio vaccine (IPV/OPV)	3 doses	4 doses <u>or</u> 3 doses if the 3 rd dose was received at 4 years of age or older	3 doses	4 doses <u>or</u> 3 doses if the 3 rd dose was received at 4 years of age or older	3 doses
Measles, Mumps and Rubella vaccine (MMR)	1 dose	2 doses			
Hepatitis B vaccine	3 doses	3 doses <u>or</u> 2 doses of adult hepatitis B vaccine (Recombivax) for children who received the doses at least 4 months apart between 11-15 years of age.			
Varicella (Chickenpox) vaccine	1 dose	2 doses	1 dose	2 doses	1 dose
Meningococcal conjugate vaccine (MenACWY)	Not applicable			Grades 7 & 8: 1 dose	Grade 12: 2 doses or 1 dose if the dose was received at 16 years or older
Haemophilus influenzae type b conjugate vaccine (Hib)	1 to 4 doses	Not applicable			
Pneumococcal Conjugate vaccine (PCV)	1 to 4 doses	Not applicable			

For grades pre-k through 7, intervals between doses of vaccines should be in accordance with the ACIP recommended immunization schedule for persons 0-18 years of age (*exception: intervals between doses of polio vaccine only need to be reviewed for grades kindergarten, 1, 6 and 7*). Doses received before the minimum age or intervals are not valid and do not count toward the number of doses listed below. Intervals between doses of vaccine DO NOT need to be reviewed for grades 8-12. See footnotes for specific information for each vaccine. Children who are enrolling in grade-less classes should meet the immunization requirements of the grades for which they are age equivalent.

A student who is in the process is defined as one who has had the first dose of all required immunization series and has appointments to complete the series in accordance with the AICP catch up schedule. (www.cdc.gov/vaccines/schedules/hcp/child-adolescent.html). A student who is in the process as defined above must be allowed to attend school.

Medical exemptions to immunizations must be reissued annually.

Head Lice Policy

When a child is found to have **live** head lice, their parent will be notified. The child will remain in class, but be discouraged from direct head to head contact with others. The child will be sent home on the bus at the end of the school day. The child may return to school after the parent has treated the child's head and they are free from active lice. Current treatment protocols make this possible in less than twenty-four (24) hours. A student who has been found to have live head lice will be readmitted to school after successfully completing an examination by the school nurse.

Nurse's Office

No student will be seen if he/she comes to the Nurse's Office without a pass. Students are to go to their class and get a pass from the teacher to come to the Nurse's Office. The only exceptions are emergencies (i.e. bleeding, chest pain, asthma attacks, etc.).

Occasionally during the school year, it becomes necessary to transport children home from school because they are injured/ill. We ask that parents make provisions for the transportation of a child who is ill or injured within one (1) hour from the time the nurse calls you. We also ask that you provide the school with the name and phone number of a person who will be able to pick up your child in the event that we cannot reach you.

Please notify the school at once if your telephone number changes either at home or at work.

The school does not provide transportation home for children when they are sick. It is imperative that an **Emergency Authorization Sheet** be on file to provide this information. (If as a result of an illness or injury, your child needs special accommodations or transportation, please contact the school nurse).

Parents/Guardians will be requested to come for their child, if the child:

- Has a temperature of 100 or over *
- Is nauseous or vomiting.
- Has a headache.
- Has been injured and there is a chance of further injury
- Feels dizzy.
- Requires special attention regarding his/her health and welfare.
- If after resting in the Health Office the nurse feels he/she is not well enough to return to class.

*If your child has had a fever or was vomiting, he/she should remain home until the temperature is normal or vomiting has subsided for 24 hours without having to use medication to keep the temperature down or vomiting from recurring.

If your child is ill in the morning, please do not send him/her to school. The Nurse's Office is not set up to take care of your child all day when he/she is ill. We do not have the facilities and sometimes there are other circumstances, which make it impossible for children to stay in the Nurse's Office all day. Please plan to pick up your child as soon as possible.

If a student does come to the Nurse's Office because they are sick, they may remain, generally, 10-15 minutes before they will either return to class or their parent/guardians will be called to pick them up. The school does not provide transportation home.

Any student/parent wishing to discuss a personal, family or medical concern can do so with the school nurse.

Student Health Services Policy

The Board of Education recognizes that good student health is vital to successful learning and acknowledges its responsibility, along with that of parent(s) or guardian(s), to protect and foster a safe and healthful environment for the students.

The school shall work closely with students' families to provide detection and preventive health services. In accordance with law, the school will provide vision, hearing, dental inspection and scoliosis screening. Problems shall be referred to the parent(s) or guardian(s) who shall be encouraged to have their family physician/dentist provide appropriate care.

In order to enroll in school a student must submit a health certificate within 30 calendar days after entering school, and upon entering second, fourth, seventh and tenth grades. The examination, which must conform to state requirements, must have been conducted no more than 12 months before the first day of the school year in question. If a student is unable to furnish the health certificate, the school will provide a physical examination by a licensed provider. A request for exemption from the physical examination, or the requirement to provide a health certificate, must be made in writing to the school principal or designee, who may require documents supporting the request. The only basis for exemption is a claim that the physical examination is in conflict with the parent or guardian's genuine and sincere religious belief.

The Board recognizes that the State of New York may authorize and require the collection of data from health certificates in furtherance of tracking and understanding health care issues that affect children. The Board supports these efforts and expects administrators to cooperate and to observe the appropriate laws and regulations in carrying out those responsibilities, including those that relate to student privacy.

In addition, students will be asked to provide a dental health certificate when they enroll in school and in accordance with the same schedule as the health certificate.

A permanent student health record shall be part of a student's cumulative school record and should follow the student from grade to grade and school to school along with his/her academic record. This record folder shall be maintained by the school nurse.

Schools shall also provide emergency care for students in accidental or unexpected medical situations. Each school in the district will include in its emergency plan a protocol for responding to health care emergencies, including anaphylaxis and head injury. Parents/guardians will be notified of any emergency medical situation as soon as is practicable.

Communicable Diseases

It is the responsibility of the Board to provide all students with a safe and healthy school environment. To meet this responsibility, it is sometimes necessary to exclude students with contagious and infectious diseases, as defined in the Public Health Law, from attendance in school. Students will be excluded during periods of contagion for time periods indicated on a chart developed by the school nurse.

It is the responsibility of the Superintendent of Schools, working through district health personnel, to enforce this policy and to contact the county or local health department when a reportable case of a communicable disease is identified in the student or staff population.

Administering Medication to Students

Neither the Board nor district staff members shall be responsible for the diagnosis or treatment of student illness. The administration of prescribed medication to a student during school hours shall be permitted only when failure to take such medicine would jeopardize the health of the student, or the student would not be able to attend school if the medicine were not made available to him/her during school hours, or where it is done pursuant to law requiring accommodation to a student's special medical needs (e.g., Section 504 of the Rehabilitation Act of 1973). "Medication" will include all medicines prescribed by a physician.

Before any medication may be administered to or by any student during school hours, the Board requires:

1. the written request of the parent(s) or guardian(s), which shall give permission for such administration and relieve the Board and its employees of liability for administration of medication; and
2. the written order of the prescribing physician, which will include the purpose of the medication, the dosage, the time at which or the special circumstances under which medication shall be administered, the period for which medication is prescribed, and the possible side effects of the medication.

Students are allowed to carry and apply parentally provided sunscreen (lotion form) without a prescription from a medical provider, assuming that the sunscreen is FDA approved and that the sunscreen is not treating a medical condition. Parents need to provide the district with written permission for students to use sunscreen.

Permission slips and medical orders shall be kept on file in the office of the school nurse.

Life-Threatening Allergies and Anaphylaxis Management

The Board recognizes its role and responsibility in supporting a healthy learning environment for all students, including those who have, or develop, life-threatening allergies. The district will work cooperatively with the student, their parent/guardian and healthcare provider to allow the child to participate as fully and as safely as possible in school activities. When a student has a known life-threatening allergy reported on their health form or if the district has been informed by the parent of the presence of a life-threatening allergy, the district will assemble a team, which may include the parent, the school nurse, the child's teacher, the building principal and other appropriate personnel, which will be charged with developing an individual health care plan. The plan will be maintained by the school nurse. The plan will guide prevention and response. If the student is eligible for accommodations based upon the IDEA, Section 504 or the Americans with Disabilities Act, the appropriate procedures will be followed regarding identification, evaluation and implementation of accommodations.

Training

Training to support the fulfillment of staff responsibilities in regard to student health services will be provided as part of the district's ongoing professional development plan and in conformity with Commissioner's regulations.

Regulations

The Superintendent shall develop comprehensive regulations governing student health services. Those regulations shall include the provision of all health services required by law, procedures for the maintenance of health records, and procedures for the administering of medication to students. The Superintendent shall also develop protocols, in consultation with the school physician and other appropriate district staff, for the management of injury, with particular attention to concussion.

Passes

All students must have a signed pass from an administrator or faculty member to move through the halls during class time. A student must also have a signed pass to leave a classroom during class time.

In order to ride an after-school activity bus home, all students must have a signed pass. No student will be allowed to ride the bus without a bus pass.

Performing Arts Guidelines

The staff of the Fallsburg Central School District is proud of the students who are involved in the development of skills in music education. The visual and performing arts of instrumental, song, and dance require tremendous effort and skill, and require special rules for a truly appreciative audience.

Please follow these simple guidelines so that our students might be successful at a performance.

- Please arrive on time for the concert and stay for the entire performance as a courtesy to the performers.
- Parents or guests who bring children are requested to properly supervise them.
- Children who are crying or generally a distraction to the performance will make it much more difficult for our students to concentrate.
- Please keep noise to a minimum. Talking, rustling of papers, jangling jewelry or other audible noises detracts from the student's ability to concentrate on the performance.
- No food or drink is allowed in the auditorium.
- Be on time. Those who arrive late and/or are attempting to return to their auditorium seats are expected to wait until the instrumental or vocal piece being performed at the time is complete before they re-enter the auditorium. Again, those who attend student performances are asked to remain until the end.
- Ineligible students may not attend and participate in concerts unless they have successfully completed required tutorials.

Note: Performers will not be dismissed until the conclusion of the concert/performance.

Personal Calls

Please make necessary after-school arrangements with your child prior to coming to school. No personal messages can be conveyed during the school day unless it is an emergency.

Students are NOT permitted, during the school day, to use cell phones or SMART watches. This includes lunch, recess, and during the extended day program.

Sixth Grade Dance Rules/Requirements/Guidelines:

1. Students must be in "good standing" both academically and behaviorally.
2. Students who are absent, serving either In-School Suspension/Character Education for the entire academic day or Out of School Suspension on the day of the dance will not be permitted to attend.
3. Only 6th grade students who are currently enrolled at BCES may attend the dance. (No siblings are allowed to attend)
4. Students must be accompanied by a parent or guardian (over the age of 21) for the entire dance.
5. Once students have entered the dance they will not be permitted to leave and re-enter.
6. No outside food or beverages will be permitted.
7. Anyone attending a dance must obey all school rules.
8. A minimum of six (6) chaperones (1 administrator and 5 faculty) must be in attendance.

Sixth Grade Graduation/Requirements/Guidelines:

1. Students who are absent, serving either In-School Suspension/Character Education for the entire academic day or Out of School Suspension on the day of graduation will not be permitted to attend.

2. Students must attend practice sessions in order to walk the day of graduation.
3. Due to limited seating, only immediate family members may attend.
4. No outside food or beverages will be permitted in the auditorium.
5. Any exceptions are subject to review by the principal or the assigned designee.

Smoking

The Fallsburg Central School District has been designated a smoke free building. Smoking by students, staff or visitors is not permitted on school property. This prohibition extends to the outside as well as the inside of the building. School policy outlaws the use and possession of tobacco products by students. This includes, but is not limited to: e-cigarettes and smokeless tobacco (snuff).

Fallsburg School District Attendance Policy – adopted 8/3/2011

The Fallsburg Central School District Board of Education recognizes that regular school attendance is a major component of academic success. Through implementation of this policy, the board expects to reduce the current level of absences, tardiness, and early departures (ATED), encourage full attendance by all students, and maintain an adequate attendance.

It is the goal of the Fallsburg Central School District to ensure that each student attend school the maximum number of days possible and to afford each student the opportunity to meet his/her full potential.

Regular attendance and class participation are essential to academic success. Classroom lessons foster and require social interaction, effective communication skills, critical thinking, and subject mastery. Textbook or make-up assignments are not adequate substitutes for classroom attendance and participation.

I. Notice

To be successful in this endeavor, it is imperative that all members of the school community are aware of this policy, its purpose, procedures, and the consequences of non-compliance. To ensure that students, parents, teachers, and administrators are notified of this policy, the following procedures shall be implemented:

- The attendance policy will be included in student handbooks and will be reviewed with students at the start of the school year.
- Parents will receive a plain language summary of this policy by mail at the start of the school year. Parents will be asked to sign and return a statement indicating that they have read and understand the policy.
- When a student is absent, tardy, or leaves early from class or school without excuse, designated staff member(s) will notify the student's parent(s) by phone and/or mail of the specific ATED, remind them of the attendance policy, and stress the parent's responsibility for their ensuring their child's attendance.
- School newsletters, publications, and the school district website (www.fallsburgcsd.net) will include periodic reminders of the components of this policy.
- The District will provide a copy of the attendance policy and any amendments thereto to faculty and staff. New staff will receive a copy upon their employment.
- All faculty and staff will meet with a building principal at the beginning of each school year to review the attendance policy to clarify individual roles in its implementation.
- Copies of this policy will also be made available to any community member, upon request.

A. Compulsory Education under New York State Law

New York State education laws mandate that any minor from six (6) to sixteen years of age, who is shown to be mentally and physically fit, be in regular attendance, where that student resides, for the entire time schools are in session. A child who turns sixteen (16) years of age during a school year must continue in attendance until the end of that school year. According to state law, the school year begins July 1st. Under New York State Education Law section 3205, parents are responsible for the regular attendance of their children.

However, successful implementation of this policy requires cooperation among all members of the educational community, including parents, students, teachers, District Attorney's office, Administrators and all staff members.

Parent/Guardian Responsibilities

1. It is the responsibility of parents/guardians to ensure that their children attend school regularly and on time.
2. Parents are required to provide their current home address, telephone number, emergency number(s), and a list of adults to contact in the event of an emergency.
3. Parents are to promptly notify the school(s) when there is a change in the emergency contact information as set forth in item 2 above.
4. When a student is absent from school parents/guardians must promptly contact the school to report the absence and provide a written excuse upon the student's return to school.
5. The written excuse must be submitted to the Main Office within five (5) school days of the absence. Failure to do so will result in the absence being recorded as an unexcused absence.
6. The District may require a doctor's verification of an absence purported to be related to an illness.
7. When a student is tardy to school, parents/guardians must provide a written excuse upon the student's arrival at school. Failure to do so within five (5) days will result in the tardy being recorded as an unexcused tardy/absence.

Student Responsibilities

1. Students must attend school daily and be on time to all classes.
2. Students are expected to make timely arrangements with their teachers to makeup assignments and class work they have missed during their excused absences.

Administrator Responsibilities

1. Principal or designee is responsible for implementing the District's attendance policy.
2. Principal or designee is responsible for his/her school's attendance services, assuring that all attendance reports are accurately completed.
3. Principal or designee must ensure attendance accuracy, admittance of late students, distribution of absence reports, and provision for follow-through as needed, including phone and written communication to parents.
4. Principal or designee will review the attendance of students daily.
5. Principal or designee is responsible for identifying students with attendance issues.
6. As mandated reporters, administrators should report all matters of suspected education neglect or child abuse to Child Protective Services.

Teacher Responsibilities

1. Classroom/subject area teachers are required to record and report attendance daily or in each class as prescribed in Section 3211 of the New York State Education Law and applicable Commissioner's Regulations.
2. In the event of truancy, cutting, or excessive tardiness, teachers will submit a written referral to administration in a timely manner as per the District's Code of Conduct.
3. Teacher and school personnel will continually stress the importance of promptness and regular attendance in educational and business matters, and set a positive example through their own contact with students and parents.

II. Strategies for Promoting Attendance

Effective implementation of this attendance policy requires all participants to be informed and fully understand its purpose, procedures, and the consequences of noncompliance. To ensure that students, parents, teachers and administrators are notified and understand this policy, the following procedures shall be implemented.

1. A plain-language version of the attendance policy will be included in student handbooks.
2. The attendance policy will be discussed at grade-level assemblies and in individual classrooms.
3. The attendance policy will be available on the District's website (www.fallsburgcsd.net).

4. Parents/guardians will receive a copy of the attendance policy upon request.
5. The attendance policy will be reviewed with parents at orientation.
6. The school newspaper and District publications will include periodic reminders of the components of the attendance policy.
7. The attendance policy will be part of the new teacher orientation program.
8. The attendance policy will be periodically reviewed at faculty meetings/handbook committee meetings.
9. The attendance policy will be included in the Employee Handbook

A. Seat Time Requirement - Fallsburg Jr./Sr. High School

The Board of Education requires that a student must be in attendance in class(es) not less than 83% of the scheduled days of instruction in order to sit/take the class' final examination. Once a student has exceeded the maximum number of unexcused absences (i.e. 30 unexcused absences in a full year course), he/she will be prohibited from taking that course's final examination.* He/she will receive an "incomplete" for the course.

1. Full-year course: A student may have no more than 30 unexcused class absences. A student will be in violation on the 31st unexcused class absence.
2. In the case of a half-year course or a course that meets on alternating days, a student may have no more than 15 unexcused class absences. A student will be in violation on the 16th unexcused class absence.
3. Lateness: Tardiness to class of more than 5 minutes, without an authorized pass, will be considered an unexcused class absence.
4. Science with Labs: A student may have no more than 27 unexcused class absences in science and lab classes. Each lab and class counts separately. If a student is absent for a lab and class on the same day, it will count as two absences towards the 27.
5. A new entrant to the District must maintain 83% attendance for the remaining portion of the year.

*Note: According to NYSED regulations, any student of school age may take or "challenge" a Regents examination in any subject, as long as he/she has satisfied the lab requirements for science examinations. Therefore, this does not apply for students in classes culminating in a Regents exam. Students may not be denied taking Regents examinations due to excessive absences.

**Note: The minimum Regents lab requirement must be satisfied in order to take the Regents examination.

Students who have exceeded the allowable absence limit will be allowed to continue receiving grades in those courses so that they may be counted towards quarterly averages. However, he/she will not be allowed to take the local final examination; his/her grade will be "incomplete."

Once a student is found to be in violation of the seat-time requirement, he/she will be required to meet with his/her guidance counselor to explore all relevant options. These options may include, but are not limited to: accrualment of grades to be applied towards quarterly averages; counseling/services through outside agencies; and/or summer school. Note: if he/she continues to be absent from class (see Section VI).

B. Other Consequences and Recognition

If a student exceeds the specified number of absences as set forth in subsection A. (above), school officials may consider one or more of the following actions, in addition to the revocation of sitting for the final examination:

- Referral for initiation of Pre-Pins/PINS petition
- Loss of junior and senior privileges
- Assign the student to a study hall
- Assign the student to in-school suspension
- Other consequences to be considered by the principal

If a student violates the District's Code of Conduct or this attendance policy due to absences (e.g. cutting; truancy; etc.) he/she will be afforded all due process rights as described in section §3214 of State Education Law, prior to the implementation of disciplinary sanction. If found guilty, the student may be subject to disciplinary sanction as outlined in the Code of Conduct

The school will offer incentives for excellence and/or improved attendance. These may include, but are not limited to:

- Recognition award each semester.
- Publication of an Attendance Honor Roll each quarter.
- Special privileges awarded to students with outstanding attendance.
- Special events for students who meet attendance standards.
- Attendance records may be reviewed and considered during the post secondary recommendation process.

C. Intervention Strategies

Students who are absent or tardy for an excessive number of days may be referred to district pupil personnel service professionals (e.g. child-study team, guidance counselors, social workers, and psychologists) to identify the causes and seek solutions to improve attendance. District pupil-personnel may work with families to find ways to foster better family relationships and improve student attendance. Additionally, referrals to outside agencies may be made.

The principal or his/her designee will be responsible for filing the Pre-PINS petition, when appropriate.

III. Absences

A. Excused Absences - These are defined as absences, tardiness, and early departures (ATED) from class or school due to personal illness or death in the family, impassable roads or weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits (up to four), approved cooperative work programs, military obligations, or such other reasons as may be approved by administration.

Codes for Excused Absences

Late - Excused	Medical Appointment
Excused Absence	Early Dismissal
Field Trip	Excused Early by Nurse
Education-related Absence	Bereavement
Out-of-School suspended with Tutoring	College Visit
	Court Order
In-School Suspended Medical Absence with Tutoring	
Home Tutoring	Alternative Placement

1. Students shall, however, not be considered absent when they are authorized by school officials to be somewhere other than in their regularly scheduled classes. For example, if school personnel expect the student to report elsewhere during their regularly scheduled class time for activities such as: conference with school personnel, testing, physical exams, music lessons, drama productions, athletic competitions, field trips, mandatory college orientation (limit of one, documentation and advanced administrative approval required), college visitation days (maximum of 4 with documentation and advanced administrative approval required, not to be scheduled immediately before or after a holiday or recess period) or other activities approved by the Principal, the student shall not be considered absent.

2. The student will also not be considered absent when: Hospitalized and receiving tutoring; receiving home instruction for medical reasons; or is on out-of-school suspension receiving alternate instruction. Suspended students must attend the after-school tutorial program for a minimum of two hours daily (in the JSHS) or one hour daily (in BCES). If the student does not attend, an absence will be counted toward the overall absences.

3. Work missed for excused absences can be made up, under the following conditions: Students will be given a day for each day they are absent to make up work, not to exceed five (5) days. For example, if a student is absent two (2) days, they will receive two (2) days once they return to make up all work. However, if a student is absent thirteen (13) days, they will be given a maximum of five (5) days to make up the work once they return.

4. In order for an absence to be considered "excused," the student must present a written excuse from his/her parent or an agency that explains the reason for absence. (Note: this reason must be one of those listed in subsection A. above). All students are expected to return to school with a written excuse signed by a parent or guardian on the first day returning to school. This excuse must be submitted within five (5) school days of the absence or the student's return to school/class. Notes presented beyond five school days after an absence may not be accepted and the student could lose make-up privileges. If a parent wants the note to be considered for acceptance, he/she must submit it - and any other pertinent documentation - to the appeals committee for review.

5. If a student is absent due to illness for more than three consecutive days, he/she must present a doctor's note in order for the absences to be considered legal.

6. All absences will be recorded as unexcused until a written note from the parent is received.

B. Unexcused Absences - any ATED not listed in subsection A (above) are considered unexcused. Any absence in which a student fails to submit a written excuse within five school days after his/her return is also considered an unexcused absent. These may include, but are not limited to:

- Truancy - not attending school without a legitimate excuse (as outlined in subsection A).
- Cutting
- Skipping a class
- Lateness/tardy of more than five minutes
- Not reporting to a designated location after obtaining an authorized pass from a staff member.
- Four tardies of less than five minutes that are not accounted for with an authorized pass.
- Leaving school due to illness without the permission of the nurse or parent/guardian.
- Leaving school for any reason without the permission of the Principal or designee.
- Vacation.

Codes for Unexcused Absences

Late - Unexcused

Unexcused Absence

Vacation

Out-of-school suspended without tutoring

Truancy

If students have an unexcused absence they will only be allowed to make up assigned work within the number of concurrent days on their return: i.e. if a student has been absent (unexcused) for three days, he/she will have three days in which to make up the assignments missed.

If students are truant or cutting a class, disciplinary action will be followed as per the Board approved Code of Conduct.

Any appeals pertaining to unexcused absences must follow the appeals process as outlined in section VII.

IV. Notification Sequence

As an effort to improve regular student attendance, parents will be notified regularly regarding their child's absences. If the school is not aware of the reason for a student's absence, the parent/guardian will be contacted that morning to ascertain the child's whereabouts.

In addition to receiving attendance updates on their child's report cards, a schedule will be implemented to provide effective communication between the parent/guardian and school regarding student's attendance. All notices will be issued by the school's administration (for overall absences) or individual classroom teacher in the Jr./Sr. High School for individual classes. The following section pertains to the number of unexcused class absences in a two-semester (full-year) course. A parent may be notified several times if the excessive absences exist in more than one class.

- Unexcused class absences 1-7: Teachers are expected to confer regularly with students and their parents concerning academic and attendance issues.
- After the 7th unexcused class absence, the parent will be notified that the student has been absent nearly one-quarter of the number of maximum unexcused class absences and may be denied the opportunity to take a final exam if unexcused class absences continue.
- After the 13th unexcused class absence, parents will be notified in writing that the student has been absent for 13 out of the maximum unexcused class absences and may be denied the opportunity to take the final exam if unexcused class absences continue. A conference with school administrators and/or teachers will be mandated.
- After the 20th unexcused class absence, parents will be notified in writing that the student is in serious jeopardy of exceeding the unexcused class absence-limit as set forth in the District's attendance policy. If the student exceeds the specified limit (i.e. 30 unexcused class absences in a full-year course; 15 unexcused class absences for a 1/2 year course), he/she will be denied the opportunity to take the course's final examination. A report for poor attendance may be made to the Child Protective Services agency.
- Upon the 31st unexcused class absence, the parent will be notified through certified mail that the student may be denied the opportunity to take the course's final examination due to excessive absenteeism. The following section pertains to the number of unexcused class absences in a one-semester course.
- Unexcused class absences 1-5: Teachers are expected to confer regularly with students and their parents concerning academic and attendance issues.
- After the 6th unexcused class absence, the parent will be notified that the student has been absent 6 out of the maximum 15 unexcused class absences and may be denied the opportunity to take a final exam if unexcused class absences continue.
- After the 10th unexcused class absence, parents will be notified in writing that the student has been absent for more than one-half the number of maximum unexcused class absences and may be denied the opportunity to take the final exam if unexcused class absences continue. If the student exceeds the specified limit he/she may be denied the opportunity to take the course's final examination. A conference with school administrators and/or teachers will be requested.
- Upon the 16th unexcused class absence, the parent will be notified through certified mail that the student will be denied the opportunity to take the course's final examination due to excessive unexcused class absences.

In every letter to a student's parent, a request will be made for the parent to contact the Principal's office or child's counselor. The counselor will discuss the impact of excessive absences on the student's education and the associated consequences. The parent(s) or guardian(s) will have an opportunity to confer with school staff members such as administration, or guidance counselors.

However, a conference with the parent(s) or guardian(s) is not a prerequisite to denying participation in the final examination to a student who has failed to meet attendance requirements.

V. Requirements for Summer School Participation

Students who exceed the attendance limit (30 full-year/15 half-year) will continue to receive grades that will be counted toward quarterly averages. Upon reaching 40 unexcused class absences for a full year course or 22 unexcused class absences for a half-year course, the student may no longer be eligible for summer school and will have to repeat the course in its entirety the next semester offered. In order to be considered for summer school after the 40th unexcused class absence, the student and his/her parent or guardian must meet with the principal to discuss the student's absenteeism.

VI. Appeal Process

Each school - Benjamin Cosor Elementary School and the Fallsburg Jr./Sr. High School - will establish an attendance appeals committee. The purpose of the appeals committee is to hear students' appeals of the enforcement of the attendance policy. The appeals committee consists of the principal (or his designee); a guidance counselor/social worker, and a teacher. The appeals committee will meet during the instructional day and the parent may appear at the meeting, if requested.

The written appeal for a hearing must be received by the principal within five (5) school days of the date of the loss of final exam privileges' notice unless, if found by the appeals committee, extraordinary circumstances warranted an exemption from the 5-school day requirement. The student and parent(s)/guardian(s) will be notified of their right to appear at this meeting and/or submit appropriate, verifiable documentation to present to the committee. The committee will determine if the 83% attendance requirement can be waived and, therefore, allow the student to take the local final examination.

If the parent/guardian is not satisfied with the decision of the appeals committee, he/she may appeal to the superintendent of schools. The superintendent may, if he/she deems necessary, hear the appeal of the parent/guardian. The superintendent may uphold or overturn the decision of the appeals committee as he/she sees appropriate.

VII. Minimum Attendance Requirement for K-6th Grade Students

Although there are no final examinations at the Benjamin Cosor Elementary School, the K-6th grade attendance requirement is consistent with all other components of this attendance policy. All students must attend as per the Code of Conduct and this policy. This shall apply to all students in grades K-6. The school staff will discuss the importance of school attendance and offer assistance to parents and guardians of students who are excessively absent. Parental notification will be served as outlined in section IV of this policy.

VIII. Annual Review

The Board shall annually review building-level student attendance records and, if such records show a decline in student attendance, the Board shall revise this comprehensive attendance policy and make any revisions to the plan it deems necessary to improve student attendance.

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**DISTRICT-WIDE
CODE OF CONDUCT
2023-2024**



FALLSBURG
CENTRAL SCHOOL DISTRICT
VISION STATEMENT

Fallsburg Central School District is a safe, nurturing environment, where excellence is expected, diversity and individuality are celebrated, and learning prepares students to face the challenges of an ever-changing global society.

Home of the Comets!

Approved by Board of Education
July 5, 2023

CODE OF CONDUCT

I. INTRODUCTION

Our Vision

The goal of the Fallsburg Central School District is to promote a safe, nurturing environment, where excellence is expected, diversity and individuality are celebrated, and learning prepares students to face the challenges of an ever-changing global society.

Our Mission

The Educational Mission of the Fallsburg Central School District is:

- Prepare Today
- Succeed Tomorrow
- Inspire Excellence
- Challenge the World

As a part of this mission, the Fallsburg Central School District (“FCSD”) is committed to facilitating a safe and orderly school environment where students may receive and District personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other District personnel, parents and other visitors is essential to achieving this goal.

The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to facilitate the prompt and fair administration of discipline. To this end, the Board adopts this Code of Conduct (“code”).

This code applies to all students, school personnel, parents and other visitors when on school property or attending a school function or event on or off school grounds.

The following pages are written in order to make you aware of the rules that have been established to make your school year successful. This Code of Conduct is a result of the combined efforts of students, parents, teachers, community members, administration and the Board of Education. This Code of Conduct does not include everything that may occur during the school day. From time to time, incidents occur which may bring about change or give us new information on previously discussed topics. As a result, this Code of Conduct is an evolving document.

Students are responsible for knowing the contents of this Code of Conduct. If a student (or any member of the school community) has a question or concern about information in this Code of Conduct, he/she should contact the building Principal at their own convenience.

This Code of Conduct has been drafted to meet the requirements of the Project SAVE legislation (Education Law § 2801) and Section 100.2(1) of the Commissioner’s Regulations. Unless otherwise noted, all statutory references in the code are to the Education Law.

II. DEFINITIONS

For purposes of this code, the following definitions apply.

“Alcohol and Illegal Substance Use/Abuse” means possession, distribution, consumption, being under the influence, or sale of anything defined below as Illegal Substances.

“Cyberbullying” means Harassment/Bullying through any form of electronic communication. 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 email messages, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying can involve, but is not limited to: sending mean, vulgar, or threatening messages or images; posting sensitive, private information about another person; pretending to be someone else in order to make that person look bad. Cyberbullying involving District students may occur both on campus and off school grounds and may involve student use of the District internet system or student use of personal digital devices including but not limited to: cell phones, digital cameras, personal computers, electronic tools.

“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.

“Discrimination” means discrimination against any student be a student or students and/or 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, natural hair or hairstyle, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

“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.

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

“Employee” shall mean any person: (i) who is receiving compensation from a school or (ii) whose duties involve direct student contact and (a) who is receiving compensation from any person or entity that contracts with a school to provide transportation services to children, or (b) who is an employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law, and consistent with the provisions of such title for the provision of services to such school, its students or employees, directly or through contract.

“Gender” means actual or perceived sex and shall include a person’s gender identity or expression.

“Gender expression” is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.

“Gender identity” is one’s self-conception of their gender, whether or not such self-conception is different from that traditionally associated with the person’s physiological sex or sex assigned at birth.

“Harassment/Bullying” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyber-bullying as defined in this Code that

- a) Has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or
- b) Reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
- c) Reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
- d) Occurs off school property and created 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.

For purposes of this definition, the terms “threats, intimidation, or abuse” shall include verbal and non-verbal actions.

Acts of harassment and bullying that are prohibited include those acts based on a person’s actual or perceived race, color, weight, natural hair or hair style, national origin, ethnic origin, ethnic group, religion, religious practice, disability, sexual orientation, sex, gender (including gender identity and expression) or any other legally protected status.

Bullying may be premeditated or a sudden activity. Bullying may be subtle or easy to identify. Bullying may be done by one person or a group. Bullying may be a single act or a series of occurrences. Bullying may also be based on any characteristic including but not limited to a person’s actual or perceived race, color, weight, natural hair or hair style, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, gender (including gender identity and expression) or any other legally protected status.

Bullying includes, but is not limited to, the following types:

Verbal bullying: includes but is not limited to name calling, insulting remarks, verbal teasing, frightening phone calls, violent threats, extortion, taunting, gossip, spreading rumors, racist slurs, anonymous notes, etc.

Physical bullying: includes but is not limited to poking, slapping, hitting, tripping or causing a fall, choking, kicking, punching, biting, pinching, scratching, spitting, twisting arms or legs, damaging clothes and personal property, taking personal belongings without permission, or threatening gestures.

Social or relational bullying: includes but is not limited to excluding someone from a group, isolating, shunning, spreading rumors or gossiping, arranging public humiliation, undermining relationships, teasing about clothing, blatant or subtle offensive body language, extortion, intimidation, coercion, etc.

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

Hazing behaviors include, but are not limited to, the following general categories:

- a) Humiliation: socially offensive, isolating or uncooperative behaviors
- b) Substance abuse: abuse of tobacco, alcohol, or illegal/legal drugs and other Illegal Substances
- c) Dangerous hazing: hurtful, aggressive, destructive, and disruptive behaviors

“Illegal Substances” include, but are not limited to, alcohol, inhalants, cannabis/marijuana, Tetrahydrocannabinol (THC) vapes, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs, look-alikes (including but not limited to synthetic cannabinoids and any pretend substances, like spices or plants being passed off as marijuana or a vitamin tablet being passed off as an illegal drug), prescription or over-the-counter drugs and other related paraphernalia (including but not limited to vape products, vape batteries and/or vape chargers) when possession is unauthorized or such are inappropriately used or shared with others, and any product which, when misused, will result in an impaired or altered state.

“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, and is the subject of a written or oral complaint to the Superintendent, Principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status.

“Parent” means parent, guardian or person in parental relation to a student.

“Retaliation” means the actions of an employee, student, or visitor that mistreats any person because he/she has reported, testified about, or otherwise assisted in an investigation, proceeding or hearing concerning alleged harassment or bullying or a student disciplinary matter. An individual may be found to have engaged in prohibited retaliation even if the underlying complaint is determined to be unfounded. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment or inducing a third party to take such actions and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment.

“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 or 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 any event or activity sponsored by the School District or any of its

schools, extra-curricular programs, clubs, or which occurs on the School District's property.

“School property” means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142.

“Sexual orientation” means actual or perceived heterosexuality, homosexuality or bisexuality.

“Smoking/Tobacco Product” means any vaping or nicotine-containing devices and accessories to such devices and any other tobacco-containing product in any form, as well as matches, lighters and other related paraphernalia. This also includes any simulated tobacco products that imitate or mimic tobacco products including vape product batteries or vape product chargers.

“Under the Influence” A student shall be considered “under the influence” if he or she has used any quantity of a Prohibited Substance or alcohol within a time period reasonably proximate to his/her presence on School Property, on a School Bus, in a school vehicle, or at a school-sponsored School Function is seen exhaling smoke and/or exhibits symptoms of such use as to lead to the reasonable conclusion of such consumption.

“Violent Pupil” 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 property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
3. Possess, while on school property or at a school function, a weapon.
4. Displays or possesses, 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 firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, cap gun, starter pistol, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance (“Other Item”) that can cause physical injury or death when such Other Item is used to cause physical injury or death. Any “look-alikes,” fake or toy weapons wielded as a weapon are considered a weapon for purposes of this definition.

III. STUDENT RIGHTS AND RESPONSIBILITIES

Student Rights

The District is committed to safeguarding the rights given to all students under federal and state law and

district policy. In addition, to promote a safe, healthy, orderly and supportive school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of race, weight, color, creed, national origin, ethnic group, religion, religious practice, gender or sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school policies, regulations and rules and, when necessary, receive an explanation of those rules from school personnel.

Student Responsibilities

All District students have the responsibility to:

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

IV. STUDENT DRESS CODE

The intent of the Student Dress Code is to foster an environment that is sanitary, safe and conducive to teaching and student learning. It is also intended to provide guidance to prepare students for their role in the workplace and society. All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students' dress needs to be appropriate for the function you are attending. At these times you are a representative of your community and school, and the impression you make reflects on all.

The school does not dictate styles. However, school officials reserve the right to determine what acceptable and unacceptable attire is. 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.

Each building Principal or his/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.

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

Students must be dressed in appropriate clothing, footwear and protective equipment as required for physical education classes, participation in athletics, science laboratories, home and career skills classes and other classes that may have specific dress requirements.

A student's dress, grooming and appearance, including hair style/color, jewelry, make-up, and nails shall meet the following requirements:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Completely cover underwear or undergarments with outer clothing.
3. Necklines and backs of blouses and shirts should be (a) no lower than one hand's width below the collar bone in front; (b) no lower than the center of the shoulder blade in back; and (c) one hand must be able to cover any opening below the arm. Tops should not be higher than one inch above the navel. Shorts, skirts, dresses, pants and similar outer garments must have an appropriate and modest length and fit. They are considered too short if, when fully extending one's arm and hand along one's side, the hem or cuff is higher than the fingertip of the index finger. In addition, the waistline of such apparel must be worn at the student's waistline. The discretion of the building administrator or his/her designee may also be used to determine if a garment is inappropriate for school due to being too short, too tight, and/or too loose.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not constitute a threat or danger to the health and safety of students (e.g., heavy jewelry, chains, or jewelry with spikes which can injure the student or others).
6. Not include items that are vulgar, lewd, obscene, indecent, profane, or libelous, including messages that are innuendos or have double meanings.
7. Not promote, reference, and/or endorse the use of drugs and other illegal substances, alcohol and/or tobacco.
8. Sunglasses are not permitted inside unless medical documentation has been provided to the school and reviewed/approved by the school nurse
9. Any dress or appearance which advocates or encourages illegal or violent activities;
10. Any dress or appearance which advocates discrimination or denigrates others based upon race, color, creed, religion, national origin, gender, sexual orientation or disability;
11. Hats may be worn in the building at all times, except when the Pledge of Allegiance is recited, or a teacher deems the removal of hats necessary to the class topic for the day. These reasons may include, but are not limited to the preparation for a job interview or in a science laboratory assignment.
12. Hoods are permitted hallways but must be removed in individual classrooms if required by the teacher.

Nothing in this Dress Code will be construed to limit the ability of students to dress and/or groom themselves in a way that allows them to express their gender identity, or to discipline students for doing so. In addition, nothing in this Dress Code will be construed to limit the ability of students to wear

certain protective hairstyles (including but not limited to braids, locks and twists) or to wear their hair in a particular texture, or to discipline students for doing so.

Backpacks and Bags

Standard sized backpacks and bags will be permitted. During classes, phones, other electronics and personal belongings should be stored in the student's backpack or bag. Teachers have discretion as to how backpacks and bags are stored in individual classrooms.

Lockers

Every student is assigned a locker at the beginning of the school year. Students are not permitted to share lockers, or swap lockers. Lockers should remain locked at all times. School lockers are the property of the school district. Inspection of the interior of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant.

V. ESSENTIAL PARTNERS

Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community as they collaborate with the District to optimize their child's educational opportunities.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Ensure their children are dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them so that their children can help create a safe, supportive school environment.
8. Convey to their children a supportive attitude toward education and the District.
9. Build positive, constructive relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.

Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Maintain confidentiality in conformity with federal and state law.
6. Communicate to students and parents:
 - a. Course objectives and requirements

- b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan.
7. Communicate regularly with students, parents and other teachers concerning growth and achievement.
 8. Participate in school-wide efforts to provide adequate supervision in all school spaces, in conformity with the Taylor Law.
 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 in the school or classroom setting.

Guidance Counselors

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
3. Initiate teacher/student/counselor conferences and parent/teacher/ student/ counselor conferences, as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Maintain confidentiality in accordance with federal and state law.
6. Provide information to assist students with career planning.
7. Encourage students to benefit from the curriculum and extracurricular programs.
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 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.

Other School Personnel

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Be familiar with the code of conduct.
4. Help children understand the district's expectations for maintaining a safe, orderly environment.
5. Participate in school-wide efforts to provide adequate supervision in all school spaces.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students.

Principals/Administrators

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and

learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

2. Facilitate regular communication between students/staff and the principal/administrators in a manner that allows for redress of grievances.
3. Maintain confidentiality in accordance with federal and state law.
4. Evaluate on a regular basis all instructional programs to promote the 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.
Disseminate the code of conduct and anti-harassment policies.
7. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces.
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.

The Bullying Prevention Coordinator(s)

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Oversee the building-level bullying prevention committees and work with the district-wide bullying prevention committees.
3. Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources.
4. Coordinate, with the professional development committee, training in support of the bullying prevention committee.
5. Are responsible for monitoring and reporting on the effectiveness of the district's bullying prevention policy.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students and staff.

Superintendent

1. Promotes a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Informs the Board about educational trends relating to student discipline
3. Reviews with district administrators the policies of the Board of education and state and federal laws relating to school operations and management.
4. Maintains confidentiality in accordance with federal and state law.
5. Works to create instructional programs that minimize incidence of misconduct and are sensitive to student and teacher needs.
6. Works with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
7. Participates in school-wide efforts to provide adequate supervision in all school spaces.
8. Addresses 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.

9. Addresses personal biases that may prevent equal treatment of all students and staff.

Board of Education

1. Promotes a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Maintains confidentiality in accordance with federal and state law.
3. Develops and recommends a budget that provides programs and activities that support achievement of the goals of the code of conduct.
4. Collaborates with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
5. Adopts and reviews, at least annually, the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
6. Leads by example by conducting Board meetings in a professional, respectful, courteous manner.
7. Addresses 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. Addresses personal biases that may prevent equal treatment of all students and staff.

VI. REPORTING AND RESPONDING TO ACTS OF HARASSMENT, BULLYING, AND/OR DISCRIMINATION (DASA)

The building principal is the school employee charged with receiving all reports of harassment, bullying and discrimination; however, students and parents may make an oral or written complaint of harassment, bullying or discrimination to any teacher, administrator or school employee.

The District will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment and bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment and bullying.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator. The staff member/administrator to whom the report is made (or the staff member/administrator who witnesses or suspects bullying/cyberbullying behavior) shall document and take appropriate action to address the immediacy of the situation and shall promptly report in accordance with the following paragraphs.

Upon receipt of a complaint (even an anonymous complaint), or if a school employee otherwise learns of any occurrence of possible conduct prohibited by this policy, the school employee shall promptly and orally notify the school principal no later than one school day after such school employee

witnesses or receives the complaint or learns of such conduct. Such school employee shall also file a written report with the school principal no later than two school days after making such oral report.

After receipt of a complaint, the building principal shall lead or supervise a thorough investigation of the alleged harassing, bullying and/or retaliatory conduct. The Principal or the Principal's designee shall ensure that such investigation is completed promptly and investigated in accordance with the terms of district policy. All complaints shall be treated as confidential and private to the extent possible within legal constraints.

Based upon the results of this investigation, if the District determines that a school official, employee, volunteer, vendor, visitor and/or student has violated the District's Code of Conduct or a material incident of harassment, bullying and/or discrimination has occurred, immediate corrective action will be taken as warranted, it will take prompt action reasonably calculated to end the violation, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such violation was directed.

The Principal, Superintendent, or their designee shall promptly notify the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct. The Principal or the Principal's designee shall provide a regular report, at least once during each school year, on data and trends relating to harassment, bullying and/or discrimination to the Superintendent of Schools.

Retaliation against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination shall be prohibited.

As a general rule, responses to acts of harassment, bullying, and/or discrimination against students by students shall incorporate a progressive model of student discipline that includes measured, balanced and age-appropriate remedies and procedures that make appropriate use of prevention, education, intervention and discipline, and considers among other things, the nature and severity of the offending student's behavior(s), the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the student's behaviors had on the individual(s) who was physically injured and/or emotionally harmed. Responses shall be reasonably calculated to end the harassment, bullying, and/or discrimination, prevent recurrence, and eliminate the hostile environment.

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

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

1. promptly investigated in accordance with the terms of District policy;
2. forwarded to the program's Dignity For All Students Act Coordinator for monitoring; and
3. treated as confidential and private to the extent possible within legal constraints.

Prevention is the cornerstone of the District's effort to address bullying and harassment. In order to implement this anti-bullying prevention program, the Board will designate, at its annual organizational meeting, individuals at each school to act as the Dignity For All Students Act Coordinator ("DAC").

These individuals shall be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex.

The DASA Coordinators will be responsible for assisting in coordinating and enforcing the requirements of the Dignity for All Students Act and its related policies and regulations at each school building, including but not limited to:

- Professional development for staff members;
- The complaint process; and
- Implementation of the Dignity Act's civility curriculum components.

District designated DASA Coordinators are:

Shana Bruestle, Junior Senior High School Principal, 845-434-6800 ext 2207

Mary Kate Stinehour, Elementary Principal, 845-434-4110 ext 3206

VII. 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.

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

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

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

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.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act which disrupts the normal operation of the school community.
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. 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.

Engage in conduct that is insubordinate.

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

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving school without permission.
3. Skipping detention.

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.

Engage in conduct that is violent.

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

1. Committing an act of violence (such as hitting, kicking, punching, and 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. 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.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. 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.
7. Vandalism, including but not limited to intentionally damaging or destroying school district property.
8. Making a terroristic threat against the school or another student.
9. Threatening to commit an act of violence.

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. Attempting to engage in or perform an act of violence noted previously.
2. 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.
3. Stealing or attempting to steal the property of other students, school personnel or any other person lawfully on school property or attending a school function.
4. 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.
5. Discrimination, which includes using race, color, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual orientation, weight or disability to deny rights, equitable treatment or access to facilities available to others.

6. Harassment, which includes a sufficiently severe action or persistent pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing or demeaning. Harassment is also the creation of a hostile environment.
7. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
8. Bullying, which may be a hostile activity that harms or induces fear through the threat of further aggression and/or creates terror.
9. Hazing, which includes an induction, initiation or membership process involving harassment.
10. Selling, using, distributing or possessing obscene material.
11. Using vulgar or abusive language, cursing or swearing.
12. Possessing, consuming, selling, offering, accepting, manufacturing, distributing or exchanging Illegal Substances or being under the influence of Illegal Substances.
13. Possessing, using, consuming, selling, purchasing, offering, accepting, manufacturing, distributing, or exchanging Tobacco Products.
14. Inappropriately using or sharing prescription and over-the-counter drugs.
15. Gambling.
16. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
17. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
18. Knowingly making false statements or knowingly submitting false information to school staff.
19. Recording another individual including the recording of a physical altercation.
20. Encouraging, aiding or facilitating another student to commit a physical or verbal threat, act of physical violence, or any other act of misconduct listed in this Code.

Engage in misconduct while on a school bus.

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

Engage in any form of academic misconduct.

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

1. Plagiarism
2. Cheating
3. Copying
4. Altering records
5. Direct plagiarism/copying from Artificial Intelligence sites or applications such as, but not limited to, Chat GPT and Google Bard
6. Assisting another student in any of the above actions.

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. Cyber bullying (i.e., inflicting willful and repeated harm through the use of electronic texting and/or messaging).
2. Threatening or harassing students or school personnel over the phone or other

electronic medium.

VIII. REPORTING VIOLATIONS

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

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

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

The building Principal or his or her designee must notify the appropriate local law enforcement agency of those code violations, including but not limited to incidents of harassment, bullying, and/or discrimination, which may 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, followed by a letter mailed on the same day as the telephone call is made. 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 student's ability to grow in self-discipline.

Disciplinary action is always the last resort after alternative intervention strategies have failed. These strategies may include mediation and counseling. Disciplinary action, when necessary, will be 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

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 requirements of this Code of Conduct for disciplining students with a disability or presumed to have disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

1. Potential Consequences

Students who are found to have violated the District's Code of Conduct may be subject to the following consequences, either alone or in combination. School District personnel are authorized to impose consequences, consistent with the student's right to due process.

- Peer Mediation: Mediation allows for interpersonal and school-based conflicts to be resolved in a cooperative setting. Mediation empowers people to become decision makers in resolving their own conflicts. Student mediators may be available to help their peers resolve conflicts while information remains confidential. Students in need of help resolving a conflict with another person(s) should request mediation by speaking with the mediation advisor or by asking in the high school office. Students who feel that they are in serious conflict should bring their issues to the attention of a teacher, guidance counselor or administrator immediately.
- Verbal warning – any member of the District staff
- Written warning – bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, Principal, Assistant Principal, Superintendent
- Written notification to parent – bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, Principal, Superintendent
- Detention – Principal, Assistant Principal, Superintendent.
- Lunch Detention – Students eat lunch in a separate location during their designated lunch period. Students must be on time and sit quietly for the entire time.
 - After-School Detention: Jr./Sr. High School students are kept after school from 2:40-4:40 PM. BCES students are kept after school from 4:00 PM to 4:45 PM. Students must be on time and sit quietly for the entire time.
- Suspension from transportation – Principal, Assistant Principal, Superintendent
- Suspension from athletic participation – coaches, Athletic Director, Principal, Assistant Principal, Superintendent
- Suspension from social or extracurricular activities – activity director, Principal, Assistant, Principal, Superintendent
- Suspension of other privileges – Principal, Assistant Principal, Superintendent
- In-School Suspension/Character Education – Principal, Assistant Principal, Superintendent. Students are kept in an alternative educational classroom for the entire/or part of the school day. Students will be given credit for all work completed and for attendance. Students are not allowed to attend school or school related functions.
- Removal from classroom by teacher – teachers, Principal, Assistant Principal
- Short-term (five days or less) suspension from school – Principal, Superintendent, Board of Education. Students are not allowed to attend school or school-related functions. After-school suspension instruction (PM Program) in the High School will be provided from 1:45-4:45p.m., Monday through Thursday, at the school. At the Elementary School, after-school suspension instruction (PM Program) will be provided from 4:00 – 6:00 PM, Monday through Thursday, at the school. Attendance is mandatory. If a student is absent it will be placed into their attendance record.
- Long-term (more than five days) suspension from school – Principal, Superintendent, Board of Education. Students are not allowed to attend school or school-related functions. After-school suspension instruction (PM Program) in the High School will be provided

from 1:45-4:45pm., Monday through Thursday, at the school. At the Elementary School, after-school suspension instruction (PM Program) will be provided from 4:00 – 6:00 PM, Monday through Thursday, at the school. Attendance is mandatory. If a student is absent it will be placed into their attendance record.

- Permanent suspension from school – Superintendent, Board of Education

2. Procedures

The school District will make every effort to make sure that a student receives due process before a penalty is 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.

Detention

The Principal, Assistant Principal, 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.

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, 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 penalty involved.

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 penalty involved.

In-School Suspension/Character Education Program

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building Principals 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 or in the Character Education Program.

A student subjected to an In-School Suspension/Character Education Program 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.

A student who receives a referral while in the Character Education program is subject to suspension out of school.

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 guidance counselor or other District staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this Code of Conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies only to the specific class and teacher where the student was removed. A student who is removed from one specific class, in most instances, may continue attending other classes unless the infraction that occurred in the classroom warrants a separate disposition (determined by a school administrator).

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

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 referral form and meet with the Principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the Principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the Principal or designee prior to the beginning of classes on the next school day.

Within 24-hours of 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.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the 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:

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

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 and/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/or referrals warrant immediate attention. In such cases, a written report is to be prepared as soon as possible by the staff member recommending the suspension.

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

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

After the conference, the Principal shall promptly advise the parents in writing of his or her decision

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 shall give reasonable notice to the student and the student’s parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

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

shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District clerk within 15 business days of the date of the Superintendent's decision. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

X. MINIMUM PERIODS OF SUSPENSION

1. Students who bring or possess certain weapons on school property

1. Any student, other than a student with a disability, found guilty of bringing a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the consequence, the Superintendent may consider the following:
 - a. The student's age.
 - b. The student's grade in school.
 - c. The student's prior disciplinary record.
 - d. The Superintendent's belief that other forms of discipline may be more effective.
 - e. Input from parents, teachers and/or others.
 - f. Other extenuating circumstances.

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

2. Students who commit violent acts other than bringing or possessing certain weapons on school property

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death onto school property, shall will be subject to suspension from school for at least one day. If the proposed consequence is the minimum one-day suspension, the student and the student's parent/guardian 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 consequence exceeds 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 one-day suspension on a case-by-case basis. In deciding whether to modify the consequence the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

Any student, other than a student with a disability, who repeatedly is substantially disruptive of

the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least one day. For purposes of this code of conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law § 3214 (3-a) and this code on four or more occasions during a semester. If the proposed consequence is the minimum one-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 consequence exceeds a 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 one-day suspension on a case-by-case basis. In deciding whether to modify the consequence, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

XI. 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 ensure the provision of continued educational programming and activities for students removed from the classroom or suspended from school, which shall include alternative educational programs appropriate to individual student needs.

XII. REFERRALS

1. **Counseling and Human Services Agencies**
The Guidance Office shall be responsible for all referrals of students to counseling or, when appropriate, human services agencies.
2. **PINS Petitions**
The District may file a PINS (Person in Need of Supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:
 - o Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
 - o 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.
 - o Knowingly and unlawfully possesses marijuana in violation of Penal Law §221.05. A single violation of §221.05 will be a sufficient basis for filing a PINS petition.
3. **Juvenile Delinquents and Juvenile Offenders**
The Superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

Any student under the age of 16 who is found to have brought a weapon or firearm to

school, and who is not a 14 or 15 year old student who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).

The Superintendent is required to refer students who have been determined to have brought a weapon or firearm to school and who are either (a) age 16 and older or (b) 14 or 15 years old and qualify for juvenile offender status under the Criminal Procedure Law §1.20(42) to the appropriate law enforcement authorities.

XIII. STUDENT INFRACTIONS AND DEFINITIONS

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

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

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear to all members of the school community including students, teachers and parents/guardians.

The goal of this section of the Code of Conduct is to establish school wide expectations and understanding of the levels of support available to maintain school wide spaces, classrooms, buses and events as safe, nurturing environments where excellences is expected, diversity and individuality are celebrated and learning prepares students to face the challenges of an ever-changing global society.

The listed sanctions are advisory, and, as a general rule, discipline will be progressive. This means that a student's first violation may, depending upon the infraction, merit a lighter penalty than subsequent violations. The following chart provides general guidelines for the District's response to specific infractions, however, the District retains the discretion to impose any level of discipline, even for a first violation, that is proportionate to the misconduct at issue.

Levels of Behavior Concerns, Violations and Responses

<p>Tier 1: Classroom support/teacher managed-universal core instruction Appropriate where the behavior is a minor infraction. RTI classroom supports have been put in place and behavior has been communicated to parent/guardian.</p>	<p>Tier 2: Intensive support staff and appropriate administration May be appropriate when supports have been put in place in the classroom to address behavior, but the behavior has become persistent and has continued to negatively influence the learning of the student and others. Possibility of short-term suspension.</p>	<p>Tier 3: Suspension May be appropriate given the seriousness of the offense and impact on the school community, and/or when documented interventions and supports have been put in place but the behavior is escalating. Possibility of increased suspension days and/or superintendent's hearing.</p>
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Tier 1 (Classroom Managed)

Includes positive behavioral support interventions both in the classroom and school-wide which are consistent with the FCSD mission statement. Building on established classroom rules and routines, staff members will react to and refocus negative or disruptive behaviors while positively reinforcing the rules outlined in the student Code of Conduct. The goal of Tier 1 interventions is to isolate and address minor disciplinary incidents in the classroom in order to prevent more serious future infractions.

Tier 1 Behavior Concerns	Definitions
Engage in conduct that is disorderly. Examples of such misconduct include, but are not limited to:	
Using Inappropriate Language/ Gestures	Student directly or indirectly delivers verbal messages/ gestures that include swearing, name calling or use of words or gestures in an inappropriate way
Misuse Computer/ Electronic Communications	Student uses technology for non-educational purposes and/or shares or uses others' passwords, but can be redirected immediately
Public Display of Affection	Students engaged in any physical contact that may make others in close proximity uncomfortable or serves as a distraction for themselves as well as onlookers. Students are quickly redirected.
Physical Contact	Student engages in physical contact and/or endangers a student(s) or staff but stops when requested.
Engage in conduct that is insubordinate. Examples of such misconduct include, but are not limited to:	

Insubordination/ Failure to Compl	Student initially engages in refusal to follow directions or talks back but does comply, or their actions do not prevent instruction from continuing.
Any Willfully Disruptive Act	Student engages in behavior causing an interruption in a class or activity. Disruption includes loud talking, yelling, or noise with materials; horseplay or roughhousing; and/or out-of-seat behavior. Instruction can continue.
Missing From Class/School	Student is not present in class, leaves without permission or does not return in a reasonable time if given a pass.
Late to Class	Student is late to class less than three times in a marking period
Lying to School Personnel	Student delivers message that is untrue.
Engage in conduct that is disruptive. Examples of such misconduct include, but are not limited to:	
Dress Code Violation	Student wears clothing that does not follow the dress code guidelines and makes appropriate adjustments.

Use of personal electronics	Student engages in inappropriate (as defined by school) use of personal electronics including but not limited to; cell phones,airpods, smart watches. etc and complies with teacher request.
Theft	Student is responsible for removing someone else's property without that person's permission. The item is returned quickly.
Engage in conduct that is violent. Examples of such misconduct include, but are not limited to:	
Physical Contact	Student engages in physical contact and/or endangers a student(s) or staff but stops when requested.
Engage in any conduct that endangers the safety, physical or mental health or welfare of others. Examples of such misconduct include, but are not limited to:	
Social Media Infraction/Cyber bullying	Student engages in social media activity during class that disrupts the learning process but complies when asked to stop and learning is able to continue quickly.***
Theft	Student is responsible for removing someone else's property without that person's permission. The item is returned quickly.

Intentional Damage/ Destruction of School Property	Student participates in an activity that results in minor disfigurement of property.
Engage in misconduct while on a school bus. Examples of such misconduct include, but are not limited to:	
Misconduct on Bus	See Tier 2 & 3
Engage in any form of academic misconduct. Examples of such misconduct include, but are not limited to:	
Cheating (Academic Misconduct)	Student cheats, plagiarizes, copies or assists others in academic misconduct on classroom assignments (homework, morning work, classwork, etc.). This includes plagiarism from Artificial Intelligence sites or applications such as, but not limited to, Chat GPT and Google Bard.
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:	
Social Media Infraction/Cyber bullying	Student engages in Social media activity during class that disrupts the learning process but complies when asked to stop and learning is able to continue quickly.

Tier 1

Behavior supports & response options:	Potential Consequences:
<ul style="list-style-type: none"> <input type="checkbox"/> Warning <input type="checkbox"/> Change or re-assign seat <input type="checkbox"/> Conference with student <input type="checkbox"/> Contact parent <input type="checkbox"/> Contract with student <input type="checkbox"/> Conference with other staff members to find out what works <input type="checkbox"/> Mediation with student guidance office or with social worker <input type="checkbox"/> Time out of classroom to re-focus 	<ul style="list-style-type: none"> <input type="checkbox"/> Verbal warning <input type="checkbox"/> Written warning <input type="checkbox"/> Parent notification and conference with administrator, parent and student. <input type="checkbox"/> Lunch Detention <input type="checkbox"/> Suspension from other privileges <input type="checkbox"/> Assignment to in-school suspension for interventions that match student's needs.* <input type="checkbox"/> Immediate removal from classroom or other location to in-school suspension. * <input type="checkbox"/> Incident investigation. * <input type="checkbox"/> Signed agreement made by all parties involved with using a restorative conference approach. **

Tier 2: Classroom & Office Managed

Tier 2 interventions build on the strategies and positive behavioral supports established in Tier 1. A safe learning environment is a productive learning environment. FCSD aims to implement rules in a manner which reinforces desired behaviors and provides an example to encourage students to make healthy, safe and positive choices which promote learning and improve the school atmosphere for both students and staff.

Tier 2 Behavior Concerns	Definitions
Engage in conduct that is disorderly. Examples of such misconduct include, but are not limited to:	
Using Inappropriate Language/ Gestures	Student directly delivers verbal messages/ gestures that include swearing/profanity or use of words or gestures in an abusive manner.
Misuse Computer/ Electronic Communications	Student uses technology for non-educational purposes and/or shares or uses others' passwords.
Public Display of Affection	Students engaged in any physical contact that may make others in close proximity uncomfortable or serves as a distraction for themselves as well as onlookers.
Engage in conduct that is insubordinate. Examples of such misconduct include, but are not limited to:	
Insubordination/ Failure to Comply	Student engages in refusal to follow directions, talks back and/or delivers socially rude interactions and instruction cannot continue.
Any Willfully Disruptive Act	Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talking, yelling, or screaming; noise with materials; horseplay or roughhousing; and/or sustained out-of-seat behavior and
Missing From Class/School	Student is not present in class, leaves without permission or does not return in a reasonable time if given a pass.
Late to Class	Student is late to class more than three times in a marking period
Lying to School Personnel	Student fabricates a lie/story with intent to get others in trouble.
Skipping Detention	Student fails to report to detention as assigned by teacher or administrator.

Parking Infraction	Student parks his/her vehicle in an unauthorized location and/or parks on school property without a valid parking permit.
Persistent Tier 1 Behaviors	Student demonstrates a pattern of repeated Tier 1 behaviors which have been documented and addressed with little or no improvement in student behavior.
Engage in conduct that is disruptive. Examples of such misconduct include, but are not limited to:	
Dress Code Violation	Student has been warned more than one time about clothing that does not follow the dress code guidelines and refused to make appropriate
Use of personal electronics	Student engages in inappropriate (as defined by school) use of personal electronics such as cell phones and refuses to comply.
Theft	Student is responsible for removing someone else's property without that person's permission. This could be a repeated offense.
Public Display of Affection	Students engaged in any physical contact that may make others in close proximity uncomfortable or serves as a distraction for themselves as well as onlookers.
Engage in conduct that is violent. Examples of such misconduct include, but are not limited to:	
Physical Contact	Student engages in physical contact and/or endangers a student(s) or staff but stops when requested.
Fighting	Student engages in actions involving physical contact where injury may occur (e.g., hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.).
Intentional Damage/ Destruction of School Property	Student participates in an activity that results in minor disfigurement of property.
Engage in any conduct that endangers the safety, physical or mental health or welfare of others. Examples of such misconduct include, but are not limited to:	
Directed Profanity	Student uses profanity that is directed toward any person, staff or student.
Intentional Damage/ Destruction of School Property	Student participates in an activity that results in minor disfigurement of property.

Social Media Infraction/Cyber bullying	Student engages in Social Media activity either inside or outside of the school building that interferes with the learning process.
Misuse Computer/ Electronic Communications	Violation of the school's acceptable use policy.
Smoking/vaping	Student possesses and/or uses tobacco or vaping products.
Harassment/ Bullying/ Intimidation/ All DASA Violations	As defined in this Code of Conduct.
Leaving School/ Class without Permission	Student leaves the school or class without authorization.
Missing From Class/School	Student is not present in class, leaves without permission or does not return in a reasonable time if given a pass or leaves school grounds.
Parking Infraction	Student parks his/her vehicle in an unauthorized location and/or parks on school property without a valid parking permit.
Engage in misconduct while on a school bus. Examples of such misconduct include, but are not limited to:	
Misconduct on Bus	Student engages in behavior that jeopardizes the safety, health, and/ welfare of self, other students, and/or bus driver.
Engage in any form of academic misconduct. Examples of such misconduct include, but are not limited to	
Cheating (Academic Misconduct)	Student cheats, plagiarizes, copies or assists others in academic misconduct on classroom assignments (homework, morning work, classwork, etc.). This includes plagiarism from Artificial Intelligence sites or applications such as, but not limited to, Chat GPT and Google Bard.
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:	

Social Media Infraction/Cyber bullying	Student engages in Social media activity, texting or other electronic medium off- campus that disrupts the learning process or school function.
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Tier 2

Behavior supports & response options:	Potential Consequences:
<ul style="list-style-type: none"> <input type="checkbox"/> Consistent home communication (weekly) <input type="checkbox"/> Check and Connect <input type="checkbox"/> Referral and coordination as appropriate with community-based supports and agencies <input type="checkbox"/> Restorative conference with all people affected by the incident (all parties must agree to participate) 	<ul style="list-style-type: none"> <input type="checkbox"/> Verbal warning <input type="checkbox"/> Written warning <input type="checkbox"/> Parent notification and conference with administrator, parent and student. <input type="checkbox"/> Lunch Detention <input type="checkbox"/> Suspension from transportation * <input type="checkbox"/> Suspension from athletic participation * <input type="checkbox"/> Suspension from extracurricular activities * <input type="checkbox"/> Suspension from other privileges <input type="checkbox"/> Assignment to in-school suspension for interventions that match student's needs. (<input type="checkbox"/> Immediate removal from classroom or other location to in-school suspension. * <input type="checkbox"/> Incident investigation. * <input type="checkbox"/> Signed agreement made by all parties involved with using a restorative conference approach. * <input type="checkbox"/> Up to five-day suspension. * <input type="checkbox"/> Five-day out-of-school suspension with District Hearing to request possible long-term suspension*

Tier 3: Office Managed

Intervention addresses behaviors that may be violent and/or endanger the safety of students and staff as well as seriously jeopardize school and classroom order. Students who exhibit these behaviors are assigned to more intense and individualized interventions.

Tier 3 Behavior Concerns	Definitions
Engage in conduct that is disorderly. Examples of such misconduct include, but are not limited to:	
Using Inappropriate Language/ Gestures	Student directly delivers verbal messages/ gestures that include swearing/profanity or use of words or gestures in an abusive
Misuse Computer/ Electronic Communications	Student uses technology for non-educational purposes and/or shares or uses others' passwords.
Public Display of Affection	Students engaged in any physical contact that may make others in close proximity uncomfortable or serves as a distraction for themselves as well as onlookers.
Engage in conduct that is insubordinate. Examples of such misconduct include, but are not limited to:	
Insubordination/ Failure to Comply	Student repeatedly engages in refusal to follow directions, talks back and/or delivers socially rude interactions and instruction cannot
Any Willfully Disruptive Act	Student repeatedly engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talking, yelling, or screaming; noise with materials; horseplay or roughhousing; and/or sustained out-of-seat behavior and instruction can not continue.
Missing From Class/School	Student is not present in class, leaves without permission or does not return in a reasonable time if given a pass prompting a search for the student(s)
Lying to School Personnel	Student fabricates a lie/story with intent to get others in trouble or to disrupt the learning process..
Persistent Tier1 or 2 Behaviors	Student demonstrates a pattern of repeated Tier 1 or 2 behaviors which have been documented and addressed with little or no improvement in student behavior.
Engage in conduct that is disruptive. Examples of such misconduct include, but are not limited to:	
Use of personal electronics	Student engages in inappropriate (as defined by school) use of personal electronics such as cell phones and refuses to comply which causes significant disruption to the function of school or school related event.
Theft	Student is responsible for removing someone else's property without that person's permission. This could be a repeated offense or a theft of
Public Display of Affection	Students engaged in any physical contact that may make others in close proximity uncomfortable or serves as a distraction for themselves as well

Obscene material (using, selling, possessing)	Possession, use or distribution of obscene or indecent material in any medium.
Alcohol/ Illegal Substance Violation	The possession, use, sale, distribution or delivery of alcohol, tobacco, vaping products/paraphernalia or any Illegal Substance, as defined in this Code, It also applies to substances that are not illegal but being possessed, sold or distributed as an illegal substance.
Gambling	Card playing, games of chance, and betting wherein an individual may receive something of value will not be permitted.
Engage in conduct that is violent. Examples of such misconduct include, but are not limited to:	
Directed Profanity	Student uses profanity that is directed toward any person, staff or student.
Fighting	Intentionally causing or attempting to cause physical injury to another person, or intentionally behaving in such a way that could reasonably cause physical injury to another person
Assault/Committing Act of Violence Upon Staff	An act of violence, force or threat means any act that: involves violence, force, or threat; and. results in physical injury; or. reasonably makes you fear death, sexual assault, or physical injury.
Assault/Committing Act of Violence Upon Student	An act of violence, force or threat means any act that: involves violence, force, or threat; and. results in physical injury; or. reasonably makes you fear death, sexual assault, or physical injury.
Threats	Any threat to “blow up” or “shoot up” the school or “kill” or harm an individual whether the intent is deemed serious or not.
Engage in any conduct that endangers the safety, physical or mental health or welfare of others. Examples of such misconduct include, but are not limited to:	
Smoking/vaping	Student possesses and/or uses tobacco or THC vaping products.
Leaving School/ Class without Permission	Student leaves the school or class without authorization.
Bullying: Verbal, physical social and/or cyber	Persistent and repeated incident of Bullying targeted at the same person or group.

Social Media Infraction/Cyber bullying	Student engages in Social media activity during class that disrupts the learning process but complies when asked to stop and learning is able to continue quickly. Could be repeated behavior or severe.
Theft	Student is responsible for removing someone else's property without that person's permission. The item is returned quickly.
Intentional Damage/ Destruction of School Property	Student participates in an activity that results in minor disfigurement of property.
Harassment/ Bullying/ Discrimination/ Intimidation/ All DASA Violations	As defined in this Code of Conduct.
Indecent exposure	Exposure to sight of the private parts of the body in a lewd or indecent manner.
Initiating a 911 call or false alarm	
Explosives	Students may not be in possession of or use fireworks, explosives, or any other incendiary devices.
Alcohol/Illegal Substance Violation	The possession, use, sale, distribution or delivery of alcohol or any Illegal Substance, as defined in this Code. It also applies to substances that are not illegal but being possessed, sold or distributed as an illegal substance.
Endangerment	Any conduct that jeopardizes the health, safety, or well-being of the school population. This includes, but is not limited to, bomb threats or the calling in of false alarms or pulling alarms to police, fire or first aid
Fighting	Intentionally causing or attempting to cause physical injury to another person, or intentionally behaving in such a way that could reasonably cause physical injury to another person

Weapons	The possession, handling or transmission of any object which can reasonably be considered a weapon. In accordance with the Gun-Free Schools Act of 1994, any student found guilty of bringing a firearm on to school premises or having such a firearm in his/her possession on school premises, after a hearing has been provided pursuant to section 3214 of the Education Law, may be suspended from school for a period of one
Engage in misconduct while on a school bus. Examples of such misconduct include, but are not limited to:	
Misconduct on Bus	Student engages in behavior that jeopardizes the safety, health, and/ welfare of self, other students, and/or bus driver.
Engage in any form of academic misconduct. Examples of such misconduct include, but are not limited to	
Cheating (Academic Misconduct)	Student cheats, plagiarizes, copies or assists others in academic misconduct on classroom assignments (homework, morning work, classwork, etc.).
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:	
Social Media Infraction/Cyber bullying	Student engages in Social media activity, texting or other electronic medium off- campus that disrupts the learning process or school function.

Tier 3

Potential Consequences:

<input type="checkbox"/> Assignment to in-school suspension for interventions that match student’s needs. * <input type="checkbox"/> Immediate removal from classroom or other location to in-school suspension. Incident investigation. * <input type="checkbox"/> Parent notification and conference with administrator, parent and student. * <input type="checkbox"/> Signed agreement made by all parties involved with using a restorative conference approach. ** <input type="checkbox"/> Up to five-day suspension. * <input type="checkbox"/> Five-day out-of-school suspension with District Hearing to request possible long-term suspension. *
<p>*Administrative Consequences ** Administrative and/or Counselor/Social worker directed consequences.</p>

District Cell Phone Policy

Use of Cell Phone/Electronic Device (Headphones/Earbuds/Video Recording)

Use of any personal electronic device during the school day is prohibited and violations will be dealt with according to the Code of Conduct. Any student caught using a personal electronic device during the school day without authorization will be asked to surrender the device.

A “personal electronic device” is defined as including, but is not limited to: personal cell phones and SMART wearables (such as smart watches and health wearables with a display); iPods and MP3 players; personal iPads, tablets, and other eReaders; personal Laptops, notebooks, or any other personal computing devices; 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, or sending/receiving text, audio, or video messages.

Texting during school hours is never allowed. Use of personal electronic device is permitted before and after normal school hours (9:00 AM – 5:00 PM at BCES and 7:56-2:48 at JSHS). Failure to abide by this rule shall be considered insubordination.

If a student is found using electronic devices during academic hours, the following shall apply:*

- 1st offense: Phone is confiscated and returned to student at the end of the day.
- 2nd offense: Phone is confiscated and returned only to parent/guardian.
- 3rd offense: Phone is confiscated, returned only to parent/guardian, additional penalty may be considered, per the Code of Conduct.

*This is in addition to penalties listed in the Code of Conduct.

Any student in possession of an electronic device while taking a State examination shall have the examination invalidated immediately! Test proctors, test monitors, and school officials, shall have the right to collect cell phones and other prohibited electronic devices prior to the start of the test and to hold them while the test is being administered, including break periods. Admission to the test shall be denied to any student who refuses to relinquish a prohibited device.

Some students with disabilities may use certain recording/playback devices provided that such an accommodation is specified in the student’s IEP or 504 Plan. Prohibited devices further may be allowed if there is documentation from a medical practitioner on file at the school that a student requires such a device during testing.

A student shall not make a video recording in the school building or on school property except (i) under the supervision of a teacher or administrator; or (ii) of a school sponsored activity. Additionally, any student who video records in violation of this rule and/or uploads such a video to any social media site (i.e. Facebook, Vine, etc) will be subject to penalties as outlined in the “Disciplinary Options” section of the Code of Conduct. All penalties will be determined by the building principal on a case by case basis.

Additional Discipline Items

1. In addition to the penalties for disciplinary infractions under this Code of Conduct, an officer of a school club, class or organization can be removed by the Superintendent/Principal for the following

infractions:

- Possession, sale or use of Illegal Substances
- Assault of a student or staff member
- Harassment
- Inappropriate or illegal behavior in the community or on school sponsored field trip
- Continued disruptive behavior
- Any other occurrence as described in the Student Handbook

2. A student can be prohibited by the Superintendent/Principal from attending a non- academic field trip or school sponsored event (i.e. Senior Trip, Prom, etc.) if he/she has committed any of the infractions outlined in #1 above.

XIV. DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board recognizes that at times it may be necessary to suspend, remove or otherwise discipline students with disabilities who violate the District's Code of Conduct. The Board also recognizes that students with disabilities deemed eligible for special education services under the IDEA and Article 89 of New York's Education Law enjoy certain procedural protections that school authorities must observe when they decide to suspend or remove them. Under certain conditions those protections extend, as well, to students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for discipline purposes.

Procedures followed for suspending, removing or otherwise disciplining students with disabilities shall be consistent with the procedural safeguards required by applicable State and Federal laws and regulations relating to students with disabilities, including but not limited to the Individuals with Disabilities Act (IDEA), Chapter 33 of Title 20 of the United States Code, Part 300 of the Regulations of the Offices of the Department of Education, Education Law Section 3214, and Part 201 of the Regulations of the Commissioner of Education.

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.

XV. CORPORAL PUNISHMENT

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

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:

- Protect oneself, another student, teacher or any person from physical-injury.
- Protect the property of the school or others.
- 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.

Such emergency interventions shall only be used in situations where alternative procedures and methods not involving the use of reasonable physical force cannot reasonably be employed.

Emergency interventions shall not be used as a punishment or as a substitute for systematic behavioral interventions that are designed to change, replace, modify or eliminate a targeted behavior.

Whenever a school employee uses physical force against a student, the school employee shall immediately report the situation to his/her Principal/Supervisor. The Principal/Supervisor shall, within the same school day, make a report to the Superintendent describing in detail the circumstances and the nature of the action taken. The District will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

XVI. STUDENT SEARCHES AND INTERROGATIONS

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the District Code 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 students. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the Superintendent, building 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.

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

Student Lockers, Desks and other School Storage Places

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

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. If law enforcement seeks to interrogate or remove a student, the District is required to immediately contact the student's parents or legal guardians to arrange for their presence, if possible, or obtain their consent unless law enforcement::

- Has a warrant for the arrest of the student; or
- Has a court order authorizing the removal or interrogation of the student; or
- Is investigating a possible crime and law enforcement determines either: (a) exigent circumstances exist; (b) there is an immediate threat of serious physical harm; or (c) there is an emergency and immediate need for assistance.

Child Protective Services Investigations

Consistent with the District's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the District will provide data and assistance to local child protective services workers, or members of a multi-disciplinary team accompanying such workers, who are responding to allegations of suspected child abuse, and/or neglect, or custody investigations. Such data and assistance include access to records relevant to the investigation, as well as interviews with any child named as a victim in a report, or a sibling of that child, or a child residing in the same home as the victim.

All requests by child protective services to interview a student on school property must be made directly to building Principal or his or her designee. Child protective service workers and any associated multi-disciplinary team members must comply with the district's procedures for visitors, provide identification, and identify the child(ren) to be interviewed. The Principal or designees will decide if it is necessary and appropriate for a school official or other school staff to be present during the interview, either inside or outside the interview room, depending on the age of the student being interviewed and the nature of the allegations.

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 reasonable 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.

XVII. STANDARDS AND PROCEDURES TO ASSURE THE SECURITY AND SAFETY OF STUDENTS AND SCHOOL PERSONNEL

The District has established a District-level school safety plan and a building-level emergency response plan for each District school, which have been developed in accordance with applicable law and regulation to assure the security and safety of students and school personnel.

XVIII. VISITORS TO THE SCHOOLS

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

Anyone who is not a regular staff member or student of the school will be considered a "visitor." All visitors are expected to abide by this Code of Conduct.

All visitors to the school must report to the main lobby desk upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all items while in the school or on school grounds. The visitor must return the identification badge to the main lobby desk before leaving the building. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register unless it occurs during the school day.

Parents, guardians or invited guests who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s) and the building Principal, so

that class disruption is kept to a minimum. The Principal will determine the appropriateness of a classroom visit, taking into considerations several factors including but not limited to the reason for the visit, the timeliness of the visit, teacher concerns, student concerns and parental concerns. Teachers are expected not to take class time to discuss individual matters with visitors.

Any persons on school property believe to be unauthorized must be reported to the Principal or his or her designee. District administrators have the authority to determine whether a visitor has an authorized reason for being on school property. If the visitor is judged by the administrator not to have an authorized reason, the visitor will be asked to leave. The police may be notified if the situation warrants.

XIX. PUBLIC CONDUCT ON SCHOOL PROPERTY

The district is committed to providing an orderly, respectful environment that is conducive to learning. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property. For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school function including but not limited to students, parents, teachers, District personnel, and other visitors to the District. District.

To create and maintain this kind of an environment, it is necessary to establish rules to regulate public conduct on school property and at school functions. Such rules, as well as consequences for violation of such rules, are contained in this Code. Prohibited conduct for members of the public on school property shall include, but not be limited to the following:

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so, or endanger the safety of themselves or others.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute, display 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. Threaten, intimidate, harass or discriminate against any person on the basis of actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, or gender (including gender identity and expression).
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange alcoholic beverages, illegal substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.

13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Commit any of the acts prohibited by this Code, or willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

B. Penalties

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

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law § 3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law § 75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law § 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

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

When the Principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the Principal or designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the Principal or designee 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.

XX. DISSEMINATION AND REVIEW

A. Dissemination of Code of Conduct

The Board will work to promote community awareness of this code of conduct by:

1. Providing copies 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, and thereafter on request.
3. Posting the complete code of conduct on the district's website.

4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the complete code available for review by students, parents and other community members.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct, including but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, harassment, bullying and discrimination against students by students and/or school employees; and including safe and supportive school climate concepts in the curriculum and classroom management. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students. On-going professional development will be included in the district's professional development plan, as needed.

B. Review of Code of Conduct

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

The Board may appoint an advisory committee to assist in reviewing the code and the district's response to code of conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

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

The code of conduct and any amendments to it will be filed with the Commissioner of Education, in a manner prescribed by the Commissioner, no later than 30 days after adoption.