

NEWARK CENTRAL SCHOOL DISTRICT



Code of Conduct

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TABLE OF CONTENTS

- I. Introduction
- II. Definitions
- III. Student Rights and Responsibilities
- IV. Essential Partners
- V. Dignity for All Students Act
- VI. Student Dress Code
- VII. Prohibited Student Conduct
- VIII. Reporting Violations
- IX. Disciplinary Procedures and Consequences
- X. Alternative Instruction
- XI. Discipline of Students with Disabilities
- XII. Corporal Punishment
- XIII. Student Searches and Interrogations
- XIV. Visitors to Schools
- XV. Public Conduct on School Property
- XVI. Publication, Distribution and Review

CODE OF CONDUCT

I. INTRODUCTION

The Board of Education (“Board”) is committed to providing a safe and orderly school environment where students *will* receive and District personnel *will* deliver quality educational services. Responsible behavior by students, teachers, other District personnel, parents and other visitors is essential to achieving this goal.

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

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, identify the possible consequences of unacceptable conduct and to ensure that discipline when necessary is administered promptly and fairly. To this end, the Board adopts this Code of Conduct.

Unless otherwise indicated, this Code of Conduct applies to all students, school personnel, parents, and other visitors when on school property or attending a school function.

II. DEFINITIONS

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

1. “Disruptive Student” means a student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom.
2. “Bullying” / “Harassment” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying as defined in Education Law §11(8), that
 - (a) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or
 - (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
 - (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
 - (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

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

Acts of harassment and bullying that are prohibited include those acts based on a person’s actual or perceived membership in the following groups including, but not limited to:

- ❖ race
- ❖ disability
- ❖ color
- ❖ sex
- ❖ weight
- ❖ sexual orientation
- ❖ national origin

- ❖ gender (which includes a person’s ethnic group actual or perceived sex, as well as religion gender identity and expression)
- ❖ religious practice
- ❖ any other legally protected status

Bullying is further defined as unwanted, aggressive behavior among school-aged children that involves a real or perceived power imbalance. The behavior may be a single occurrence, repeated, or has the potential to be repeated over time. Bullying can occur before and after school hours, in a school building or places like a playground or bus, during or on the internet or at a school function.

Bullying may involve the following characteristics:

- a. **An Imbalance of Power:** Children who bully use their power, such as physical strength, access to embarrassing information, or popularity, to control or harm others.
- b. **The Intent to Cause Harm:** The person bullying has a goal of causing harm.
- c. **Repetition:** Bullying behaviors generally happen more than once or have the potential to happen more than once.

Examples of bullying include, but are not limited to:

- a. **Verbal:** Name-calling, teasing, inappropriate sexual comments, taunting, and threatening to cause harm.
 - b. **Social:** Spreading rumors about someone, excluding others on purpose, telling other children not to be friends with someone, and embarrassing someone in public.
 - c. **Physical:** Hitting, punching, shoving, kicking, pinching, spitting, tripping, pushing, taking or breaking someone’s things, and making mean or rude hand gestures.
3. “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.
 4. “Cyberbullying” means harassment/bullying, as defined above, through any form of electronic communication.
 5. “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.
 6. “Discrimination” means discrimination 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, sex or any other legally protected status.
 7. “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.
 8. “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 9-B of article 5 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.

9. "Gender" means a person's actual or perceived sex and includes a person's gender identity or expression.
10. "Hazing" means a form of harassment among students defined as any humiliating or dangerous activity expected of a student to join a group or be accepted by a formal or informal group, regardless of their willingness to participate. Hazing produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.
11. "Illegal Drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act of any other federal law.
12. "Illegal Substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs or synthetic drugs, and look alikes (including synthetic cannabinoids) and prescription or over-the-counter drugs when possession is unauthorized or such are inappropriately used or shared with others
13. "Material Incident of Harassment, Bullying or Discrimination" means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, and is the subject of a written or oral complaint to the superintendent, principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status.
14. "Parent" means the biological, adoptive or foster parent, guardian or person in parental relation to a student.
15. "School Bus" means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.
16. "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. School buses, whether owned and operated by the District or by a carrier the District contracts with for transportation of its students, are considered school property.
17. "School Sanctioned" means a trip that has been given approval by the Superintendent or designee.
18. "School Function" means any school-sponsored extracurricular event or activity.
19. "Sexual Orientation" means actual or perceived heterosexuality, homosexuality, or bisexuality.
20. "Tobacco Products" means "cigarettes, cigars, pipes, chewing tobacco, snuff, herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, e-cigarettes, vapes, cloves, bidis and kreteks as well as matches and lighters.

21. “Violent student”¹ means a student under the age of 21 who:
 1. Commits an act of violence upon a school employee.
 2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function.
 3. Possesses, while on school property or at a school function, a weapon.
 4. Displays, while on school property or at a school function, what appears to be a weapon.
 5. Threatens, while on school property or at a school function, to use a weapon.
 6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
 7. Knowingly and intentionally damages or destroys school District property.

22. “Weapon” means a firearm as defined in 18 USC §921 for purposes of the Gun Free Schools Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause serious physical injury or death, and any other instrument identified in the New York Penal Code as a weapon. In addition, this Code further prohibits the possession or display of any toy, facsimile or replica of a weapon.

III. STUDENT RIGHTS AND RESPONSIBILITIES

A. STUDENT RIGHTS

The District is committed to safeguarding the rights given to all students under state and federal law. In addition to those rights, all District students have the right to:

1. A safe, healthy, orderly and civil school environment.
2. The opportunity for all students to participate in all District activities on an equal basis regardless of age, race, religion, color, national origin, sex, sexual orientation or disability.
3. The opportunity to present their version of the relevant events at the appropriate time to school personnel authorized to impose a disciplinary penalty as in connection with the imposition of the penalty, and
4. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
5. To be free from bullying, intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, sex, gender/gender identity, sexual orientation, disability or any other legally protected status.

B. STUDENT RESPONSIBILITIES

All District students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all District policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.

6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress in a manner consistent with the student dress code. See section “Student Dress Code”.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the District when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
12. Report negative behavior which may negatively affect the school climate, other students or school personnel or any behavior that is in violations of the Code of Conduct.

IV. ESSENTIAL PARTNERS

The District recognizes the importance of working with key stakeholders in ensuring that a safe and orderly learning environment is provided for each student.

A. PARENTS

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Monitor child(ren)’s use of social media.
3. Encourage their children to have a supportive attitude toward education and the District.
4. Send their children to school ready to participate and learn.
5. Ensure their children attend school regularly and on time.
6. Ensure absences are legal and provide a written excuse to the school.
7. Insist their children be dressed and groomed in a manner consistent with the student dress code. See section “Student Dress Code”.
8. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
9. Know school rules and help their children understand them.
10. Build good relationships with teachers, other parents and their children’s friends.
11. Help their children deal effectively with peer pressure.
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Provide a place for study and ensure homework assignments are completed.
14. Teach their children respect and dignity for themselves and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/ gender identity, or sex which will strengthen the child’s confidence and promote learning in accordance with the Dignity for All Students Act.
15. Update all changes in contact information with school offices.

B. TEACHERS

All District teachers are expected to:

1. Maintain a climate of mutual respect and dignity.
2. Promote a safe, orderly and stimulating school environment, free from intimidation, bullying, discrimination and harassment, supporting effective teaching and learning.
3. Deliver instruction effectively.
4. Demonstrate interest in pedagogy and concern for student achievement.
5. Know school policies and rules, and enforce them in a fair and consistent manner.
6. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures

- c. Assignment deadlines
 - d. Expectations for all students
 - e. Classroom discipline plan
7. Communicate regularly with students, parents and other teachers concerning growth and achievement.
 8. Be responsive to parent and student communications.
 9. Strengthen students' self-concept and promote confidence to learn.
 10. Be responsible for enforcing this Code of Conduct and making any timely notifications as required by this Code of Conduct.
 11. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building Administrator and/or Dignity Act Coordinator.
 12. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
 13. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
 14. Maintain confidentiality in accordance with FERPA.

C. SUPPORT STAFF

All support staff are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Support teaching and learning.
3. Demonstrate interest and concern for student achievement.
4. Know the Code of Conduct and school rules, communicate them to students and enforce them in a fair and consistent manner.
5. Communicate regularly with the appropriate school staff.
6. Maintain confidentiality in accordance with FERPA.
7. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to a support staff member's attention to the building Administrator and/or Dignity Act Coordinator.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

D. SCHOOL COUNSELORS

All school counselors are expected to:

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate and/or facilitate teacher/student/counselor conferences and parent / teacher / student / counselor conferences as a way to resolve problems.
3. Regularly review with students their educational progress and career plans.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to a school counselor's attention to the building Administrator and/or Dignity Act Coordinator.
7. Maintain confidentiality in accordance with FERPA.
8. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
9. Promote a safe, orderly and stimulating school environment, free from intimidation, bullying, discrimination and harassment, supporting effective teaching and learning.

10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

E. ATHLETIC COACHES AND CO-CURRICULAR ADVISORS

All District coaches and advisors are expected to:

1. Develop and maintain a climate of mutual respect, which will strengthen students' self-esteem and promote confidence to play and learn.
2. Promote a safe, orderly and stimulating school environment free from intimidation, discrimination and harassment, supporting effective teaching and learning.
3. Emphasize the proper ideals of sportsmanship, ethical conduct and fair play.
4. Stress values developed from participating with integrity and high character.
5. Know school rules and assist in their enforcement.
6. Help students to understand school rules.
7. Recognize that the purpose of athletics and extracurricular activities is to promote the educational, physical, mental, social and emotional well-being of the individual players.
8. Encourage leadership, use of initiative, and good judgment by all participants.
9. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the building Administrator and/or Dignity Act Coordinator.
10. Maintain confidentiality in accordance with FERPA.
11. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
12. Promote a safe, orderly and stimulating school environment, free from intimidation, bullying, discrimination and harassment, supporting effective teaching and learning.
13. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

F. PRINCIPALS / BUILDING ADMINISTRATORS

All principals and building administrators are expected to:

1. Make student achievement and character development the primary focus of the building.
2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
3. Ensure that students and staff have the opportunity to communicate regularly with the administration and approach them with problems and/or concerns.
4. Evaluate on a regular basis all instructional programs.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved fairly and promptly.
7. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the building Administrator and/or Dignity Act Coordinator.
8. Maintain confidentiality in accordance with FERPA.
9. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
10. Promote a safe, orderly and stimulating school environment, free from intimidation, bullying, discrimination and harassment, supporting effective teaching and learning.
11. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

E. SUPERINTENDENT / DISTRICT ADMINISTRATORS

The Superintendent and all District Administrators are expected to:

1. Make student achievement and character development the primary focus of the District.
2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
3. Review with District Administrators the policies of the Board of Education and local, state and federal laws relating to school operations and management.
4. Inform the Board of Education about educational trends relating to student discipline.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Work with Building Administrators in enforcing the Code and ensuring that all cases are resolved promptly and fairly.
7. Maintain confidentiality in accordance with FERPA.
8. Promote a safe, orderly and stimulating school environment, free from intimidation, bullying, discrimination and harassment, supporting effective teaching and learning.
9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

F. BOARD OF EDUCATION

All members of the Board of Education are expected to:

1. Collaborate with student, teacher, support staff, administrator, and parent organizations, community members and school safety personnel to adopt a Code of Conduct that clearly defines expectations for the conduct of students, District personnel and visitors on school property and school functions.
2. Adopt and review at least once per year the District's Code of Conduct to evaluate its effectiveness, fairness and consistency of its implementation.
3. Lead by example by conducting Board meetings and Board business in a respectful, responsible, caring and honest manner.
4. Appoint a Dignity Act Coordinator.

V. **DIGNITY FOR ALL STUDENTS ACT (DASA)**

Newark Central School District is committed to providing an educational environment that promotes respect, dignity, and equality. The Newark Central School District recognizes that acts of discrimination and harassment, including bullying, taunting, or intimidation, are detrimental to student learning and achievement. These behaviors interfere with the mission of the District to educate its students and disrupt the operation of its schools. Such behavior affects not only the students who are its targets, but also those individuals who participate in, and witness such acts.

The Newark Central School District condemns and strictly prohibits all forms of discrimination and harassment, including bullying, taunting, intimidation, against students by students and or employees on school property, which means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of all schools within the Newark Central School District, or in or on a school bus. This includes, but is not limited to all school functions or school sponsored events, such as extracurricular events or activities. Harassment can include, among other things, the use, both on and off school property, of information technology, including, but not limited to e-mail, instant or text messaging, blogs, chat rooms, pagers, cell phones, gaming systems and social media websites, to deliberately harass or threaten others. This type of harassment is generally referred to as cyberbullying.

Please refer to District Dignity for All Students Act Policy.

VI. STUDENT DRESS CODE

All students are expected to give proper attention to personal cleanliness and to dress appropriately on school property and at school functions. The purpose of a dress code is to ensure a comfortable and productive learning environment for all students in our District. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other District personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting. Appropriate dress during afterschool functions is also required.

The following is regarded as **appropriate and acceptable dress** for our students on school property and at school functions:

- Safe footwear
- Jeans, slacks, and capri pants
- Shorts, dresses, and skirts that are longer in length than at or below the fingertips when arms are fully extended at side with shoulders relaxed
- T-shirts, turtleneck tops, collared shirts, crew neck shirts and blouses, both sleeveless and with sleeves, that provide appropriate coverage
- Sweaters, fleece, and sweatshirts
- Appropriate undergarments

The following is regarding as **inappropriate dress** for our students on school property and at school functions:

- Messages on clothing, jewelry, and personal belongings that are vulgar, obscene, libelous, sexually suggestive or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation, disability or any other legally protected status.
- Promote and/or endorse the use of alcohol, tobacco, tobacco products, illegal substances, or illegal drugs and/or encourage other illegal or violent activities
- Tube tops, net tops, camisoles, halter tops, spaghetti straps, one-shoulder tops, and low-cut tops (unless worn with another top that provides appropriate coverage)
- Strapless dresses or blouses
- Mid cut shirts/tops that reveal the midriff
- See-through clothing
- Extremely tight or revealing clothing
- Skirts or shorts that are shorter in length than at or below the fingertips when arms are fully extended at side with shoulders relaxed
- Display of undergarments (bras, boxers, underwear, etc.)
- Lack of footwear
- Hats, except for medical or religious purposes
- Coats or outerwear worn inside the building, except for medical or religious purposes
- Hazardous jewelry, including but not limited to, spiked jewelry or wallet chains

This list is not meant to be inclusive. Students who violate the student dress code shall be informed by Administration of their violation and will be given specific reasons why their dress interferes with the educational process. Students will then be required to modify their appearance by covering or removing the offending item, and if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to disciplinary action.

Each Building Principal / designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

VII. PROHIBITED STUDENT CONDUCT

The Board of Education expects students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, District personnel and other members of the school community, and for the care of school facilities and equipment. The District may discipline a student whose actions were unintentional yet violate the Code of Conduct.

Typically, progressive discipline will be utilized starting with a low level of discipline and progressive to suspension from school for various periods of time. However, the severity of misbehavior and the student's total disciplinary record will impact any decision regarding discipline.

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

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

The District has the right to discipline student misconduct on school property, at school functions or off-campus if such conduct impacts the school environment.

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

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include, but not limited to:
 1. Running in hallways.
 2. Making unreasonable noise.
 3. Using language or gestures that are profane, lewd, vulgar or abusive.
 4. Obstructing vehicular or pedestrian traffic.
 5. Engaging in any act which disrupts the normal operation of the school community.
 6. Trespassing: Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building. Nor are the permitted in any classroom or any school room without a bona fide reason or the permission of a teacher or administrator.
 7. Trespassing: Students are not permitted in any school building after hours without permission from the administrator in charge of the building.
 8. Computer/electronic communications misuse including, but not limited to, any unauthorized use of computers, software, internet/intranet account; misuse of a website including transmission of inappropriate language or images via electronic/digital devices; accessing inappropriate websites or another person's email; use of cell phones, portable electronic or music devices (Example: MP3 player, iPod or iPad) or any other violation of the District's acceptable use policy.
- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include, but not limited to:
 1. Failing to comply with the lawful directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
 2. Lateness for, missing or leaving school without permission.
 3. Failing to attend an assigned detention.
- C. Engage in conduct that is disruptive. Examples of disruptive conduct include, but not limited to:

1. Failing to comply with the lawful directions of teachers, school administrators or other school personnel in charge of students.
 2. Continually impeding the teaching and learning environment.
 3. Continuing interfering with the teacher's authority over the classroom.
 4. Being late for school or class.
 5. Inappropriate public sexual contact.
 6. Display or use of personal electronic devices, such as, but not limited to cell phones, Ipods, digital cameras, in a manner that is in violation of District policy, without the permission of a staff member.
- D. Engage in conduct that is violent. Examples of violent conduct include, but not limited to:
1. Committing an act of violence (such as hitting, biting, kicking, spiting, punching, and scratching) upon a school employee, student or any other person lawfully on school property.
 2. Possessing, displaying or threatening to use a weapon or appears to be a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
 3. Displaying what appears to be a weapon.
 4. Threatening to use a weapon.
 5. Threatening harm in any form to an individual or individuals.
 6. Intentionally damaging or destroying the personal property of a school District employee, student or any person lawfully on school property, including graffiti or arson.
 7. Intentionally damaging or destroying school District property, including District computer systems and data.
- E. Engage in any conduct that endangers the safety, morals, health, or welfare of others. Examples of such conduct include, but not limited to:
1. Lying to school personnel.
 2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
 3. Acts of sexual harassment as defined in the District's sexual harassment policy.
 4. Acts of harassment, bullying and/or intimidation or retaliation against someone who has reported harassment.
 5. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
 6. Discrimination as defined in Article II.
 7. Harassment as defined in Article II.
 8. Intimidation, which includes engaging in actions or statements that put an individual in fear of personal harm. Joining together with two or more others for the purpose of creating fear and intimidation.
 9. Cyberbullying as defined in Article II.
 10. Hazing as defined in Article II.
 11. Possessing, consuming, selling, distributing or exchanging obscene materials.
 12. Using vulgar or abusive language, cursing or swearing.
 13. Possessing, consuming, selling, distributing or exchanging Tobacco Products or alcoholic beverages.
 14. Possessing, consuming, selling, distributing or exchanging Illegal Substances, or being under the influence of either.
 15. Possessing, consuming, selling, distributing or exchanging prescription and over-the-counter drugs.
 16. Gambling.
 17. Indecent exposure (e.g., exposure to sight of the private parts of the body in a lewd or indecent manner).
 18. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.

19. Engaging in threatening or reckless behavior that serves to endanger the property or safety of others.
 20. Use and/or display of electronic media (such as e-mail, text messages, messages sent through social media websites and other such messages) to knowingly transmit, retrieve, or store any communication (e.g. forwarded emails that contain jokes, pictures, promoting a violation of school rules etc...) that are:
 - a. Discriminatory or harassing;
 - b. Derogatory to any individual or group;
 - c. Obscene, sexually explicit or pornographic;
 - d. Defamatory or threatening;
 - e. In violation of any license governing the use of software;
 - f. In violation of any other law or rule; or
 - g. Engaged in for any purpose that is illegal or contrary to this Code or District interests and/or reputation.
 21. Inappropriate dancing. Dance styles must comply with standards of modesty, decency, and safety. Inappropriate dancing includes but is not limited to: slam or mosh dancing, freak dancing, dirty dancing, grinding
- F. Engage in misconduct while on a school bus:
It is crucial for students to behave appropriate while riding on District buses to ensure their safety and that of other passengers, to avoid distracting the bus driver and to avoid districting other drivers. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior and the Code of Conduct. Excessive noise, pushing, shoving, fighting, harassment and discrimination will not be tolerated.
- G. Engage in any form of academic misconduct. Examples of academic misconduct include, but not limited to:
1. Plagiarism
 2. Cheating
 3. Copying
 4. Altering records
 5. Assisting another student in any of the above actions
 6. Accessing other users' email accounts or network storage accounts and/or attempting to read, delete, copy, modify and interfere with the transferring and receiving of electronic communications.
- H. Engage in activity that violates athlete's Code of Conduct.
- I. Engage in activity that violates the District's Acceptable Use Plan for Technology.

VIII. REPORTING VIOLATIONS OF THE CODE OF CONDUCT INCLUDING DIGNITY ACT

All students are expected to promptly report violations of the code of conduct and any potential criminal activity to a teacher, guidance counselor, the building principal or his or her designee. Any student or adult observing anyone possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a staff member. Any weapons, alcohol, or illegal substances found shall be confiscated immediately, followed by notification to the parent of the student involved and the appropriate disciplinary action taken, up to and including permanent suspension and referral for prosecution.

The building principal or his or her designee should immediately notify the appropriate local law enforcement agency of those code violations, and any other conduct that occurs on school property or at a school function or in travel to and from school, that is criminal in nature and substantially affects the physical, mental or emotional well-being of a student or the order, security or overall safety of the school, and, in the absence of extenuating circumstances, such notification should occur no later than the close of business the day the principal or his or designee learns of the conduct. The notification should identify the

persons involved in the conduct, the names of any victims and witnesses and an explanation of the conduct that may constitute a crime.

Minor offenses which involve conduct such as stealing, damaging property and physical violence that do not result in serious injuries are matters that may be handled by the administration without the assistance of law enforcement. Whenever criminal conduct occurs, school staff shall not discourage or prevent crime victims from filing a complaint with local law enforcement.

Whenever conduct involves drugs, assaults where there are serious injuries or inappropriate sexual acts, immediate notification to law enforcement by the building principal or his or her designee should be made.

Certain acts of misconduct which occur may require the exercise of reasonable judgment by staff in consultation with the principal or superintendent in order to determine whether referral to law enforcement officials is appropriate, or whether the matter will be handled solely through the district's Code of Conduct and student discipline system.

A. Reporting Discrimination, Harassment and Bullying

All students, adults and staff members are encouraged to report ALL violations of the Dignity Act either orally or via the District DASA form located on the District Website. This assists in investigating and putting in place interventions to prevent the behaviors. Forms can also be obtained in each building's main office and at our District Office.

- The School Principal is the school employee charged with receiving all reports of harassment, bullying and discrimination; however, students and parents may make an oral or written complaint of harassment, bullying or discrimination to any teacher, administrator or school employee. The district will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment and bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment and bullying.
- It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator. The staff member / administrator to whom the report is made (or the staff member / administrator who witnesses or suspects bullying / cyberbullying behavior) shall document and take appropriate action to address the immediacy of the situation and shall promptly report in accordance with the following paragraphs.
- Upon receipt of a complaint (even an anonymous complaint), or if a district official otherwise learns of any occurrence of possible conduct prohibited by this policy, the school employee shall promptly and orally notify the school principal no later than one school day after such school employee witnesses or receives the complaint or learns of such conduct. Such school employee shall also file a written report with the school principal no later than two school days after making such oral report.
- After receipt of a complaint, the School Principal shall lead or supervise a thorough investigation of the alleged harassing, bullying and/or retaliatory conduct. The Principal or the Principal's designee shall verify that such investigation is completed promptly and investigated in accordance with the terms of district policy. All complaints shall be treated as confidential and private to the extent possible within legal constraints.
- Based upon the results of this investigation, if the district determines that a district official, employee, volunteer, vendor, visitor and/or student has violated the district's Code of Conduct or a material incident

of harassment, bullying and/ discrimination has occurred, immediate corrective action will be taken as warranted, it will take prompt action reasonably calculated to end the violation, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and verify the safety of the student or students against whom such violation was directed.

- As a general rule, responses to acts of harassment, bullying, and/or discrimination against students by students shall incorporate a progressive model of student discipline that includes measured, balanced and age-appropriate remedies and procedures that make appropriate use of prevention, education, intervention and discipline, and considers among other things, the nature and severity of the offending student’s behavior(s), the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the student’s behaviors had on the individual(s) who was physically injured and/or emotionally harmed. Responses shall be reasonably calculated to end the harassment, bullying, and/or discrimination, prevent recurrence, and eliminate the hostile environment.
- In the event that the Principal is the alleged offender, the report will be directed to the Superintendent of Schools.
- Pursuant to Education Law section 13, retaliation by any school employee or student shall be prohibited against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination.
- All complaints of alleged harassing, discriminatory, bullying and/or retaliatory conduct shall be:
 1. promptly investigated in accordance with the terms of district policy;
 2. forwarded to the school building’s Dignity Act Coordinator (“DAC”) for monitoring; and
 3. treated as confidential and private to the extent possible within legal constraints.

Each building has been appointed a DAC. The following are the DACs and their contact information for each building. Any questions or concerns can be directed to the following DACs:

DASA COORDINATORS			
SCHOOL	CONTACT	PHONE	EMAIL
Perkins School	Sue Achille	332-3311	susan.achille@newarkcsd.org
Lincoln School	Stephanie Miller	332-3341	stephanie.miller@newarkcsd.org
Kelley School	Jeff Hamelinck	332-3321	jeffrey.hamelinck@newarkcsd.org
Middle School	Teresa Prinzi	332-3291	teresa.prinzi@newarkcsd.org
High School	Tom Roote	332-3250	thomas.roote@newarkcsd.org

IX. DISCIPLINARY PROCEDURES AND CONSEQUENCES

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and is provided in a reasonable and impartial manner. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the student’s ability to grow in self-discipline.

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

1. The student’s age.
2. The nature of the offense and the circumstances which led to the offense.
3. The student’s prior disciplinary record.
4. The effectiveness of other forms of discipline.

5. Information from parents, teachers and/or others, as appropriate.
6. The adverse impact on others and/or the learning environment.
7. Other extenuating circumstances.

Remedial responses are an important part of our Code of Conduct and place the focus of discipline on discerning and correcting the reasons why the student behaviors have occurred. The remedial responses our District utilizes are designed to correct the problem behavior, prevent another occurrence of the behavior, and protect any targets. Appropriate remedial measures may include, but are not limited to:

- peer support groups;
- assignment of an adult mentor at school that the student checks in with at the beginning and end of each school day;
- corrective instruction that reemphasizes behavioral expectations or other relevant learning or service experience;
- engagement of student in a reflective activity, such as writing an essay about the misbehavior and its impact on others and how the student might handle the situation differently in the future and/or make amends to those who have been harmed;
- supportive intervention and/or mediation where constructive conflict resolution is modeled;
- behavioral assessment or evaluation;
- behavioral management plans or behavior contracts, with benchmarks that are closely monitored;
- student counseling and parent conferences that focus on involving persons in parental relation in discipline issues.

As a general rule, discipline will be progressive. This means that as a student's number of violations increase, disciplinary consequences increase as well. Additionally, a student's first offense in one category, coupled with multiple offenses in other categories may result in a harsher penalty than that of another student who does not have a similar violation history; however, the district reserves the right to impose any level of discipline, even for a first offense, as the facts may warrant.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education, and discipline, if warranted shall be administered in a fashion consistent with the separate requirements of this Code for disciplining students with a disability.

A. Consequences

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

1. Verbal warning: any member of the District staff
2. Disciplinary referral: bus drivers, hall and lunch monitors, paraprofessionals, administrative aids, teachers, administrators, and building support staff such as cafeteria workers and custodial staff
3. Written notification to parent: bus drivers, teachers, and administrators
4. Detention: teachers, administrators, superintendent
5. Suspension from transportation: administrators, Superintendent
6. Suspension from athletic participation: coach, administrators, Superintendent
7. Suspension from social or extracurricular activities: administrators, Superintendent
8. Suspension from other privileges: administrators, Superintendent
9. In-school suspension: administrators, Superintendent
10. In-district suspension: administrators, Superintendent (see definition on page 16)
11. Removal from classroom: teachers, administrators, Superintendent
12. Short-term (five days or less) suspension from school: principal, Superintendent, Board
13. Long-term (more than five days) suspension from school: Superintendent, Board
14. Permanent suspension from school: Superintendent, Board

B. Procedures

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

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

1. Detention

If the student has appropriate transportation home, teachers, Administrators, and the Superintendent may use after-school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate.

2. Teacher Removal of Disruptive Students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. Teaching staff utilize classroom management techniques that most often are able to control or restore control over a classroom. These classroom management techniques may include, but are not limited to:

- a. short-term "timeout" in an alternative setting;
- b. sending a student to the Administrator's office for the remainder of the class time only; or
- c. sending a student to a guidance counselor or other District staff member for counseling.

Short-term, time honored classroom management techniques such as "time out" in an elementary classroom or in an Administrator's office or sending students briefly into the hallway are not considered removals from class. Classroom management techniques such as those identified above do not constitute disciplinary removals for purposes of this Code.

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

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

If the student does pose 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 one full school day of the removal.

The teacher must complete a District-established referral form and turn it in to the Principal or

Assistant Principal as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal.

The teacher will notify the parent through phone call or email of the removal prior to the end of the same school day.

Within 24 hours of the student's removal, the Principal or another District Administrator designated by the Principal must notify the student's parent of the removal and, on request, give the student and the student's parents an opportunity for an informal conference with the principal or principal's designee to discuss the reason for the removal.

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 at an informal hearing to be held within 48 hours of the student's removal.

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:

1. The charges against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law.
3. The conduct warrants suspension from school pursuant to Education Law § 3214 and a suspension will be imposed.

The Principal or his/her designee must make a determination as to whether to overturn the removal before the close of business on the day of the informal hearing. 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. At the teacher's discretion, he or she may rescind the removal prior to the expiration of the full period of removal.

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

Each teacher must document all cases of removal of students from his/her class. The building Administrator must keep a log of all removals of students from class. Removal of a student with a disability may, under certain circumstances, constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his/her class until he/she has verified with the building Administrator that the removal will not violate the student's rights under state or federal law or regulation.

Nothing in this section of the Code abridges the customary right or responsibility of a Principal to suspend a student. Further, nothing in this Code abridges the customary right and responsibility of a teacher to manage student behavior in the classroom.

1. Suspension from Transportation

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

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 to discuss the conduct and the penalty involved.

2. Suspension from Athletic Participation, Extracurricular Activities and Other Privileges

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and 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.

3. In-School Suspension

The Board recognizes that the school must balance a student's need to attend school and order in the classroom to establish an environment conducive to learning. As such, the Board authorizes Building Principals and the Superintendents to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension." "In-school suspension" is the temporary removal of students from the classroom and their placement in another area of the school building designated for such a suspension where students will receive substantially equivalent, alternative education.

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.

4. In-District Suspension

The Board recognizes that the school must balance the need of students to attend school and order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building Principals and the Superintendent to place students who would otherwise be suspended from school as a result of a Code violation in "In-District Suspension". "In-District Suspension" is the temporary removal of a student from the classroom and their placement in a school maintained alternative location designated for such suspension where students will receive substantially equivalent, alternative education.

5. Suspension from School

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of self or others. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the Building Principals. The Superintendent or Principal, upon receiving a referral that may warrant a suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

a. Short Term (five days or less) Suspension from School

When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in

writing that the student may be suspended from the school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone or email.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parent 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.

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

After the conference, the Suspending Authority shall promptly advise the parents in writing of his or her decision. The Suspending Authority 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 Board of Education with the District Clerk within 10 business days of the date of the decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decisionⁱⁱ.

b. Long Term (more than 5 days) Suspension from School

When the Principal or 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. 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 decision, 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. An audio 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 of Education within 30 days of the decision.

c. Permanent Suspension

Permanent suspension is reserved for extraordinary circumstances 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 or where multiple short and long-term suspensions have previously been imposed.

C. Minimum Periods of Suspension

1. Students who bring a weapon to school

Any student other than a student with a disability, found guilty of bringing a weapon onto school property will be subjected to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

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

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

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

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

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

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be subject to a suspension from school for five or more days pending review by the Principal. If the proposed penalty is suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the suspension on a case-by-case basis to be consistent with any other state and federal law. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

D. Referrals

1. Counseling: Counseling of students may be handled by school counselors, social workers, or psychologists. The individuals responsible for counseling students will be assigned by the Principal or designee.

2. PINS Petition: 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:
 - a. Being habitually truant and not attending school as required by Part One of Article 65 of the Education Law.
 - b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.
 - c. Knowingly and unlawfully possesses marijuana in violation of Penal Law §221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.
3. Juvenile Delinquents and Juvenile Offenders: The Superintendent is required to refer the following students to appropriate law enforcement for a juvenile delinquency proceeding before the Family Court:
 - a. Any student under the age of 16 who is found to have brought a weapon to school, or
 - b. Any student 14 or 15 years old who qualified for juvenile offender status under the Criminal Procedures Law § 1.20 (42).

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

X. ALTERNATIVE INSTRUCTION

When a student of any age is removed from a 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. In addition, alternative instruction will be made available to any student over the compulsory attendance age who presents a sincere desire to complete his/her high school education.

XI. DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board of Education 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 are entitled to certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

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

A. Authorized Suspensions or Removals of Students with Disabilities

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/herself or others.

An “IAES” means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the

student's current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP. The placement will include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring. School personnel may order the suspension or removal of a student with a disability from his/ her current educational placement as follows:

1. The Board, the District (BOCES) Superintendent of Schools or a Building Principal delegated the authority to suspend students 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.
2. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
3. 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.
4. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, 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, or has inflicted serious bodily injury while at school or at a school activity.

For purposes of this Article XI of the code of conduct, the following definitions apply:

- 1) "Weapon" means the same as "dangerous weapon" under 18 U.S.C. § 930(g)(w) which includes "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 1/2 inches in length."
- 2) "Controlled substance" means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
- 3) "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
- 4) "Serious bodily injury" as defined in 18 USCA §1365(h) means a bodily injury that involves:
 1. a substantial risk of death; or
 2. extreme physical pain; or
 3. protracted or obvious disfigurement; or
 4. protracted loss or impairment of the function of a bodily member, organ or mental faculty.

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

B. Change of Placement Rule

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

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

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.
 - b. Review the behavioral intervention plan, if the student has been suspended or removed from his or her current educational placement for more than 10 school days in a school year. The plan must be reviewed to determine if modifications are necessary.

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

- c. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others, or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school

District is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the District is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.

- a. The Superintendent, Building Principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
- b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the District had knowledge the student was a student with a disability, the District either:
 - i. conducted an individual evaluation and determined that the student is not a student with a disability, or
 - ii. determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

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

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

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

The procedural safeguards notice prescribed by the Commissioner of Education 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 Regulations of the Commissioner of Education 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 Regulations of the Commissioner of Education incorporated into this Code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Regulations of the Commissioner of Education incorporated into this policy, if:
 - a. The District requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
 - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - (1) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the District agree otherwise.
 - (2) If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the District and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to Law Enforcement and Judicial Authorities

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

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

XII. CORPORAL PUNISHMENT

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

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

1. Protect oneself, the student, another student, teacher, or any person from physical injury.
2. Protect the property of the school or others.
3. Use of physical intervention or removal of a student whose behavior interferes with the orderly exercise and performance of school District functions, powers and duties, if that student has refused to refrain from further disruptive acts.
(See attached Standard Form)

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

XIII. STUDENT SEARCHES AND INTERROGATIONS

The Board of Education is committed to ensuring an atmosphere on school property, at school functions, and on District-sponsored activities and trips that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the District Code of Conduct. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the Superintendent, building Administrators, and other employees under the direct supervision of an Administrator to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the District Code of Conduct. An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

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

Before searching a student or the student's belongings, the authorized school official should give the opportunity for the student to admit that he or she possesses physical evidence that they violated the law or the District code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of Administrative offices and students will be present when their possessions are being searched. The Administrator will attempt to have a second school employee present at the search.

A. Student Lockers, Desks and Other School Storage Places:

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

B. Documentation of Searches:

The authorized school official conducting the strip search shall be responsible for promptly recording the following information about each search:

1. Name, age and grade of student searched.
2. Reasons for the search.
3. Basis of information leading to the search
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search.
6. Person conducting search and his or her title and position.
7. Witness(s) to the search.
8. Time and location of search.
9. Results of search (that is, what item(s) were found).
10. Disposition of items found.
11. Time, manner and results of parental notification.

The Principal/designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The Principal/designee shall retain control of the items, unless the items are turned over to the police. The Principal/designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

C. Police Involvement in Searches and Interrogations of Students:

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant.
2. Probable cause to believe a crime has been committed on school property or at a school function, or
3. Been invited by school officials.

Police may not remove students from school for questioning without parental consent. Neither may Police interrogate students on school premises without parental permission, unless a crime has been committed on school premises. When district officials have called the police to investigate a crime on school premises, school officials will yield to police leadership on the conduct of the investigation. School officials should immediately contact the student's parent or guardian and try to arrange for their presence if at all possible, or obtain their consent. The Building Principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

E. Child Protective Services Investigations:

Consistent with the District's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the District will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by child protective services to interview a student on school property shall be made directly to Building Principal or designee. The Building Principal or designee shall set the time and place of the interview. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other District medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school District official of the opposite sex.

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

XIV. VISITORS TO SCHOOLS

The Board encourages parents and other District citizens to visit the District's schools. Since schools are a place of work and learning, however, certain limits must be set for such visits. The Building Principal is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member, student of the school, or member of the Board of Education will be considered a "visitor."
2. All visitors to the school must report to the greeter and/or main office. Photo proof of identification will be required. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be visibly worn at all times while in the school or on school grounds. The visitor must return the identification badge and sign out before leaving the building. The District reserves the right to limit access to our facilities based on security and safety reasons.
3. Visitors attending school functions that are open to the public, such as athletic or musical events, are not required to register.
4. 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. Such visitations shall be allowed at the discretion of the teacher and Principal.
5. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the Principal. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this Code.

XV. PUBLIC CONDUCT ON SCHOOL PROPERTY

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

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or remove District property.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school ground or at school functions that are obscene, advocate illegal action, appear libelous, violate the rights of others, or are disruptive to the educational environment.
5. Intimidate, harass, or discriminate against any person on the basis of race, color, nationality, religion, age, sex, sexual orientation, disability or any other legally protected status.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this Code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, Illegal Substances or be under the influence of either on school property or at a school function.
10. Possess or use firearms or other weapons including air guns, pistols, rifles, shotguns, ammunition, explosives, box cutters, knives, gas canisters, pepper spray or other noxious spray in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the District.
11. Be permitted to use tobacco or Tobacco Products in any building or on any surrounding outdoor school grounds.
12. Loiter on or about school property.
13. Gamble on school property or at school functions.
14. Refuse to comply with any lawful order of identifiable school officials performing their duties.
15. Willfully incite others to commit any of the acts prohibited by this Code.
16. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.
17. Berate coaches or officials during District athletic practices or events.
18. Berate, bully, or belittle in any way other individuals while on school property or while attending school functions.

B. Penalties

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

1. Visitors: Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be considered trespassing and subject to ejection.
2. Students: They shall be subject to immediate ejection and to disciplinary action as the facts may warrant, including any of the penalties listed in the "Penalties" section of this Code, in accordance with the due process of law requirements.
3. Tenured faculty members: They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.

4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75: They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 4 and 5: They shall be subject to immediate ejection and to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The Building Principal/Designee shall be responsible for enforcing the conduct required by this Code. The Superintendent may designate the other district staff who are authorized to take action consistent with the code.

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

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

XVI. DISSEMINATION AND REVIEW

A. Dissemination

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

1. Posting the complete Code in the district website, including any annual updates or amendments;
2. Providing copies of a summary of the Code to all students in an age-appropriate version written in plain language, at a school assembly to be held at the beginning of each school year;
3. Providing a plain language summary of the Code to all parents of District students before the beginning of the school year and making this summary available later upon request;
4. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the code as soon as practicable after adoption;
5. Providing all new employees with a copy of the current Code when they are first hired;
6. Making complete copies of the Code available for review by students, parents or other persons in parental relation to students, non-teaching staff, and other community members.

On an annual basis, the Code of Conduct will be publicized and explained to all students and available in writing to parents and/or guardians of students. A copy of the Code will be filed in each school building, where it will be available for review by any individual upon request.

B. Review

The Board of Education will review this Code of Conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the Code's provisions have been and whether the Code has been administered fairly and consistently. The Board may appoint an advisory committee to assist in reviewing the Code and the District's response to Code violations. The

committee will comprise representatives of student, teacher, Administrator, and parent organizations, school safety personnel and other school personnel.

Before the Board reapproves any updates 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.
