

CODE OF CONDUCT



*Rights, Responsibilities,
Rules and Reactions*

TABLE OF CONTENTS

I. Statement of Values and Beliefs	3	VIII. Disciplinary Intervention: Procedures and Referrals	21
A. Our District's Mission	3	A. Administrative Responses	21
B. Our District's Vision.....	3	B. Procedures.....	21
C. Our District's Core Values.....	3	C. Referrals.....	23
D. Dignity for All Students Act.....	3	D. Expedited Due Process Hearings	23
II. Definitions for Strengthening Understanding Within this Code	4	E. Referral to Law Enforcement and Judicial Authorities.....	24
III. Rights and Responsibilities	6	IX. Alternative Instruction	24
A. Students' Rights	6	X. Discipline of Students with Disabilities	25
B. Students' Responsibilities	6	A. Authorized Suspension or Removal of Students with Disabilities.....	24
IV. Essential Partners	7	B. Change of Placement.....	25
A. Parent/Guardian Rights.....	7	C. Special Rules Regarding the Suspension of Students with Disabilities.....	26
B. Parent/Guardian Responsibilities.....	7	XI. Corporal Punishment	28
C. Teachers and Support Staff Rights.....	8	XII. Visitors to the Schools	28
D. Teacher and Support Staff Responsibilities.....	8	XIII. Public Conduct on School Property	29
E. Administrators' Rights.....	9	A. Consequences for Prohibited Conduct Under this Code.....	29
F. Administrators' Responsibilities.....	10	B. Implementation.....	29
G. Board of Education Rights and Responsibilities	10	XIV. Dissemination and Review	30
V. Student Dress Code	11	A. Dissemination of Code of Conduct.....	30
A. Our Beliefs	11	B. Review of Code of Conduct	30
B. Student Dress Code Enforcement.....	12		
VI. Behavior Expectations, Interventions & Consequences	12		
A. Expectations.....	12		
B. Disciplinary Actions	12		
C. Range of Consequences.....	13		
VII. Violations of the Criminal Code, Interventions & Consequences	15		
A. Reporting Violations.....	15		
B. Violations, Interventions & Consequences	15		
C. Tobacco & Vaping-Free School Environment ...	18		
D. Digital Citizenship & Acceptable Internet Usage.....	19		



CODE OF CONDUCT

“

The East Rochester Union Free School District values an environment that fosters student academic and behavioral success.

”

All members of the school community have the responsibility to maintain a safe and orderly school environment conducive to learning and respectful to all people and property. The East Rochester Union Free School District values an environment that fosters student academic and behavioral success. Every member of our school community is expected to work together to provide support for our students and correct behaviors that interfere with the learning process.

The Values and Beliefs of our school community will be clarified, supported and implemented by all buildings through this Code of Conduct.



I. STATEMENT OF VALUES AND BELIEFS

The East Rochester school community believes in and is committed to providing an environment in which mutual respect is evident for all. We believe that every member of our school community has a right to achieve their potential and to be heard. Behavior that is contrary to these beliefs will be handled in a way that respects individuals and supports the rights of the whole to learn and achieve. Within the East Rochester school community, we will uphold an atmosphere where education and learning can thrive in a safe, respectful and caring environment.

“

We believe that every member of our school community has a right to achieve their potential and to be heard.

”

A. Our District's Mission

The Mission of the East Rochester School District is to prepare students to be college and career ready and to provide a quality education in a safe environment where all students develop the abilities, attitudes and values necessary for responsible, productive citizenship.

B. Our District's Vision

The Vision of the East Rochester School District is that students will learn through the highest quality instruction which recognizes each student's strengths, talents, interests, learning styles and rates of learning, using developmentally appropriate methods.

C. Our District's Core Values - S.O.A.R.S.

Students First: Students are our first priority. We dedicate ourselves to holistic student development in a safe, nurturing environment.

Opportunity: We provide every student equal access to strong academic programs, clubs, teams and events that enable students to reach their fullest potential.

Achievement: Everyone can improve. We collaborate to learn, observe, measure and grow. We proudly celebrate achievements.

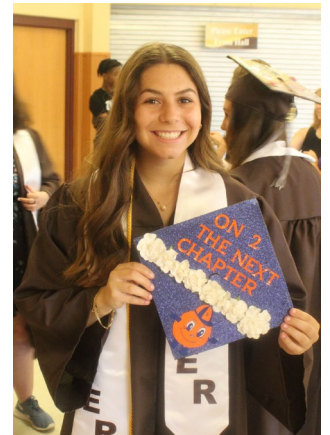
Responsibility: We are all accountable to ourselves, to our students and to each other. Our shared responsibility is to be respectful.

Strength: Together, we will accomplish excellence.

D. Dignity for All Students Act (Dignity Act)

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

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



Board of Education:

Mr. Patrick Flanagan
Mr. Vincent Antonicelli
Mrs. Jenalee Herb
Mr. Matt Hogan
Mr. Jeffrey Ugine

II. DEFINITIONS FOR STRENGTHENING UNDERSTANDING WITHIN THIS CODE

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

- **Academic Honesty** - Academic honesty is integral to the academic experience in school. All students shall do their own work at all times. Collusion, plagiarism and other forms of academic dishonesty are prohibited.
- **Consequence** - the results of a previous action that violates the rules. Those responsible for administering a consequence take into account the behavior, the situation, the individual's prior behavior, and the best means for helping that individual.
 - Types of Consequences:**
 - o **Logical Consequences (Restitution)** - where the individual makes right what they did wrong. This is logically related to the behavior and may include remuneration for any damage to property.
 - o **Conventional Consequences** - those commonly used in practice (i.e. time-out, removal from a classroom, suspension etc).
 - o **Generic Consequences** - include reminders, warnings, choice options, and/or success/behavior plans brought into play when there is misbehavior.
 - o **Instructional Consequences** - teach and/or revisit the pro-social skills necessary for an individual to behave or respond in accordance with the Principles and Rules of the school.
- **Disability** means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held. (N.Y. Executive Law § 292.21)
- **Discrimination** means the unjust treatment against any student by 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, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
- **Disruptive student behavior** - behavior from an elementary or secondary student 21 years of age or under that substantially disturbs or distracts from the educational process or interferes with the teacher's ability to manage and teach students.
- **Emotional harm** that takes place in the context of "harassment or bullying" means harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.
- **Employee** means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact. (N.Y. Education Law § 1125.3)
- **Essential Partners** include all paid school personnel, volunteers, parents/guardians, and Board of Education members.
- **Fair** means doing what is reasonable and in the best interest of the individual and/or group.
- **Firearm** is defined in 18 USC §921 for the purposes of the Gun-Free Schools Act.
- **Gender** means actual or perceived sexual orientation, and a person's gender identity or expression. (N.Y. Education Law § 11.6)
- **Gender Identity** and expression means having or being perceived as having a gender identity, self-image, appearance, behavior or expression whether or not that gender identity, self-image, appearance, behavior or expression is different from that traditionally associated with the sex assigned to that person at birth. (N.Y. AB 5039/SB 2873 (2011) "GENDA")



II. DEFINITIONS FOR STRENGTHENING UNDERSTANDING WITHIN THIS CODE

- **Harassment or Bullying** means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse, including cyberbullying as defined in Education Law section 11(8) that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or reasonably causes or would reasonably be expected to cause physical injury to a student or cause the student to fear for his or her physical safety. Such definition shall include acts of harassment or bullying that occur: on school property, at a school function or off school property where such acts create or would foreseeably create a risk of substantial disruption with the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The term “threats, intimidation or abuse” shall include verbal and nonverbal actions. Acts of harassment and bullying shall include, but not be limited to, acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) (N.Y. Education Law § 11.7)
- **Hazing** means any humiliating or dangerous activity expected of a student to join a group, regardless of their willingness to participate. Hazing behaviors include, but are not limited to, the following general categories:
 - o **Humiliation** (socially offensive, isolating or uncooperative behaviors);
 - o **Substance abuse** (abuse of alcohol, tobacco or illegal drugs); or
 - o **Dangerous hazing** (hurtful, aggressive, destructive, and disruptive behaviors).Incorporated within this definition are various forms of physical, emotional and/or sexual misconduct which may range in severity from teasing/embarrassing activities to life-threatening actions.

It is important to note that a single negative act as enumerated above may also constitute “bullying” or “cyberbullying” (if not more serious misconduct) based upon the particular circumstances such as the seriousness of the act and/or the intent of the actor. Administration will use discretion reviewing each incident independently in the context of the situation.
- **Intervention** means the modification of an event by school personnel to promote a safe physical and psychological environment for all members of the school community.
- **Parent** means guardian or person in parental relation to a student.
- **Positive Behavioral Interventions and Supports (PBIS)** is a proven, research and evidence-based discipline program that emphasizes school-wide systems of support that include strategies for defining, teaching, modeling and supporting appropriate student behaviors to create positive school environments.
- **Principles** are core values that demonstrate how individuals should conduct themselves and relate to each other. They encompass a set of beliefs which provide the reasons for the rules and the motivation for following them.
- **Rules** are based on our core values. They identify acceptable and unacceptable behavior that is observable, clear, specific and enforceable.
- **School Bus** means every motor vehicle a) owned by a public or governmental agency or private school and operated for the transportation of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities or b) privately owned and operated-for-compensation for the transportation of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.
- **School Function** means any school-sponsored extracurricular event or activity, including events or activities that take place on school vehicles and on or off of school property.
- **School Property** means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142.
- **Sexual Orientation** means actual or perceived heterosexuality, homosexuality, or bisexuality. (N.Y. Education Law § 11.5)
- **Theft and Vandalism** means students involved in acts of theft, vandalism or destruction of District property will be subject to discipline by school authorities and legal action. Students shall also be subject to discipline by District authorities and legal action for similar acts involving the property of other individuals while on school property or during school sponsored events.
- **Violent Student Behavior** means behavior occurring on or around school property or at a school event or activity, before, during or after the school day that endangers self, others or property.
- **Weapon** refers to the definition of firearm in the Gun-Free Schools Act. Any item that could cause physical harm to someone depending on intent and use (can include but is not limited to: BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb or other device, instrument, material or substance).

III. STUDENT RIGHTS AND RESPONSIBILITIES

All students, district personnel and other Essential Partners of the school community are entitled to expect proper regard for their rights and welfare.

A. Student Rights

Every student has the right to attend a safe, healthy, orderly and civil school environment safeguarding the rights given to all students under state and federal law. These rights include (but are not limited to):

- Participation in all district activities on an equal basis regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Presentation of individual accounts and details of events to school personnel in connection with the imposition of a consequence.
- Ongoing communication directly to them or through their parent from administrators, teachers and support staff regarding course objectives, grade level expectations, requirements and assignments.
- An explanation of marking/grading procedures.
- A copy of the school and classroom behavior expectations.
- Request and/or receipt from school personnel of an explanation of school rules that are unfamiliar or confusing.
- Asking questions when they do not understand (applies to content or directives).
- Considering themselves representatives of the district when participating in or attending school sponsored extracurricular events.
- A school community that is drug and alcohol free.
- Walking in the hallways from one location to the next without fear or impediment.
- Knowing that attending classes in assigned buildings will not be considered trespassing.
- Use of computers, software and the internet/intranet accounts with authorization /approval by staff/administration.
- Redress from or grievances to appropriate school personnel.

“Every student has the right to attend a safe, healthy, orderly and civil school environment.”

B. Student Responsibilities

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

School is a place where students learn that they are

responsible for their actions and that their way is not the only way. These responsibilities include (but are not limited to):

- Knowing and following rules set up by the district for the school and for the classroom.
- Attending school on a daily basis consistent with the school year calendar, unless legally excused.
- Being in class, on time with materials and supplies and leaving class or the school building only with staff knowledge and permission.
- Following instructional and /or safety directions given by teachers, administrators and other school personnel.
- Working with teachers (counselors and parents) through role playing, modeling and practice to develop stronger pro-social skills (i.e. Dealing with Anger, Recognizing the Feelings of Others, Recognizing Your Own Feelings, Dealing with Frustration, Identifying a Problem, Problem Solving Skills, Making a Good Decision, etc.).
- Knowing when to ask for help from administration, staff and parents and then doing it.
- Wearing shoes during all school activities unless otherwise instructed due to the nature of an activity (i.e. use of mats, swimming, etc.).
- Walking from location to location.
- Completing assignments as given.
- Permitting and promoting open pedestrian and vehicular traffic.
- Settling a disagreement in a non-violent and respectful manner.
- Remaining drug and alcohol free for the duration of their time as members of the East Rochester School Community.
- Respect and adhere to acceptable use guidelines for electronic devices, internet safety, and social media use.
- Maintain a climate of mutual respect and dignity for all regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Respond to incidents of harassment, bullying and/or discrimination, by reporting to school personnel.

IV. ESSENTIAL PARTNERS

All essential partners of the school community are entitled to expect proper regard for their rights and welfare.

A. Parent/Guardian Rights

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

- Participation in all district activities on an equal basis regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Presentation to school personnel on behalf of their child, individual accounts and details of events in connection with the imposition of a consequence.
- Ongoing communication directly to them or through their child from administrators, teachers and support staff regarding course objectives, grade level expectations, requirements and assignments.
- An explanation of marking/grading procedures.
- A copy of the school and classroom behavior expectations.
- Request and/or receipt from school personnel of an explanation of school rules that are unfamiliar or confusing.
- Asking questions when they do not understand (applies to content or directives).
- Excusing (in writing) their child as they deem necessary from attending classes due to illness, family emergency or obligations.
- A school community that is drug and alcohol free.
- Walking in the hallways from one location to the next without fear or impediment.
- Knowing that attending functions for the sake of supporting their child's school activities in assigned buildings will not be considered trespassing.
- Redress from or grievances to appropriate school personnel.



B. Parent/Guardian Responsibilities

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

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

- Sending their child to school ready to participate and learn (necessary supplies, rested, well nourished).
- Ensuring their child attends school regularly and on time according to the school calendar.
- Providing a place of study for their child and making certain homework assignments are completed to the best of the child's ability.
- Informing school officials of changes in the home situation that may affect their child's conduct or performance.
- Informing school officials of changes in contact information, such as phone numbers, address, contact information, and/or emergency contacts.
- Knowing the school rules and helping their child understand their meaning and purpose.
- Modeling for their child a supportive attitude toward education and the school community as a whole.
- Insisting that their child be dressed and groomed in a manner that demonstrates the respectful, non-threatening values of the East Rochester School community:
- Be safe, appropriate and not disrupt or interfere with the educational process.
- Not include items that could be considered weapons such as heavy chains or “studs”.
- Ensure that underwear is completely covered with outer clothing.
- Include footwear at all times. Footwear that is a safety hazard will not be allowed.
- Not include items that are vulgar, obscene and libelous or that denigrate others because of race, color, religion, creed, national origin, gender, sexual orientation or disability.

V. ESSENTIAL PARTNERS

- Not promote, display, endorse and/or encourage the use of alcohol, tobacco, illegal drugs and/or other illegal or violent activities.
- Model positive behavior for students and school community.
- Teach their children respect and dignity for themselves, and other students regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Teach and model for their children how to constructively manage and respond to incidents of harassment, bullying and/or discrimination including reporting such incidents, either experienced or witnessed, to school officials.
- Teach and model acceptable use for electronic devices, internet safety, and social media.
- Assigning homework to support the instructional lessons.
- Setting course objectives, grade expectations, requirements and assignments.
- Determining classroom behavior intervention plans.
- Ongoing training to enhance academic and management skills within the school community.

C. Teachers and Support Staff Rights

All district teachers and support staff are expected to

maintain a climate of mutual respect and dignity that will strengthen students' self-concept and promote confidence to learn.

“ Both teachers and support staff have a right to an orderly, respectful environment that is conducive to instruction in all areas of learning. ”

These rights include (but are not limited to):

- Working in a climate of mutual respect and dignity regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Intervening with any action that endangers the health, welfare and safety of self or others.
- Reporting to supervisors any behaviors or actions that threaten a respectfully safe educational learning environment within this school community.
- Expecting the opportunity to teach to be without ongoing distracting or disrupting behaviors.
- Requesting a student to temporarily leave the classroom to reduce the impact of an anxiety producing situation and/or give the student an opportunity to regain composure and self-control.
- Maintaining a climate of mutual respect and dignity for all regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Define, supervise, teach, model and support appropriate student behaviors to create positive school environments.
- Arriving on time for building meetings and classroom instruction.
- Knowing, demonstrating through modeling and implementing school policies and rules.
- Communicating regularly and in an on-going manner with students, parents, administrators, and other teachers about student growth, achievement, behavior and/or concerns.
- Model positive behavior for students and school community.
- Communicating with students and parents:
 - Course objectives, grade level expectations, requirements and assignments.
 - Marking/grading procedures.
 - Classroom management/intervention plan.
 - Expectations for students.
- Being prepared to teach and expand (their) professional knowledge in the areas of instruction and classroom management through specialized reading and participation in available trainings/in-services.

D. Teacher and Support Staff Responsibilities

Schools are where teaching

and learning evolves and develops through mutual respect, conscientiousness and accountability. Responsibilities include (but are not limited to):

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

V. ESSENTIAL PARTNERS

- Demonstrating interest in teaching, knowledge of current instructional methods, concern for student achievement.
- Referring to appropriate personnel/leadership any academic or behavioral concerns or questions regarding any member of or happening within the school community.
- Confront issues of harassment, bullying and/ or discrimination, in any situation that threatens the emotional or physical health or safety of any students, school employees or any person who is on school property or at a school function or off school property where such acts create or would foreseeably create a risk of substantial disruption with the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The term “threats, intimidation or abuse” shall include verbal and nonverbal actions.
- Report incidents of harassment, bullying and/ or discrimination, that are witnessed or otherwise brought to a teacher’s attention to the building administrator and /or Dignity Act Coordinator in a timely manner
- Teach, model, and adhere to acceptable use for electronic devices, internet safety, and social media policies and regulations. Report incidents of misuse or abuse of technology to the appropriate supervisor.

E. Administrators’ Rights

As leaders within our school, all district administrators are expected to bring groups of people together, creating a common vision convincing, encouraging, motivating and modeling the best practices of all who are part of the East Rochester school community.

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

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



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

IV. ESSENTIAL PARTNERS

F. Administrators' Responsibilities

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

“ School is a place where leadership thrives through the development of mutual respect, conscientiousness and accountability. ”

Responsibilities include (but are not limited to):

- Maintain a school climate of mutual respect and dignity for all regardless of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (identity or expression) or any other categories of individuals protected against discrimination by federal, state or local law.
- Define, teach, model and support appropriate student behaviors to create positive school environments.
- Providing regular opportunities for staff and students to communicate with the principal.
- Listening to all untoward complaints.
- Responding to redress of grievances.
- Giving feedback to staff that contains knowledge of results for improvement and/or continuation of effective instructional approaches both academically and behaviorally.
- Responding swiftly, fairly and efficiently to acts of any kind that threaten the safety and well-being of students, staff, administration or any immediate member of the school community or their property.
- Delegating assignments to staff to encourage growth and leadership development within a building.

- Accommodating differences among staff and students (fair versus same) allowing for variations in style, approach, output and final performance.
- Model positive behavior for students and school community.
- Follow up on any incidents of harassment, bullying and/or discrimination which are witnessed or otherwise brought to a Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator.
- Teach, model, and adhere to acceptable use for electronic devices, internet safety, and social media policies and regulations. Follow up on any incidents of misuse or abuse of technology.
- Confront issues of harassment, bullying and/or discrimination, in any situation that threatens the emotional or physical health or safety of any students, school employees or any person who is on school property or at a school function or off school property where such acts create or would foreseeably create a risk of substantial disruption with the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The term "threats, intimidation or abuse" shall include verbal and nonverbal actions.

G. Board of Education Rights and Responsibilities

As governing leadership of the school community, the Board of Education for the East Rochester School District is expected to establish the foundation for a common vision for the best practices of all who are part of the East Rochester school community.

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

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



V. STUDENT DRESS CODE

A. Our Beliefs

The East Rochester Union Free School District has established one student dress code to foster equity and ensure consistent enforcement in all schools.

We believe:

- All students should be able to dress comfortably for school and engage in the educational environment without fear of unnecessary discipline or body shaming.
- Student dress code enforcement should not result in unnecessary barriers to school attendance.
- Therefore, students shall not be prevented from attending school or school-sponsored activities because of appearance if style, fashion, or taste is the sole criterion for such action.
- Our focus should be on education.

Our student dress code aims to:

- Ensure that all students are treated equitably regardless of race, disability, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, political affiliation, household income, or body type/size.
- Allow students to wear religious attire without fear of discipline or discrimination.
- Allow students to wear clothing that expresses their self-identified gender.
- Promote social-emotional well-being.
- Maintain a safe learning environment in classes where protective or supportive clothing is needed, such as chemistry/biology (eye or body protection), dance (bare feet, tights/leotards), or physical education (athletic attire/shoes).

Students MUST wear:

- Clothing to cover private body parts with opaque (non-transparent) material, including:
 - A shirt with fabric in the front, the back, and on the sides (under the arms)
 - Bottoms (pants, jeans, shorts, leggings, sweatpants, skirts, dresses, etc.)
 - Shoes (sneakers, boots, sandals, flip-flops, slides, flats, heels, etc.)

Our dress code is written in a manner that does not reinforce stereotypes and is meant to minimize reasons for conflict.

Please Note: Students may be required to wear assignment-specific attire or shoes when doing so is part of the curriculum. For example, students may be asked to wear "professional" attire when making presentations to the class.

Students MAY wear:

- Religious headwear
- Non-religious head coverings such as scarves, doo rags, headbands, sweatbands, and hats BUT the face and ears must be visible to staff at all times
- Hoodies with the hoods down
- Flannel or fleece pants
- Ripped jeans
- Outerwear with the hood down
- Backpacks, bags, and purses
- Off-the-shoulder tops, halter tops, and tank tops - including those with spaghetti straps
- Waistbands, bra straps, and midriffs can be visible

Students MAY NOT wear:

- Apparel promoting products or activities that are illegal for use by minors
- Emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist or otherwise derogatory, represents gang membership or affiliation, or approves, advances or provokes any form of religious, racial or sexual harassment and/or violence against other individuals
- Swimsuits, except as required by a class or athletic practice
- Any item that can be considered dangerous or could be used as a weapon
- Blankets over their clothes
- Sunglasses indoors

B. Student Dress Code Enforcement

Students should not be shamed when they are in violation of the code. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations. Therefore, first offenses will fall into the Tier I discipline category. Repeated offenses escalate to Tier II. These dress code guidelines shall apply to regular school days and summer days as well as any school-related events and activities such as graduation ceremonies, dances, and prom. Student dress code requirements can only vary with administrative approval.

VI. BEHAVIOR EXPECTATIONS, INTERVENTIONS & CONSEQUENCES

A. Expectations

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

“ In this school community, we believe that the best discipline is self-imposed. ”

of school facilities and equipment.

Students learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline. Educators must ensure that behavioral standards are taught, consistently modeled and reinforced proactively in a way that recognizes a student's individuality and supports the building of positive relationships throughout the school community. Students are provided varying types and intensity of supports needed to meet those expectations.

B. Disciplinary Actions

Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. School officials must consult this document when determining which disciplinary interventions and consequences to impose. In determining how to best address inappropriate, unacceptable, and unskillful behaviors, it is necessary to consider the following prior to determining the appropriate assignment of consequences and interventions:

- the student's age and maturity
- the student's disciplinary record (including the nature of any prior misconduct, the number of prior instances of misconduct)
- the disciplinary consequences and effectiveness of interventions applied in prior behavior violations
- the nature, severity and scope of the behavior
- the circumstances/context in which the conduct occurred
- the student's response to redirection and/or intervention by an adult
- the frequency and duration of the behavior
- the number of persons involved
- information from parents, teachers, and/or others, as appropriate to the student's IEP, BIP (Behavior Intervention Plan) and 504 Accommodation Plan, if applicable



- the extent to which the offense interfered with the responsibility/rights/privileges/property of others
- the extent to which the offense posed a threat to the health and safety of others
- other extenuating circumstances

Students who do not meet behavioral expectations as defined in this Code of Conduct will receive customized interventions so that they are provided with the support they need to thrive. When supportive interventions are insufficient to prevent violation of this Code or other District Rules, a student may be subject to consequences for their conduct. It will be ensured that all students are treated equitably under discipline policies. In recognition of the impact of implicit biases, Culturally Responsive Practice will be integrated into any intervention and/or discipline plan.

C. Range of Consequences

The following list of sanctions is considered advisory and, generally, discipline will be progressive. This means that a student's first violation will usually merit a lesser penalty than subsequent violations. In the case of students who are habitually disruptive or who frequently violate school rules, administrators have the prerogative of applying more severe penalties at any stage, including removal from class and suspension from school, which is proportionate to the misconduct at issue.

Although not inclusive, the following list of offenses on school property or at a school function and range of consequences apply in most circumstances. The list of offenses and range of consequences below is illustrative of what consequences will most frequently apply and is not all-inclusive or exclusive. The District reserves the right to apply consequences which are appropriate to an offense, but which also consider the best interests of all students, and the potential for a remedial impact upon the student subject to the penalty. Note that all behaviors have the potential to result in a Superintendent's Hearing or Tier C Intervention if the behavior continues after subsequent consequences and interventions have been assigned and implemented. The range of consequences are not listed in rank order.

VI. BEHAVIOR EXPECTATIONS, INTERVENTIONS & CONSEQUENCES

Range of consequences for behavior related offenses

I - CONSEQUENCE OPTIONS

- Warning/verbal reprimand
- Time-out or out of classroom
- Loss of privilege
- Conference with staff member(s) and student
- Conference with staff member(s), parent(s) and student
- Communication with parent(s)
- After-School Detention
- Lunch Detention
- Counseling
- *Restitution
- *Restriction of Electronic Tools

II - CONSEQUENCE OPTIONS

- Removal from class
- Removal from school for balance of instructional day
- *Suspension
- In-school (Range 1 to 5 Days)
- Out-of-school (Range 1 to 5 Days)
- Transportation
- Athletic participation
- Extracurricular activities
- *Police notification
- *Removal from school property
- *Social probation
- ** Principal's Agreement in lieu of Superintendent's Hearing

III - CONSEQUENCE OPTIONS

- ***/**Alternative placement
- ***/**Seeking alternative opportunities to allow for course/grade level completion.
- **Long-term suspension
- **Superintendent's hearing

A - INTERVENTION OPTIONS

- Peer support groups
- Parent conferences
- Student counseling
- Corrective instruction
- Restorative Practice

B - INTERVENTION OPTIONS

- Relevant learning or service experience
- Modification of schedule
- Adjustment in hallway traffic and other student routes of travel
- Targeted use of monitors
- Restorative Practice

C - INTERVENTION OPTIONS

- Behavioral Assessment or Evaluation
- Behavioral Management Plans, with benchmarks that are closely monitored
- Restorative Practice

OTHER INTERVENTIONS MAY INCLUDE (BUT ARE NOT LIMITED TO):

- Supervisory systems which empower school staff with prevention and intervention tools to address incidents.
- School and community surveys or other strategies for determining the conditions contributing to the relevant behavior.
- Adoption of research-based, systemic harassment prevention programs.
- Staff Professional Development
- Parent Workshops

*Administrator action
**Superintendent action only

VII. VIOLATIONS OF THE CRIMINAL CODE, INTERVENTIONS & CONSEQUENCES

A. Reporting Violations

All students are expected to promptly report violations of the code of conduct to a teacher, school 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.

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 that constitute a crime and substantially affect the order or security of a school as soon as principal, 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.

B. Violations, Interventions & Consequences

Our school is a place where students, district personnel and other members of the school community have a right to feel safe from verbal or physical attack. Any violation of criminal code including, but not limited to, the following may result in intervention(s), consequence(s), and/or referral to the appropriate law enforcement agency:



VII. VIOLATIONS OF THE CRIMINAL CODE, INTERVENTIONS & CONSEQUENCES

Offense	Definition	District Response to Behavior (Intervention or Consequence)					
		Consequence			Intervention		
		Tier I	Tier II	Tier III	Tier A	Tier B	Tier C
Arson	Attempting to, aiding in, or setting fire to a building or other property.			•			•
Assault on a staff member or student	Aggressive physical action, directed at students, staff, or others, including a situation where a staff member is intervening in a fight or other disruptive activity.		•	•	•		
Bomb Threat	Initiating a report or warning of fire, or catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.			•			•
Cheating / Academic Dishonesty	Copying, plagiarizing, altering records, cheating by any means (including virtually), collusion or assisting another in such actions.	•			•		
Continuous and Willful Violation of the Code of Conduct	Continuing to violate the same portions of the Code of Conduct despite several interventions and consequences.	•	•	•	•	•	•
Cyberbullying	As defined above. Cyberbullying includes the use of information technology, including, but not limited to e-mail, instant message, blogs, chat rooms, pagers, cell phones, and gaming systems, to harass, threaten, isolate or intimidate others.	•	•		•	•	
Defamation	False or unprivileged statement or representation about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group.	•	•		•		
Discrimination	As defined above.	•	•		•	•	•
Disorderly Conduct	Behavior disturbing the atmosphere or order, to include obstructing or restraining the authorized or lawful movement or participation of another (pedestrian or vehicular). Examples include but are not limited to: running in the hallways, making unreasonable noises, creating a hazardous or physically harmful condition by any act which serves no legitimate purpose.	•	•		•	•	•
Disrespect Toward Others	Inappropriate comment or physical gesture to a student, teacher, staff member, or other adult.	•	•		•	•	
Disruption of Classroom Environment	Behavior that is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.	•	•		•	•	
Disruption of School Environment	Behavior that interferes with the safe and orderly environment of the school or school activity. Failure to comply with the reasonable directions of teachers, administrators or other school personnel in charge of students.	•	•		•	•	
Driving / Parking violations	Failure to obey all state, district, and campus traffic and parking signs and rules.	•			•		

VII. VIOLATIONS OF THE CRIMINAL CODE, INTERVENTIONS & CONSEQUENCES

Section VII

Offense	Definition	District Response to Behavior (Intervention or Consequence)					
		Consequence			Intervention		
		Tier I	Tier II	Tier III	Tier A	Tier B	Tier C
Drugs / Alcohol / Vaping	Possession, distribution, intent to use/consume, consumption, being under the influence, or sale of Illegal Substances, alcoholic beverages, vaping paraphernalia or drug paraphernalia on school property, at a school function, on a school bus, or in a school vehicle. Over the counter medications cannot be possessed or distributed. Possession will be presumed if Illegal Substance(s), alcoholic beverage(s), vaping paraphernalia or drug paraphernalia are found in an area of control by the student (i.e. backpack, automobile, personal belongings).		•	•	•	•	•
Electronic devices misuse	Any unauthorized use of computers, software, or internet/intranet account to access internet/intranet; accessing another's e-mail or an inappropriate website; misuse of a website, including transmission of inappropriate language or images via electronic/digital devices; use of cell phones not in accordance with building level classroom expectations as indicated in the student handbook; and/or recording people without their permission. Includes violation of District's acceptable use policy. Electronic devices include, but are not limited to: cellphones, smart phones, smart watches, laptop computers, Chromebooks, tablets, iPods, mp3 players, CD players, hand-held gaming devices, video recording devices, calculators, and any other wireless communication devices.	•	•	•	•	•	•
Extortion	Obtaining money or property by threat to a victim's property or loved ones, intimidation, or false claim of a right.		•		•	•	
Failure to Cooperate with Investigation	Refusing to cooperate with a search of possessions and clothing or refusing to supply information in relation to an investigation of the Code of Conduct.		•		•		
Failure to Serve Assigned Consequences	Failure to serve detention, suspension or other assigned consequences.	•	•		•	•	
False Reporting to 911	Making a report to 911 when there is no real or perceived emergency.		•		•		
Fighting	A hostile confrontation with physical contact involving two or more students.		•		•	•	
Fireworks	Possession, use, and/or threat to use a firework, smoke bomb, flare, or combustible or explosive substance.			•	•		
Forgery	The creation of a false written document or alteration of a genuine one, with the intent to defraud.	•			•		
Harassment and/or Bullying	As defined above.	•	•		•	•	
Hate-related Harassment and/or Bullying	Harassment and/or bullying as defined above, that is motivated by prejudice on the basis of race, disability, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, political affiliation, household income, or body type/size.		•	•	•	•	•

VII. VIOLATIONS OF THE CRIMINAL CODE, INTERVENTIONS & CONSEQUENCES

Offense	Definition	District Response to Behavior (Intervention or Consequence)					
		Consequence			Intervention		
		Tier I	Tier II	Tier III	Tier A	Tier B	Tier C
Hazing	As defined above.	•	•	•	•	•	•
Indecent Exposure	Exposing the private parts of the body in a lewd or indecent manner.		•	•	•	•	
Insubordination	Refusing to follow reasonable requests of teachers, staff, or administration, including failure to identify self or knowingly providing false information.	•	•		•		
Invasion of Privacy	Any act that infringes on an individual's right to privacy. Example: video-taping, photographing or making slanderous statements or comments.	•	•		•		
Leaving school grounds without permission	Leaving school grounds during regular school hours without written or verbal permission from parent/guardian, administrator or someone listed on the emergency procedure card.	•	•		•		
Loitering	Idle presence in an area without authorization.	•			•		
Possession of Disruptive Items	Unauthorized possession of a sound box, laser pointer, squirt gun, water balloon, personal audio device, playing cards, dice or any other disruptive item.	•			•		
Possession, sale or use of a weapon	Possession of a weapon. Displaying what appears to be a weapon or threatening to use any weapon.			•			•
Sexting	Sending, receiving or forwarding sexually suggestive nude or nearly nude photos through text message, email or other electronic/digital means.	•	•	•	•	•	•
Sexual misconduct	Unwanted and inappropriate verbal, written, graphic representation or physical conduct of a sexual nature directed toward another person.		•	•	•	•	•
Skipping Class	Illegal absence from a class or school activity.	•	•		•	•	
Tardiness	Lateness to school or class.	•	•		•		
Theft	Taking or obtaining property of another without permission of the owner.	•	•		•		
Transportation	Violating rules and regulations when using school transportation. Unauthorized use of school transportation.	•	•		•		
Trespassing	Unauthorized presence on school property, including while on suspension.	•	•		•		
Truancy	Unlawful absence without parental knowledge and/or permission.	•	•		•		•
Unacceptable language/behavior	Using vulgar or abusive language, cursing, or swearing. Displays of inappropriate public affection.	•	•		•		
Vandalism (district will seek restitution)	Damage, destruction, or defacement (graffiti) of property belonging to another or the school.	•	•		•		•

VII. VIOLATIONS OF THE CRIMINAL CODE, INTERVENTIONS & CONSEQUENCES

C. Tobacco & Vaping-Free School Environment

“ East Rochester Union Free School District recognizes its responsibility to promote the health, welfare and safety of students, staff, and others on school property and at school-sponsored activities. ”

In light of scientific evidence that the use of tobacco is hazardous to health, and to be consistent with school curriculum and federal and state law, it is the intent of East Rochester Union Free School District to maintain a tobacco-free environment.

Tobacco means any cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product including electronic cigarettes (including vaping); nicotine and vaping juice, as well as spit tobacco, also known as smokeless, dip, chew, and snuff, and any other spit tobacco product in any form.

No person is permitted to use tobacco in any way at any time, including non-school hours, on school property, grounds or at any school-sponsored event or activity off campus. Tobacco use in vehicles located on school property is also prohibited. Distribution, sale, or advertising of tobacco, including any smoking or vaping device is also prohibited on school property, grounds, and at any school-sponsored event. This policy remains in effect at all times.

No student is permitted to possess tobacco or vaping devices on school property, grounds, or at school-sponsored event or activity off campus. Possession of nicotine and other liquids used for vaping is also prohibited.

Enforcement of this policy shall be equitable and consistent in accordance with the code of conduct and employee personnel policies. Student violations of this policy will lead to disciplinary action up to and including suspension from school and will also result in confiscation and discarding of prohibited items. Student participation in a tobacco cessation program and/or tobacco education class may be allowed as an alternative to discipline. Parent/guardians will be notified of violations involving their child and subsequent action taken by the school.

Employee violations of this policy will lead to disciplinary action in accordance with personnel policies and may include verbal warning and/or written reprimand. Violations by others will result in appropriate sanctions as determined by the Superintendent or Board.

D. Digital Citizenship & Acceptable Technology Use

The Board of Education will provide access to various computerized information resources through the District's computer system ("DCS" hereafter) consisting of software, hardware, computer networks and electronic communications systems. This may include access to electronic mail, so-called "on-line services" and the "Internet." It may include the opportunity for some students to have independent access to the DCS from their home or other remote locations. All use of the DCS, including independent use off school premises, shall be subject to this policy and accompanying regulations. Further, all such use must be in support of education and/or research and consistent with the goals and purposes of the School District.

Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices

This policy is intended to establish general guidelines for the acceptable student use of the DCS and also to give students and parents/guardians notice that student use of the DCS will provide student access to external computer networks not controlled by the School District. The District cannot screen or review all of the available content or materials on these external computer networks. Thus some of the available content or materials on these external networks may be deemed unsuitable for student use or access by parents/guardians.

Despite the existence of District policy, regulations and guidelines, it is virtually impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off school premises and/or with a student's own personal technology or electronic device on school grounds or at school events. Parents and guardians must be willing to establish boundaries and standards for the appropriate and acceptable use of technology and communicate these boundaries and standards to their children. The appropriate/acceptable use standards outlined in this policy apply to student use of technology via the DCS or any other electronic media or communications, including by means of a student's own personal technology or electronic device on school grounds or at school events.

Standards of Acceptable Use

Generally, the same standards of acceptable student conduct which apply to any school activity shall apply to use of the DCS. This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate student conduct and use as well as proscribed behavior. District students shall also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of

VII. VIOLATIONS OF THE CRIMINAL CODE, INTERVENTIONS & CONSEQUENCES

software publishers, license agreements, and student rights of privacy created by federal and state law.

Students who engage in unacceptable use may lose access to the DCS in accordance with applicable due process procedures, and may be subject to further discipline under the District's school conduct and discipline policy and the District Code of Conduct. The District reserves the right to pursue legal action against a student who willfully, maliciously or unlawfully damages or destroys property of the District. Further, the District may bring suit in civil court against the parents/guardians of any student who willfully, maliciously or unlawfully damages or destroys District property pursuant to General Obligations Law Section 3-112.

Student data files and other electronic storage areas will be treated like school lockers. This means that such areas shall be considered to be School District property subject to control and inspection. The Computer Coordinator may access all such files and communications without prior notice to ensure system integrity and that users are complying with the requirements of this policy and accompanying regulations. Students should NOT expect that information stored on the DCS will be private.

Chromebooks

All Chromebooks provided by the district are property of the East Rochester Union Free School District. Chromebooks will be distributed to students in September and collected at the end of school in June. Students who have returned a signed copy of the Google Account and Chromebook Acceptable Use Agreement will be permitted to take the Chromebook home with them daily. Students can choose to leave the device at school, in a specially designated location. Students who withdraw, or leave the district must return their assigned Chromebook and any assigned accessories on or before the date that they leave. This agreement is in effect for the period of time that the student is enrolled in the East Rochester School District.

- Use of Google and Chromebooks: Educational content and resources will be delivered through Google Apps for Education via the Chromebook. Students will be called upon to create, write and produce multimedia using the device. Students are expected to bring their Chromebook to school in working order and fully charged each day. It is the student's responsibility to ensure that they are ready to be used on a daily basis. Students, with support of parents and guardians, are expected to manage their Chromebook in a way that minimizes the likelihood of damage, loss and theft. All use of the Google and Chromebooks must be consistent with district policies. Students must treat the device with care and never leave it in a location that is not secure.
- Accidental Damage: Accidental damage includes fire, liquid spills, drops or other unintentional events. In the event of an accident, a written letter signed by a parent must be submitted to the school office with an explanation of the event. The student will be supplied a

spare Chromebook while the damaged Chromebook is repaired or replaced. A \$25 deductible will be collected to cover the cost of the repair.

- Loss or theft or not returned: Parents or guardians are responsible for the full replacement cost of the Chromebook in regard to a theft or loss or not being returned to the district. The full replacement cost is \$263. Lost accessories replacement cost is \$25.
- Dishonest, fraudulent, intentional, negligent (not locked/stored securely) or criminal acts: Parents or Guardians are responsible for the full replacement cost of the device. The full replacement cost is \$263.

Google Account and Chromebook Acceptable Use Agreement

An East Rochester Union Free School District Google Student account has been provided to each student as a powerful and innovative digital tool to collaborate, organize student time, and share student school work with classmates and teachers. It is understood that the use of the school's email is viewed as a privilege and as such may be used for educational and research purposes only. Any misuse may result in the school taking action and in loss of email privileges. Students will not:

- Send electronic mail inappropriate for educational purposes
- Reveal personal information about myself or another person
- Harass or bully other users
- Use inappropriate language
- Participate in illegal activity
- Engage in activity which may pose a risk to anyone
- Violate school or district policy
- Use email for commercial, political or advertising purposes
- Allow others to use my account name or password

East Rochester Schools have access to all student account information and data. Specifically, the district may:

- View statistics regarding student accounts, such as information concerning last login or data storage usage;
- Change account passwords, suspend or terminate account access and student ability to modify accounts;
- Access or retain information stored as part of student accounts, including email, contacts, documents, and other information; and,
- Receive account information in order to satisfy applicable law, regulation, legal process or enforceable governmental request.

VIII. DISCIPLINARY INTERVENTION: PROCEDURES AND REFERRALS

Discipline is most effective when it deals directly with the problem at the time and place it occurs and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline and self-awareness. The Dignity Act's underlying premise is that preventive and non-punitive intervention, in response to incidents of discrimination and/or harassment, is the best way

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

Differentiated responses to disciplinary problems are embedded within three tiers of just and equitable practices under which all students are treated fairly with respect, dignity and decency and without favor toward or prejudice against any one group of students according to ability, talent, age, gender, developmental and acquired disabilities, race and ethnicity, socio-economic status, religious and spiritual orientation, national origin and home language, sexual orientation, and indigenous heritage.

“Understanding discipline as a “teachable moment” is fundamental to a positive approach to discipline. The goal is to prevent or deal with conflict before it escalates.”



A. Administrative Responses

School is a place where all members benefit from adherence to the rights, responsibilities and rules set forth in the district's Code of Conduct. Failure to follow this code could result in administrative responses, either alone or in combination, which may include (but are not limited to) those identified in the chart above.

B. Procedures

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

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

a. Detention.

- i. During or after school

b. Individual riding privileges suspended.

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

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

- i. A student subjected to a suspension from athletic participation, extracurricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved. (Please refer to Policy #5179.)

VIII. DISCIPLINARY INTERVENTION: PROCEDURES AND REFERRALS



d. In-school suspension.

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

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

- i. Implementing short-term "time out" in an elementary classroom or in an administrator's office.
- ii. Sending a student into the hallway briefly.
- iii. Sending a student to the principal's office for the remainder of the class time only.
- iv. Sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.
- v. If traditional classroom management techniques and/or administrative responses are not sufficient for dealing with this inappropriate student behavior, a classroom teacher may remove a student from the classroom for up to four school days or its equivalent under a block schedule. The removal from class applies to the class of the removing teacher only.
- vi. If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

- vii. If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within twenty-four hours.
- viii. The teacher must complete a district-established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the next scheduled meeting of the class from which the student has been removed.
- ix. The principal may require the teacher who ordered the removal to attend the informal conference.
- x. If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within forty-eight hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.
- xi. The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:
 - The misbehavior of the student is not supported by evidence.
 - The student's removal is otherwise in violation of law.
 - The seriousness and/or safety issue of the student's conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.
- xii. 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.
- xiii. 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.

VIII. DISCIPLINARY INTERVENTION: PROCEDURES AND REFERRALS

xiv. The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested.

f. Suspension from school.

- i. A severe penalty, which may be imposed only upon students who, through their actions, threaten and endanger the safety, morals, health or welfare of others as described in the principles and rules of this Code of Conduct.
- ii. Periods of suspension may range from one day to at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The superintendent has the authority to modify the one-year suspension on a case-by-case basis.
- iii. The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals.
- iv. Any staff member may recommend to the superintendent or the principal that a student be suspended.
- v. Recommendations and referrals for suspension shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases, documentation is to be prepared as soon as possible by the staff member recommending the suspension.
- vi. Upon receiving a recommendation or referral for suspension or when processing a case for suspension, the principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested.
- vii. Suspensions may be characterized as:
 1. **Short-term** (5 days or less) suspension from school.

When the superintendent or principal (referred to as the “suspending authority”) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority or

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

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

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

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

VIII. DISCIPLINARY INTERVENTION: PROCEDURES AND REFERRALS

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

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

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

An appeal of the decision of the superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The board may adopt in whole or in part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

3. **Permanent suspension.**

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

C. Referrals

a. Counseling.

The principal or principal's designee shall process all referrals of students to counseling.

b. 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:

- i. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- ii. Engaging in an ongoing or continual course of conduct that makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
- iii. 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.
- iv. Juvenile Delinquents and Juvenile Offenders.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
 - a. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or pending the due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
 - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

VIII. DISCIPLINARY INTERVENTION: PROCEDURES AND REFERRALS

- i. Pending an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
 - ii. If school personnel propose to change the student's placement after expiration of an IAES placement, pending any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to Law Enforcement and Judicial Authorities

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

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

Understanding discipline as a "teachable moment" is fundamental to a positive approach to discipline. The goal is to prevent or deal with conflict before it escalates.



IX. ALTERNATIVE INSTRUCTION

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



X. DISCIPLINE OF STUDENTS WITH DISABILITIES

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

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

A. Authorized Suspension or Removal of Students with Disabilities

a) For purposes of this section of the Code of Conduct, the following definitions apply.

A “suspension” means a suspension pursuant to Education Law § 3214.

A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an Interim Alternative Educational Setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

An Interim Alternative Educational Setting (IAES) means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student’s current Individualized Education Program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

b) School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:

- i. The board, the district (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
- ii. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (i) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
- iii. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- iv. The superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student possesses and/or carries a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
 - “Weapon” means the same as “dangerous weapon” under 18 U.S.C. § 930(g)(w) which includes “a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except ...[for] a pocket knife with a blade of less than 2 1/2 inches in length.”
 - “Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
 - “Illegal drug” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

X. DISCIPLINE OF STUDENTS WITH DISABILITIES

- c) Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement

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

- a. More than 10 consecutive school days; or
- b. A period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they accumulate to more than 10 school days in a school year. This takes into account such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.

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



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

1. The district's Committee on Special Education shall:
 - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances.

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

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

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



X. DISCIPLINE OF STUDENTS WITH DISABILITIES

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

- a. The superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
- b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:

- Conducted an individual evaluation and determined that the student is not a student with a disability, or
- Determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

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

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



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

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

4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.



XI. CORPORAL PUNISHMENT

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

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

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

XII. VISITORS TO THE SCHOOLS

The board encourages parents and other district citizens to visit the district's schools, support the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principals or their designees are responsible for all persons in the building and on the grounds. For these reasons, the following criteria and expectations apply:

- Anyone who is not a regular staff member or student of the school will be considered a visitor.
- All visitors must enter through the single point of entry and sign-in upon arrival. They may be required to produce official photo identification and will be issued a visitor's identification label which must be worn at all times while in the school or on school grounds. If the visitor does not have official photo identification, a building administrator must authorize the visit. The visitor must return to the main office and sign-out 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.
- Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
- Teachers are not expected to take class time to discuss individual matters with visitors.
- Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
- All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.
- Parents of children in grades K-5 are welcome to eat lunch with their child once a week between the months of October and May. Parents are reminded that lunch visitations are not allowed on the day before break. See Elementary Parent Handbook for more details.
 - o There will be no lunch visitations for students in grades 6-12.



XIII. PUBLIC CONDUCT ON SCHOOL PROPERTY

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

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

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

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

A. Consequences for Prohibited Conduct Under this Code

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

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

B. Implementation

School District administrators or their designees shall be responsible for requiring the conduct stipulated by this code.

When a school district administrator 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 administrator or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The administrator or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person’s conduct poses an immediate threat of injury to persons or property, the administrator or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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



XIV. DISSEMINATION AND REVIEW

A. Dissemination of Code of Conduct

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

1. Reviewing summary of the code with all students at the beginning of each school year.
2. Providing summary statements from Code in the main offices within the District.
3. Including a notice in the annual back to school newsletter that a copy of the Code of Conduct is available online for review by parents, students, and community members.
4. Informing all current teachers and other staff members that a copy of the Code of Conduct is available online.
5. Informing all new employees when hired, that the Code of Conduct is available online.

B. Review of Code of Conduct

The Board of Education will review this Code of Conduct every year and update it as necessary.

District's Shared Decision Committee may assist in reviewing the code and the Board of Education may appoint an advisory committee to review the district's response to Code of Conduct violations. Representatives on this committee may include representatives of the student, teacher, administrator, and parent communities as well as school safety personnel.

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

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



