

**East Greenbush Central School District
Code of Conduct Summary
2011-2012 School Year**

August 2011

Dear Parents, Students, Teachers, Staff, Administrators and Members of the East Greenbush Central School District Community:

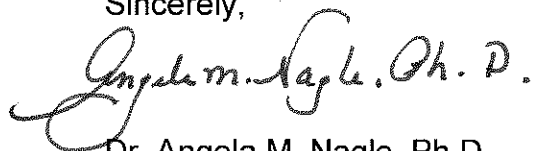
The Schools Against Violence in Education Act ("SAVE") has required all public school districts in New York State to develop a code of conduct to set forth the districts' expectations for behavior on school property. The East Greenbush Central School District strives to operate upon principles of civility, mutual respect, good citizenship, character, tolerance, honesty and integrity. The District has worked collaboratively with the school community to create a code of conduct that helps foster a positive learning experience for all our students in grades K-12. Positive student behavior is critical to providing an environment conducive to learning each and every day. The code of conduct sets forth district policy, legal rights and responsibilities, refers to current laws and regulations and may seem very detailed and technical. However, this is necessary to include all of the rights and responsibilities of any person on school district property as required by law. The code of conduct is one of the cornerstones for enactment of the SAVE Regulations. Many of our responses and plans associated with providing and maintaining a safe environment for our children and staff will depend on the spirit of the code and the ensuing regulatory guidelines for each building.

The code of conduct will be reviewed with all faculty and students during the opening days of school. In an effort to conserve paper and reduce expenses, a single copy of the Code of Conduct will be sent home to each family. It is also available online at www.egcsd.org/boe. Additional hard copies of the document are available upon request.

Please complete the attached form indicating you have reviewed the document with your child (ren) and return it to the main office at your child's school. If additional copies are needed, you can download the form from the District website or request a copy from your child's school. If you have any questions please contact your child's Principal.

On behalf of the District, thank you for your cooperation.

Sincerely,



Dr. Angela M. Nagle, Ph.D.
Superintendent of Schools

EAST GREENBUSH CENTRAL SCHOOL DISTRICT
CODE OF CONDUCT ACKNOWLEDGEMENT

Complete this section and return to your child's school.

We acknowledge we have read the Code of Conduct and the Transportation Code of Conduct for the East Greenbush Central School District. We are aware of the expectations of students, parents/guardians, and visitors while they are on and around the school buildings and grounds and using District transportation.

We agree to abide by this Code of Conduct, which has been set forth by the East Greenbush Central School District.

Building _____
(Columbia, Goff, Red Mill, Bell Top, Green Meadow, Genet, D.P.S)

Student Name (please print) _____

Student Signature _____ Date _____

Parent/Guardian Name (please print) _____

Parent/Guardian Signature _____ Date _____

Please complete one form for each student and return this form to the main office at your child's school. If more than one form is needed please copy or contact your school.

EAST GREENBUSH CENTRAL SCHOOL DISTRICT

***CODE
OF
CONDUCT***



Revised 2011

East Greenbush Central School District

CODE OF CONDUCT

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I. Introduction

The East Greenbush Central School District's Board of Education is committed to providing a safe and orderly school environment where students may receive and District personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, District personnel, parents and 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 on or off school property. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

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

The purpose and mission of this Code of Conduct is to promote the maximum growth of every student served in the District and to further ensure that every reasonable effort will be made to provide a safe and secure learning environment free from all forms of physical and psychological threats or acts of an injurious nature. In order to achieve these ends, it is important that the rules, and their application, be both consistent and flexible, so that all students feel they have been treated fairly, in view of the circumstances in each case.

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

No school district or individual building initiative will supersede or override any aspect of this Code of Conduct except where prescribed by law or regulations of the Commissioner of Education.

The last page of the Code of Conduct is a sign off sheet for students and their parents/guardians to sign and return to your child's school. Your signature on this form acknowledges that you and your child have reviewed this document and are familiar with the content.

If you have any questions about this Code of Conduct, please contact your Building Principal.

II. Definitions

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

Disruptive Student:

For the purposes of this Code of Conduct, a disruptive student is any elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with teacher 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 rules for classroom behavior.

Violent Student:

A violent student means a student under the age of 21 whom:

1. Commits an act of violence upon a school employee or attempts to do so.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function, or attempts to do so.
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.

Weapon:

For the purposes of this Code of Conduct, weapons means a firearm as defined in 1 USC 8921 for purposes of the Gun Free School Act. It also means any other gun (simulated or real), BB Gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, pocket knife, switchblade, box cutter, noxious spray, black powder, explosive powder, explosive or incendiary bomb, ammunition or simulated (or real) fireworks, or other devices, instruments, materials or substances that can cause physical injury or death. Any bomb threat now made in New York State is a felony and will be treated accordingly.

Parent:

Means parent, guardian or person in parent relation to a student

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 S142.

School Function:

Means any school sponsored extracurricular event or activity.

Harassment in accordance with New York State Dignity for All Students Act (DASA):

Definition:

Harassment - The creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well being. It also includes conduct, verbal threats, intimidation or abuse that reasonably cause or would reasonably be expected to cause a student to fear for his or her physical safety.

Prohibitions:

1. Student harassment by school employees or student on school property or at a school function. This prohibition extend to cyber-bullying: verbal or written threats through an internet service such as e-mail, chat room, discussion group, instant messaging, or social networking sites on or off school property.
2. Student discrimination by school employee or students based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

Reporting Discrimination or Harassment:

Any person having reasonable cause to suspect that a student has been subjected to discrimination or harassment, who acts reasonably and in good faith in reporting such information or initiates informal or formal proceedings, has immunity from any civil liability that may arise. No school district or employee may take, request or cause retaliatory action against a person who, acting reasonably and in good faith makes a report or initiates informal or formal proceedings.

III. Student Rights and Responsibilities

A. General Principles

Discipline is the positive direction of behavior toward established standards of conduct, fully understood and based on reason, judgment and the rights of others. Ideally, discipline is self-directed and self-controlled. Both the school community and parents share the responsibility for helping students develop self-discipline. Discipline is necessary to assure an orderly environment in which each person may live and learn to his/her full capabilities in harmony with others. However, when self control falters and self-discipline fails, disciplinary measures outside the individual must be imposed to protect the rights of others.

In the East Greenbush Central School District, as in the community at large, certain rules and procedures are established to guide students through constructive growth and into mature adulthood. The rules and procedures are basically the same from kindergarten through grade 12. It is expected that the age, maturity, and developmental level of the student will be taken into account when enforcing this Code of Conduct. Parents, guardians, teachers, and others responsible for the welfare and education of students, must cooperate to interpret and enforce these rules. Therefore, it is expected that parents/guardians will make themselves available in emergencies and contact the school when they have questions and concerns. It is also expected that parents/guardians will take an active interest in their children's education by visiting the school and work for the success and improvement of the school program.

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

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

All District students have the **responsibility** to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning.
2. Show respect to other persons and to property.
3. Be familiar with and abide by all District policies, rules and regulations dealing with student conduct.
4. Attend school every day unless they are legally excused, and be in class on time, and prepared to learn.
5. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement.
6. React to all reasonable directions given by teachers, administrators and other school personnel, in a respectful, positive manner.
7. Work to develop mechanisms for self-control.
8. Ask questions when they do not understand.
9. Seek help in solving problems that might lead to discipline.
10. Dress appropriately for school and school functions.
11. Accept responsibility for their actions.
12. 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.

B. Expectations

The development of self-disciplined behavior must be a cooperative activity on the part of the student, parent/guardian, and school staff. Each of these groups can expect certain things of the other, as set forth below.

What the District Expects of Parents/Guardians

1. Parents/guardians recognize that the education of their child(ren) is a joint responsibility of parents/guardians and the school community.
2. Parents/guardians ensure their child(ren) attend school regularly, are on time and ready to participate and learn.
3. Parents/guardians ensure absences are for legal reasons.

4. Parents/guardians support and enforce the District's dress code.
5. Parents/guardians help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
6. Parents/guardians know school rules, help their children understand them and understand the need to adhere to the Code of Conduct.
7. Parents/guardians convey to their children a supportive attitude toward education and the school district.
8. Parents/guardians build good relationships with teachers, other parents/guardians, school staff and their children's friends, and that they will treat school personnel with proper respect.
9. Parents/guardians help their children deal effectively with peer pressure.
10. Parents/guardians inform the school officials of changes in home situations that may affect student conduct or performance.
11. Parents/guardians provide a place for study and ensure homework assignments are completed.
12. Parents/guardians will report to the main office and sign in at the main office identifying the purpose of their visit.

What the District Expects of Students

1. Students will contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and school property.
2. Students will be familiar with and follow all district policies, rules and regulations dealing with student conduct.
3. Students will attend school every day unless they are legally excused and be in class, on time and prepared to learn.
4. Students will work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. Students will follow all reasonable directions given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Students will develop skills to control their anger.
7. Students will ask questions when they do not understand and seek help in solving problems that might lead to referrals and discipline.
8. Students will follow the school dress code.
9. Students will accept responsibility for their actions.
10. Students will 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.

What Is Expected of Instructional Staff

1. Certified, competent and well-prepared teachers will serve as positive role models.
2. Teachers will demonstrate an enthusiasm in teaching and concern for student achievement.
3. Teachers will know school policies and rules and enforce them in a fair, equitable and consistent manner.
4. Students and parents will be informed of the teachers' and the school's academic and behavioral expectations, including, but not limited to:
 - a. Course objectives and requirements
 - b. Marking/grading procedures

- c. Assignment deadlines
 - d. Student expectations
 - e. Classroom discipline plans
5. Teachers will communicate regularly with parents concerning their children's schooling.
 6. Students will have the opportunity to attend school in a safe, orderly setting that is conducive to learning.
 7. Students will be respected as individuals and be challenged to grow by experiencing a variety of interesting instructional activities or techniques
 8. Teachers will respect the role of parents/guardians and appreciate the positive values being taught to students at home.
 9. Teachers will welcome parents/guardians in the school and will be provided with an opportunity to play a meaningful role in the schools.
 10. Teachers will give all students equal access to programs.
 11. Students will be prepared for competent adult life by being taught how to acquire and process information.
 12. Students will be recognized for their contributions to the school and community.
 13. Teachers will think of themselves as role models for student behavior.

What Is Expected of School Counselors

1. Counselors will assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Counselors will initiate teacher/student/parent (guardian)/counselor conferences as a way to resolve problems, as necessary.
3. Counselors will regularly review educational progress and career plans with students.
4. Counselors will provide students information to assist with career planning.
5. Counselors will encourage students to participate in extracurricular programs.

What Is Expected of School Related Personnel

1. School Support Personnel will maintain and demonstrate a climate of respect and dignity within the school community.
2. Demonstrate interest and concern for student achievement.
3. Communicate to Principal/Assistant Principal regarding expectations for students.

What Is Expected of School Administrators

1. Administrators will provide a safe, orderly and stimulating school environment that promotes effective teaching and learning.
2. Administrators will ensure that students and staff have opportunities to communicate with the administrator and approach the administrator for redress of alleged grievances.
3. Administrators will evaluate all instructional programs on a regular basis.
4. Administrators will promote the development of and student participation in appropriate extracurricular activities.
5. Administrators will be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved expeditiously and equitably.

What Is Expected of the Superintendent

1. The Superintendent will provide a safe, orderly and stimulating school environment, promoting effective teaching and learning.
2. The Superintendent will review with District administrators, on a regular basis, the policies of the Board of Education and state and federal laws relating to school operations and management.
3. The Superintendent will inform the Board of Education of educational trends relating to student discipline.
4. The Superintendent will lead in the establishment of instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. The Superintendent will provide leadership in the educational community by enforcing the Code of Conduct and ensuring that all cases are resolved expeditiously and equitably.

What Is Expected of the Board of Education

1. The Board of Education will collaborate with students, teachers, administrators, and parent organizations, school monitors and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, staff, parents, visitors and community members.

IV. Prohibited Student Conduct (Infraction Levels)

Because of the size of the student population and the fact that students attend instruction in five elementary schools, one middle school, and one high school, this section of the code has been divided into two sections:

- Behavior Expectations for Grades K through 8
- Behavior Expectations and Discipline for Grades 9 through 12

The underlying theme of the following two sections is that students of this District will conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, District personnel, and the general public and for the care of the school facilities and equipment.

The Board of Education affirms the position that students should learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. Given this duality of discipline, the following sections detail student behavior expectations and the consequences of that behavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to positively apply 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 on the following pages are intended to 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 appropriate penalties for their conduct.

**EAST GREENBUSH CENTRAL SCHOOL DISTRICT
BEHAVIORAL EXPECTATIONS AND STUDENT DRESS CODE
GRADES K-8**

V. Student Dress Code

1. Student dress, grooming and appearance, including hair style/color, jewelry, make-up and nails will be safe, appropriate and not disrupt or interfere with the educational process.
2. Students will not wear brief garments such as tube tops, net tops, halter-tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments. Shorts and skirts shorter than mid-thigh (midpoint between the waist and top of the knee) are prohibited.
3. Students will not wear pajamas, sleep or lounge wear, or articles of a similar nature unless allowed for specifically designated purposes.
4. Students will ensure that underwear is completely covered with outer clothing.
5. Students will wear appropriate footwear at all times. It is strongly recommended that footwear that is a safety hazard will not be worn. This includes, but is not limited to, steel tip boots, slippers, and heels of an unsafe height.
6. Students will not wear headwear in school except for a medical or religious purpose.
7. Students will not wear items that are vulgar, obscene, and libelous or items that denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
8. Students will not wear clothing that promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
9. Students will not wear any clothing deemed to be gang related, including but not limited to bandanas, colors, flags or chains, jackets or related matter including wallets with chains.
10. Students will not wear coats inside during the school day.
11. Students will wear appropriate protective gear in certain classes (e.g. Home & Careers, Technology, and PE).
12. Students will not carry knapsacks, backpacks, book bags, etc., during school hours.
13. Students will not wear accessories that promote and/or endorse sexual activities.

Behavioral Expectations

The intent of the Code of Conduct is to ensure the health and safety of each and every student, staff member, parent/guardian, and community member learning and working in our schools. We strive to achieve a positive climate for all who enter our buildings. The Code of Conduct governs **all persons on school property.**

School-wide Expectations

All persons are expected to follow:

1. **Golden Rules**
 - a. Treat others as you want to be treated
 - b. Be kind to yourself and others
 - c. Let others work and learn without being disturbed

2. Classroom Rules
These are developed annually by the teacher in conjunction with the students.

3. Cafeteria Rules
Lunchtime is a social time for students and should be enjoyed. However, there are acceptable behaviors that must be taught to young children in an attempt to make this a positive experience for all. Rules of conduct will include but not be limited to:
 - a. Being courteous to other children and the monitors
 - b. Practice good table manners
 - c. Engage in polite and quiet conversation with your table companions
 - d. Clean up your area when lunch is finished

4. Elementary Playground Rules
These are developed for the safety and enjoyment of all students involved in play. Please refer to individual school handbooks to address the needs of each building.

5. Transportation Rules
These are developed for the safety and enjoyment of all students who ride on school buses. Please refer to the transportation section at the back of this Code.

POSITIVE REWARDS

Students who choose to act appropriately and exceed expected behaviors will be recognized. Each school will develop its own method of recognition that may include: verbal praise; recognition certificates; extra computer time; lunch with the Principal; a free choice activity; or special privileges. (See individual school handbook for more information)

LEVEL I INFRACTIONS

Refers to those infractions for which the consequences may be out-of-school suspension and/or exclusion from school. All Level I infractions may result in a phone call to parent/guardian, and a letter and the opportunity for a school/parent conference.

Violation	Range of Consequences
Safety infractions including but not limited to: <ul style="list-style-type: none"> • Using, possessing, selling or being under the influence of drugs or alcohol • Carrying or using any object that can reasonably be considered dangerous or illegal • Falsely reporting a fire or activating a fire alarm • Making or having knowledge of a bomb threat • Possessing fireworks, smoke bombs, stink bombs, explosive devices • Hazing or forcing an act upon anyone as a means of initiation into a group and/or as defined by law. • Any other action which may result in 	<ul style="list-style-type: none"> • parent contact/conference • out-of-school suspension • administrative conference • counseling • fire department contact • police contact and/or pursuit of criminal charges • Superintendent hearing

endangering the health, safety, and welfare of others	
Smoking on school grounds and possessing or using materials such as matches, lighter, cigarettes and/or tobacco products	<ul style="list-style-type: none"> • in-school suspension with parent contact • in-school or out-of-school suspension • counseling
<p>Harassment or Bullying</p> <ul style="list-style-type: none"> • any repeated spoken, unspoken or physical contact that makes a person feel uncomfortable or threatened • use of derogatory statements regarding the ethnicity, disability, religion, race, gender, sexual orientation, physical condition, appearance or differences of another; and any form of sexual harassment. • acts that include but are not limited to cyber bullying or sexting • teasing, name-calling, and/or ridiculing others • knowingly spreading rumors or any information that may create a potentially unsafe situation that interferes with the orderly mission of school • intimidation and/or abuse 	<ul style="list-style-type: none"> • parent contact • detention • in-school suspensions and/or out-of- school suspension • counseling referral • mediation • police contact • filing of a Title IX complaint • Superintendent hearing <p>Note: A student who witnesses, experiences or has knowledge of harassment or bullying should report it to the Main Office, and outline the details of the incident using a confidential form.</p>
<p>Physical or Verbal Threats</p> <ul style="list-style-type: none"> • hitting, threatening, fighting and/or hurting another person on school grounds • spitting on another person 	<ul style="list-style-type: none"> • parent contact • in-school suspensions and/or out-of- school suspension • counseling referral • mediation • police contact • Superintendent hearing
Acts of vandalism or damaging/defacing personal or school property	<ul style="list-style-type: none"> • parent contact • restitution/repair • in-school suspension and/or out-of-school suspension • counseling referral • police contact • Superintendent hearing
Theft or destruction of school or personal property	<ul style="list-style-type: none"> • parent contact • restitution • counseling • detention(s) • in-school suspension and/or out-of-school suspension • police contact • Superintendent hearing

Inappropriate use of the School Computer System/Network (As outlined in the District Acceptable Use of District Computers Policy)	<ul style="list-style-type: none"> • parent contact or conference • loss of computer privileges • detention(s) • counseling referral • in-school suspension and/or out-of school suspension • police contact • Superintendent Hearing
Leaving school grounds without permission (AWOL)	<ul style="list-style-type: none"> • parent contact • in-school and/or out of school suspension(s) • police contact
Any act or conduct which is disruptive or Inappropriate to the educational setting <ul style="list-style-type: none"> - e.g. disturbing class, cursing or foul language, uncooperative attitude or disregard for safety - inappropriate public displays of affection or similar acts 	<ul style="list-style-type: none"> • parent contact • detention(s) • in-school suspension and/or out-of-school suspension • counseling referral
Insubordination (refusing to follow a request made by a staff member)	<ul style="list-style-type: none"> • parent contact • detention(s) • in-school suspension and/or out-of-school suspension

LEVEL II INFRACTIONS

This section refers to those infractions for which the consequences may be internal suspension and/or loss of privilege.

Violation	Range of Consequences
<p>Use of electronic devices during school hours except in instances where the device is being used as an instructional tool (as directed by the teacher)</p> <ul style="list-style-type: none"> • Electronic devices should be completely turned off (not in silent or “vibrate” mode) and out of sight during school hours. <ul style="list-style-type: none"> - e.g. no talking, texting, listening, or taking pictures or video. <p>Electronic devices may be used before or after the regular school day.</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - device confiscation - parent contact • 2nd Offense <ul style="list-style-type: none"> - device confiscation - parent contact - detention - parents may be asked to pick up device • Additional Offenses <ul style="list-style-type: none"> - device confiscation - parent contact - detention - in-school suspension, - parents may be asked to pick up device - loss of privilege to bring device to school

<p>Distracting/Offensive Attire (displays of profanity, sexual or drug innuendos)</p> <ul style="list-style-type: none"> • clothing that creates a disruption to the mission and orderly operation of the school or presents a safety risk <ul style="list-style-type: none"> - (e.g. chains, collars or items of a similar nature) 	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - reprimand - change inappropriate clothing immediately and/or remove prohibited items. (If suitable attire is not available at school, parents/guardians will be contacted and asked to bring proper attire to the school.) - parent contact • Additional Offenses <ul style="list-style-type: none"> - parent contact - counseling referral - detention(s) - in-school suspension
<p>Possessing any item(s) that can reasonably be considered to be a deterrent to the school's educational program</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - loss of items in school - parent contact - detention • Additional Offenses <ul style="list-style-type: none"> - in-school suspension
<p>Cheating on tests, quizzes, or homework, plagiarism, forgery or copying another student's work</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - teacher decision - detention - parent contact • Additional Offenses <ul style="list-style-type: none"> - in-school suspension
<p>Truancy (absence w/o parental knowledge) [See Attendance Policy]</p>	<ul style="list-style-type: none"> • Any Offense <ul style="list-style-type: none"> - multiple detentions - in-school suspension - parent contact • Additional Offenses <ul style="list-style-type: none"> - in-school suspension - referral to diversionary PINS - Referral to Child Protective Services
<p>Unexcused absence from a class</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - parent contact - detention(s) • Additional Offenses <ul style="list-style-type: none"> - in-school suspension
<p>Chronic tardiness to a class or unprepared for class</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - teacher warning/conference with student • 2nd Offense <ul style="list-style-type: none"> - parent contact - detention • Additional Offenses <ul style="list-style-type: none"> - multiple detentions

<p>Failure to stay for administrative or teacher assigned detention</p>	<ul style="list-style-type: none"> ● 1st Offense <ul style="list-style-type: none"> - two days of detention - parent contact ● Additional Offenses <ul style="list-style-type: none"> - multiple detentions - in-school suspension - parent contact
<p>Selling item(s) in school w/o approval</p>	<ul style="list-style-type: none"> ● parent contact ● detention(s) ● in-school suspension and/or out-of-school suspension ● police contact
<p>Cafeteria misbehavior: (per guidelines posted in the cafeteria)</p>	<ul style="list-style-type: none"> ● parent contact ● detention(s) ● in-school suspension and/or out-of-school suspension ● removal from the cafeteria
<p>Inappropriate hallway behavior</p> <ul style="list-style-type: none"> - running, pushing, shouting, or dumping books - touching another student's locker or property - behaviors of a similar nature 	<ul style="list-style-type: none"> ● parent contact ● detention(s) ● in-school suspension and/or out-of-school suspension

**EAST GREENBUSH CENTRAL SCHOOL DISTRICT
BEHAVIORAL EXPECTATIONS AND STUDENT DRESS CODE
GRADES 9-12**

Student Dress Code

1. Student dress, grooming and appearance, including hair style/color, jewelry, make-up and nails will be safe, appropriate and not disrupt or interfere with the educational process.
2. Students will not wear brief garments such as tube tops, net tops, halter-tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments. Shorts and skirts shorter than mid-thigh (midpoint between the waist and top of the knee) are prohibited.
3. Students will not wear pajamas, sleep or lounge wear, or articles of a similar nature unless allowed for specifically designated purposes.
4. Students will ensure that underwear is completely covered with outer clothing.
5. Students will wear appropriate footwear at all times. It is strongly recommended that footwear that is a safety hazard will not be worn. This includes but is not limited to steel tip boots, slippers, and heels of an unsafe height.
6. Students will not wear items that are vulgar, obscene, and libelous or items that denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
7. Students will not wear clothing that promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
8. Students will not wear any clothing deemed to be gang related, including, but not limited to, bandanas, colors, flags or chains, jackets or related matter including wallets with chains.
9. Students will wear appropriate protective gear in certain classes (e.g. Home & Careers, Technology, and Physical Education).
10. Students will not wear accessories that promote and/or endorse sexual activities.

Behavioral Consequences

The following actions are inconsistent with the values stated in the introduction and are therefore subject to the disciplinary actions listed below. Serious or repeated violations may result in more severe consequences including a Principal’s conference. All consequences will be applied consistently and without exception.

LEVEL I INFRACTIONS

Refers to those infractions for which the consequence may be out-of-school suspension and/or exclusion from school. All level I infractions may result in a phone call to parent, a letter and the provision for a school/parent conference.

Violation	Range of Consequences
Sale or distribution of drugs or alcoholic beverages	<ul style="list-style-type: none"> • police contact – consideration of criminal charges • parent conference • off-site/out-of-school suspension-5 days • loss of parking privilege for the school year • Principal’s conference

	<ul style="list-style-type: none"> • Superintendent hearing • referral to school counselor • referral for PINS petition • suspension of privilege from attending future school events.
<p>Possession of a Weapon:</p> <p>“Weapon” means a firearm as defined in 18 USC S921 for purposes of the Gun-Free Schools Act. It also means any other gun, such as: air gun, pistol, revolver, shotgun, rifle, automatic gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle, knife, box cutter, cane sword, electronic dart gun, Kung Fu star, explosive device or incendiary bomb, or other device, instrument, material or substance that can reasonably cause physical injury or death. § 3214 NYS Ed. Law § 921 USC §930 USC</p>	<ul style="list-style-type: none"> • parent contact/conference • police contact – consideration of criminal charges • five day off site/out-of-school suspension • Superintendent hearing with potential of one year suspension from school. • referral for PINS petition • loss of parking privileges
<p>Violent behavior including but not limited to harassment, intimidation, threatening, bullying, threatening language, assault, battery</p> <p>“Violent Pupil” is a secondary student under the age of 21 who: (1) - commits an act of violence upon a teacher, administrator or other school employee, another student or visitor; (2) – possesses, displays, or threatens to use, a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death, while on school district property; ” §3214 NYS Ed. Law</p>	<ul style="list-style-type: none"> • parent contact • out-of-school suspension - 1-5 days • Superintendent hearing • police contact - consideration of criminal charges • referral to school counselor • referral for PINS petition • loss of parking privileges
<p>Possession, use or under the influence of drugs/alcohol</p>	<ul style="list-style-type: none"> • police contact– consideration of criminal charges • parent conference • loss of parking for the year • off-site/out-of-school suspension - 5 days • Principal’s conference • Superintendent hearing • referral to school counselor

	<ul style="list-style-type: none"> • referral for PINS petition • suspension of privilege from attending future school events.
Possession of drug paraphernalia including but not limited to papers and pipe(s)	<ul style="list-style-type: none"> • parent conference • police contact • off-site/out-of-school suspension (1-5 days) • loss of parking for the year • referral for PINS petition • referral to school counselor
Possession, use or distribution of tobacco products including but not limited to cigarettes, dip and chew on school grounds	<ul style="list-style-type: none"> • in-school suspension • parent contact and/or conference • students are encouraged to attend smoking cessation seminar • violation will be treated as insubordinate behavior • possible community service assignment • required notification to Rensselaer County Health Department to impose fine • out-of-school suspension/PASS • students are encouraged to attend smoking cessation seminar
Possession or use of hazardous items such as smoke bombs, stink bombs, fireworks, lighters, or other items of a similar nature	<ul style="list-style-type: none"> • confiscation of hazardous item • parent contact and/or conference • police contact • fire department contact • consideration of criminal charges • off site/out-of-school suspension – 1-5 days • Superintendent hearing
Pulling of fire alarm, or activating door alarm	<ul style="list-style-type: none"> • parent contact and/or conference • police contact • fire department contact • mandated pursuance of criminal charges • off site/out-of-school suspension - 5 days

	<ul style="list-style-type: none"> • Principal's conference • Superintendent hearing • community service assignment • referral for PINS petition • loss of parking
Unauthorized use of safety equipment, including but not limited to fire extinguisher, AED -Automated External Defibrillator	<ul style="list-style-type: none"> • parent contact and/or conference • police contact • restitution for damages • off site/out-of-school suspension, in-school suspension • loss of parking privilege • Superintendent hearing
Throwing food in the cafeteria Littering on school property	<ul style="list-style-type: none"> • removal from cafeteria up to one year • parent contact and/or conference • off-site suspension • community service assignment
Theft/destruction of school or personal property	<ul style="list-style-type: none"> • parent contact and/or conference • property owner notified about potential police involvement • loss of parking, if vehicle related • off site/out of school suspension, In-school suspension • restitution for damages • community service • Superintendent hearing
Misuse of technology/computer equipment (including network use), as described in the student handbook and the District Acceptable Use of District Computers Policy	<ul style="list-style-type: none"> • in-school suspension • off site/out-of-school suspension - 5 days, and/or until restitution is made • parent contact and/or conference • police contact • internet access privileges revoked • parent contact and/or conference • community service assignment • out-of-school suspension
Harassment or Bullying <ul style="list-style-type: none"> • any repeated spoken, unspoken or physical contact that makes a person feel uncomfortable or threatened • use of derogatory statements regarding the ethnicity, disability, religion, race, gender, sexual orientation, physical 	<ul style="list-style-type: none"> • parent contact • detention • in-school suspensions and/or out-of-school suspension • counseling referral • mediation • police contact

<p>condition, appearance or differences of another; and any form of sexual harassment.</p> <ul style="list-style-type: none"> • acts that include but are not limited to cyber bullying or sexting • teasing, name-calling, and/or ridiculing others • knowingly spreading rumors or any information that may create a potentially unsafe situation that interferes with the orderly mission of school • intimidation and/or abuse 	<ul style="list-style-type: none"> • filing of a Title IX complaint • Superintendent hearing • Note: A student who witnesses, experiences or has knowledge of harassment or bullying should report it to the Main Office, and outline the details of the incident using a confidential form parent contact and/or conference
Any acts of hazing	<ul style="list-style-type: none"> • parent contact and/or conference • referral to school counselor • off-site/out-of-school suspension 1-5 days • Superintendent hearing
Bullying Cyber bullying Sexting	<ul style="list-style-type: none"> • parent contact and/or conference • police contact - consideration of criminal charges • referral to school counselor • out-of-school suspension - 1-5 days • loss of parking • Superintendent hearing • referral for PINS petition • filing of Title IX complaint
Disrespectful behavior toward adults or other students in the building	<ul style="list-style-type: none"> • parent contact and/or conference • detention/in-school suspension • community service assignment • out-of-school suspension
Insubordinate/disobedient (refusing to follow any reasonable request made by a staff person)	<ul style="list-style-type: none"> • parent contact and/or conference • community service assignment • out-of-school suspension - 1-5 days
Inappropriate language or behavior including, but not limited to, obscene, profane, vulgar language and/or gestures	<ul style="list-style-type: none"> • parent contact and/or conference • detention and /or suspension • community service assignment
Inappropriate language or behavior directed at staff	<ul style="list-style-type: none"> • off site/out-of-school suspension • apology to staff member
Unexcused class absence - (AWOL)	<ul style="list-style-type: none"> • detention

<p>Failure to sign in</p>	<ul style="list-style-type: none"> • parent contact and/or conference • in-school suspension with detention • referral to school counselor • referral for PINS petition • loss of cafeteria privileges • suspension of privilege from attending future school events • loss of parking privileges • out-of-school suspension
<p>Leaving school grounds without permission (this includes drivers, passengers or walkers)</p>	<ul style="list-style-type: none"> • parent contact and/or conference • in-school suspension • community service assignment • loss of parking for 10 days • loss of parking for remainder of school year (this applies to leaving with passengers) • loss of eligibility for parking for following year • out-of-school suspension - 1-5 days

LEVEL II INFRACTIONS

This section refers to those infractions for which the consequence may be internal suspension and/or loss of privilege. Also failure to report to internal suspension will result in external suspension for up to 5 days and a parent conference during the suspension period. Upon returning to school, the student will serve the initial consequence.

Violation	Range of Consequences
<p>Electronic devices are not to be used or displayed during the school day (7:25-2:13), except in instances where the device is used as an educational tool (as directed by the teacher). The devices include but are not limited to: smart phones, electric tablets, boom boxes, iPods, MP3 players, laser pens or any other items which may cause a safety concern or detract from the educational process. All devices should be turned off and not in view during all instructional periods; including guide rooms and study halls.</p> <p>Students may use these devices during lunch; in the CHS cafeteria and courtyard.</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - immediate referral to assistant principal - confiscation until the end of the school day - parent contact and/or conference - detention and/or suspension • 2nd Offense <ul style="list-style-type: none"> - immediate referral to assistant principal - confiscation until the end of the school day - parent contact and/or conference

<p>No use of electronics will be allowed in detention, or in the In-school suspension room.</p>	<ul style="list-style-type: none"> - in-school suspension
<p>Identification badges – Student failure to have on their persons the Columbia High School student identification badge while on school property. Student non-cooperation in clearly displaying their student identification badge while on school property. (Refusal to comply will be considered insubordination)</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> -verbal warning and/or detention - possible parent contact • 2nd Offense <ul style="list-style-type: none"> -parent contact -detention and/or in-school suspension - loss of parking privileges - community service - loss of school functions - loss of use of courtyard privileges
<p>Gambling- No person, either alone or in concert with others shall engage in gambling on school property or at school functions.</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - parent contact and/or conference - confiscation of all gambling paraphernalia including but not limited to money - in-school suspension • 2nd Offense <ul style="list-style-type: none"> - parent contact and/or conference - confiscation of all gambling paraphernalia including but not limited to money - in-school suspension - referral to counselor
<p>Open containers (coffee, energy drinks, soda, hot drinks, juices, liquids) are not allowed in the halls during the school day. Open containers are allowed in the cafeteria. Bottled water is acceptable in a sealable container for use during the school day.</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - verbal warning and/or detention - parent contact • 2nd Offense <ul style="list-style-type: none"> - parent contact - detention and/or in-school suspension - loss of parking privileges - community services assignment
<p>Any disruptive behavior which interferes with the educational mission of EGCS and program of the building.</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - detention and/or suspension • 2nd Offense <ul style="list-style-type: none"> - parent contact and/or conference - Mediation

	<ul style="list-style-type: none"> - in-school suspension with detention - community service assignment • 3rd Offense <ul style="list-style-type: none"> - in-school suspension with detention - parent contact and/or conference - mediation - referral to school counselor - community service assignment - loss of parking privileges - referral for PINS petition
<p>In off limits area- areas deemed by administration as off limits including but not limited to any unsupervised classrooms, locker rooms, lower parking lot, elevators, photo copy room, areas under construction and areas limited only to staff.</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - detention - loss of any unscheduled time • 2nd Offense <ul style="list-style-type: none"> - parent contact and/or conference - in-school suspension - loss of parking for 10 days • 3rd Offense <ul style="list-style-type: none"> - parent contact and/or conference - loss of parking privilege for remainder of school year - out-of-school suspension - 1-5 days
<p>Parking on school ground without a permit/reckless driving on school property</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - parent contact and/or conference - student sent home with vehicle - detention -1-5 days - warning that vehicle will be towed on next offense • 2nd Offense <ul style="list-style-type: none"> - vehicle will be towed at owner's expense - parent contact and/or conference - one day in-school suspension - loss of eligibility for parking permit - loss of future parking on school

	<p>property</p> <ul style="list-style-type: none"> - out-of-school suspension
<p>Student dress which interferes with the health, safety, participation and the reasonable expectation of non-interference with the educational process will not be tolerated.</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - referral to principal or assistant principal - parent contact and/or conference - Removal from educational setting until compliance with administrative directions are made. (Refusal to comply will be considered insubordination) • 2nd Offense <ul style="list-style-type: none"> - suspension
<p>Cheating Including, but not limited to, term papers, reports, labs, homework, tests, quizzes, and other assignments of a similar nature.</p>	<ul style="list-style-type: none"> • parent contact and/or conference • academic/disciplinary consequences will be determined in consultation with teacher and administrator • a grade of zero may be assigned
<p>Plagiarism – Major offense Including, but not limited to, term papers, reports, labs, homework, tests, and quizzes and including anything downloaded from the Internet in which the original source is not given recognition for its authorship</p>	<ul style="list-style-type: none"> • parent contact and/or conference • academic/disciplinary consequences will be determined in consultation with teacher and administrator • detention • a grade of zero may be assigned
<p>Forgery/lying For example, but not limited to excuses, passes and notes</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - parent contact and/of conference - detention - loss of parking- if vehicle related for 10 days • 2nd Offense <ul style="list-style-type: none"> - loss of parking for remainder of school year - parent contact and/or conference - in-school suspension
<p>Unprepared for class</p>	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - parent contact and/or conference • Additional Offenses

	<ul style="list-style-type: none"> - referral to counselor - teacher assigned detention - Parent/teacher conference - detention and/or suspension
<p>Unexcused lateness to school and/or Guide Rooms (see student handbook for definition) (consequences addressed each semester separately for students' absences with 3 or fewer)</p>	<ul style="list-style-type: none"> • 1st-4th Offense <ul style="list-style-type: none"> - warning - parent contact after 4th offense • 5th Offense <ul style="list-style-type: none"> - detention - parent contact and/or conference - community service assignment • 8th Offense <ul style="list-style-type: none"> - two detentions - loss of parking for 10 days - parent contact and/or conference • 11th Offense <ul style="list-style-type: none"> - loss of parking for remainder of year - parent contact and/or conference - loss of late arrival permission - in-school suspension
<p>Unexcused lateness to class</p>	<ul style="list-style-type: none"> • 1st-3rd Offense <ul style="list-style-type: none"> - warning - parent contact after 3rd offense - teacher has the right to assign detention after 3rd late to class • 4th Offense <ul style="list-style-type: none"> - referral to assistant principal - parent contact and/or conference - detention

Truancy	<ul style="list-style-type: none"> • parent contact and/or conference • in-school suspension • loss of parking for remainder of school year • community service assignment • referral for PINS petition • referral to Child Protective Services
AWOL after school detention	<ul style="list-style-type: none"> • 1st Offense <ul style="list-style-type: none"> - two detentions - parent contact and/or conference • 2nd Offense <ul style="list-style-type: none"> - In-school detention • 3rd Offense <ul style="list-style-type: none"> - in-school suspension and/or out-of school suspension

Kindergarten – Grade 12

Firearms in School

No student shall bring a firearm on any portion of the premises of a school owned or controlled by this school district. A firearm is defined, consistent with §921 of Title 18 of the United States code, as any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action or an explosive; the frame or receiver of such weapon; any firearm muffler or silencer; or any destructive device. The term does not include antique firearms.

In accordance with the Gun-Free Schools Act of 1994, any student who after a Superintendent hearing, held pursuant of Education Law §3214, is found guilty of bringing a firearm onto the premises of any school owned or controlled by this school district will be subject to a penalty of at least one year suspension from school. However, in determining an appropriate penalty, the Superintendent of Schools may modify the suspension requirement on a case-by-case basis, considering, among other things, the totality of circumstances surrounding the offense and the student’s previous record.

Alternative Instruction

Suspended students within the age of compulsory attendance as defined by Education Law S3205 will be immediately provided appropriate alternative instruction outside of the school from which the student has been suspended for the duration of the suspension.

Drug and Alcohol Policy

No student shall possess, use, transmit or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, or any alcoholic beverage or fortified wine or other intoxicating liquor, or possess, use or transmit drug paraphernalia or counterfeit drugs, or possess, use, transmit or be under the influence of any chemicals or products with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood, behavior or overall physical make-up.

This policy shall apply to all students before, during and after school hours at school, in any school building and on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or junction; or during any period of time when students are subject to the authority of school personnel.

This policy shall not apply to the authorized possession and use of prescription medication.

VI. REPORTING VIOLATIONS

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

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

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

The building principal or his or her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of the business day the principal or his or her designee learns of the violation. The notification may be made by telephone, followed by a registered letter mailed on the same day where practicable as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

VII. DISCIPLINARY PENALTIES

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

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

Students who are found to have violated the district's Code of Conduct may be subject to the penalties, outlined in the preceding sections, either alone or in combination. School personnel are authorized to impose that penalty, consistent with the student's right to due process as previously outlined.

VIII. TEACHER REMOVAL OF DISRUPTIVE STUDENT

A. Teacher Guidelines for Removal of a Disruptive Student - § 3214(3-a;b; c)

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

A student, who engages in disruptive behavior in the classroom, shall be notified by the teacher that his/her behavior does not comply with the district's Code of Conduct. The teacher will direct the student to cease the disruptive behavior. If the student continues disruptive behavior, the teacher will notify the student that his/her behavior continues to be disruptive and direct the student to leave the classroom and report to the appropriate administrator for the remainder of the period on the secondary level and forty-five minutes on the elementary level. The teacher will provide the administrator with a written referral that indicates the actions that constituted the exclusion of the student from class by the end of the school day. The Administrator will take appropriate actions based on the teacher's referral.

1. Upon a student's return to the classroom, if the student engages in disruptive behavior again, the teacher will inform the student that their behavior is disruptive and to cease the misbehavior. Should the student continue to be disruptive, the teacher will direct the student to leave the classroom and report to the appropriate administrator. The teacher may have the administrator take action on the matter or may inform the student that they are removed from class for the following day on the secondary level or for the remainder of the day on the elementary level. The teacher shall provide the student with an explanation of the basis for the removal, provide a referral for the administrator and allow the student to informally present the student's version of the relevant events at an appropriate time designated by the teacher within twenty-four hours of the student's removal. The teacher will also make a reasonable effort to inform the parents/guardians of the student's removal.

Should the student at any time in this process begin to shout, use profanity not directed at any particular individual, the teacher should include these facts in the referral to the administrator. The teacher may have the administrator determine the appropriate action to be taken or the teacher may remove the student from class for two days on the secondary level or for the remainder of the day and half of the following day on the elementary level. The teacher shall provide the student with an explanation of the basis for the

removal and allow the student to informally present the student's version of the relevant events at the appropriate time designated by the teacher within twenty-four hours of the student's removal. The teacher will make a reasonable effort to inform the parents/guardians of the events and the student's removal.

2. The teacher must complete a district-established disciplinary referral form and submit it to the appropriate school district administrator, no later than the end of the school day. If the principal or designee is not available by the end of the same school day, the teacher must leave the form in a designated location. Should the administrator need additional information, the administrator may request that they meet with him or her at a time convenient to both.

B. Administrative Guidelines for Teacher Removal of Disruptive Student - § 3214 (3a;b;c)

1. Within twenty-four hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents, in writing, or by telephone, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.
2. The principal may require the teacher who ordered the removal to attend the informal conference.
3. If at the informal meeting the student denies the charges, the principal or the principal's designee and or the teacher, will explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.
4. The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:
 - a. The charges against the student are not supported by substantial evidence.
 - b. The student's removal is otherwise in violation of law, including the District's Code of Conduct.
 - c. The conduct warrants suspension from school pursuant to Education Law §3214 and suspension will be imposed.

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

IX. DISCIPLINE OF STUDENTS WITH DISABILITIES - §3214 (2,g.)

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities

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

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

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the Code of Conduct, the following definitions apply:
 - a. A “suspension” means a suspension pursuant to Education Law §3214.
 - b. A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES)* ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.
 - c. An “IAES” 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. Such placement 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). Services and modifications will also address the behavior which precipitated the IAES placement that is designed to prevent the behavior from recurring.
2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
 - a. The Board, the district (BOCES), Superintendent of Schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.

- c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
- d. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student possesses or carries a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
 - 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 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 Substance 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 Substance Act or any other federal law.
3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either:
 - a. For more than 10 consecutive school days; or
 - b. For a period of 10 consecutive school days or less if the student is subject 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.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspensions or removals. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a

manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

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

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

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

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

- b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because retaining 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 parent(s) 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 and the District is deemed to have had such knowledge, then the student will be considered a student presumed to have a disability for discipline purposes.
 - a. The Superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.

- b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
- 1) conducted an individual evaluation and determined that the student is not a student with a disability, or
 - 2) determined that an evaluation was not necessary and provided notice to the parents 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 behavior.

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

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

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

4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for 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 divided into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into the Code.
6. The removal of a student with disabilities other than a suspension or replacement in an IAES shall be conducted in accordance with the due process applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.

7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this Code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
 - a. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or 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.

X. CORPORAL PUNISHMENT

The Board of Education asserts that corporal punishment is not a desirable method of enforcing decorum, order or discipline. The Board prohibits the use of corporal punishment by district employees.

- A. No district teacher, administrator, officer, employee or agent shall use corporal punishment against a pupil.
- B. As used in this section, corporal punishment is defined as the use of physical force for the purpose of punishing a pupil, except as otherwise provided in subdivision “C”, below.
- C. In situations in which alternative procedures and methods not involving the use of physical force cannot reasonably be employed, nothing contained in this section shall be construed to prohibit the use of reasonable physical force for the following purposes:
 1. to protect oneself from physical injury;
 2. to protect another pupil or teacher or any other person from physical injury;
 3. to protect district property or the property of others;
 4. to restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of the district’s mission or powers or duties, and if that pupil has refused to comply with a request to refrain from further disruptive acts.
- D. The parent/guardian of a student involved in any situation listed in “C” above will be contacted by phone (utilizing the most recent contact numbers provided to the school) on the same day the physical intervention/restraint was conducted.
- E. Any complaint about the use of corporal punishment shall be submitted in writing to the Superintendent of Schools. This written complaint will be forwarded to the school attorney within seven (7) business days. The Superintendent shall investigate the complaint to determine whether an incident actually took place, and if so, to determine the identity of the person or persons who administered the punishment, the identity of the student or students punished, reasons for the action and any other relevant facts or circumstances. Results of this investigation will be forwarded to the school attorney upon completion of the investigation.
- F. Reports shall be submitted to the Commissioner of Education on or before January 15th and July 15th of each year concerning complaints about the use of corporal punishment during the six-month report period. Such reports shall set forth the substance of each complaint, the results of the investigation and the action, if any, by the district.

Cross-ref 5460, Suspected Child Abuse and Maltreatment
Ref: 8 NYCRR §100.2(1)(3)

XI. STUDENT SEARCHES AND INTERROGATIONS

A. Searches

In recognition of certain societal problems which present themselves from time to time in our schools, the Board of Education authorizes the Superintendent of Schools, building principals and assistant principals to conduct searches of students and their possessions for illegal matter or matter which otherwise constitutes a threat to the health, safety, welfare or morals of students attending our schools.

In authorizing such searches, the Board acknowledges both state and federal constitutional rights which are applicable to personal searches of students and searches of their possessions including, but not limited to pocket contents, book bags, and handbags. Grounds for suspecting that a search will turn up evidence that student(s) has violated or is violating either the law or school rule(s).

Students shall be informed by the administration that school lockers are not their private property but the property of the district and that as such may be opened and subject to inspection from time to time by school officials. The right to inspect student's school lockers without the necessity of obtaining students' consent is inherent in the authority granted to school boards and administrators.

School officials will exercise every safeguard to:

- Protect each student's constitutional right to personal privacy and protection from coercion;
- Emphasize that schools are educational rather than penal institutions; and
- Resolve any doubts in the student's favor.

Realizing the intrusive nature of a search, which may require a student to remove any clothing, the Board authorizes these searches following a review of the facts by the school attorney or the Superintendent or his/her designee in the absence of the school attorney. Such searches are to be conducted only in situations where an emergency exists or necessity of searching a particular student without delay exists. Prior to engaging in such search, the district will take into account the nature of the crime, the student's age, student's record, need for such a search, and a demonstration of reasonable suspicion.

B. Interrogation of Students by Police

It is the policy of this District to cooperate with law enforcement agencies. While police do not have a general power to interview children in schools, or to use school facilities in connection with police department work, the police may enter the schools of the district if a crime has been committed on school property, if they have a warrant for arrest or search, or if they have been invited by school officials.

When police have legally entered the school and desire to interview students in the school, the students must be afforded the same rights they have outside the school. They must be informed

of their legal rights, may remain silent if they so desire, may request the presence of an attorney and must be protected from coercion and illegal restraint. Within the framework of their legal rights, students have the responsibility to cooperate with the police.

C. Searches and Interrogations Regulations

1. Pursuant to Board policy, students may be subject to personal searches and searches of their possessions where reasonable individualized suspicion exists to conduct such search.
2. Searches may be conducted by the Superintendent of Schools, a building principal, assistant building principal or school nurse.
3. A search based upon the reasonable belief that the health or safety of those in schools is seriously and immediately threatened may be conducted with as much speed as is required to protect persons and property.
4. Reasonable suspicion to conduct a search of a student or a student's possessions and the scope of the particular search shall be based upon: the student's age; the student's history and record in school; the prevalence and seriousness of the problem to which the search is directed; the urgency necessitating an immediate search; and the probative value and reliability of information used as justification for the search.
5. The request for a search of a student or student's possession shall be directed to the building principal or assistant building principal, who shall attempt to obtain an admission from the student of possession of the illegal matter or a voluntary consent to the search.
6. Whenever practicable, the search should be conducted in the privacy of administrative offices and the student should be present when his/her possessions are being searched.
7. If school officials conclude that a more intrusive search is needed (i.e., a search which requires a student to remove any or all clothing, with the exception of a search of outer coats and jackets), they shall attempt to notify the parents of the students involved by telephone, or in writing after the fact if the parents could not be reached by telephone. Such searches will be conducted by school officials only after consultation with the school attorney and/or the Superintendent or another school official designated by the Superintendent, unless there is reasonable cause to believe that an emergency situation may exist (e.g., a dangerous weapon is being concealed by a student). Such searches shall be conducted by an administrator or nurse of the same gender as the student in the presence of another district professional employee who is also of the same gender.
8. The building principal or assistant building principal shall be responsible for the prompt recording in writing of each student search. Such writing should include the reasons for the search, information received that established the need for the search, and, where appropriate, the name of any informant(s) from whom information was received (informants other than the district's employees will be considered reliable if they have previously supplied information which was accurate and verified, if they make an admission against their own penal interest or if the same information is received

independently from several informants). The written record of the student's search shall also contain the names of those persons who were present when the search was conducted, any substance or objects discovered, and the disposition of such matter.

9. The building principal or assistant building principal shall be responsible for the custody, control and disposition of any illegal or dangerous matter taken from a student. He or she will remain in control of such substance or objects unless the same are delivered to police authorities whereupon it shall be the responsibility of said building principal to personally deliver such matter to police authorities.
10. Students have no reasonable expectation of privacy rights in school lockers, desks or other school storage places, and the school exercises overriding control over such school property. The building principal shall give notice to all students that lockers, desks and other school storage places may be subject to inspection at any time by school officials.
11. No police officer may enter the schools of the district for the purposes of interrogating, searching or conducting formal investigations of students unless he/she has a warrant for arrest or search, unless a crime has been committed on school property, or if he/she has been invited by school officials.
12. No police officer shall be allowed to perform a student search unless authorized by a search warrant or upon demonstrating probable cause to establish that the commission of an illegal act is occurring on school premises. In the case of a police officer presenting a search warrant, the building principal shall first attempt to inform the parent or guardian of the police demand to search in order to afford the parent or guardian an opportunity to be present at the search. In the event that the parent or guardian cannot be contacted prior to a police search, the parent or guardian shall be informed of the search in writing by the building principal as soon thereafter as is practicable.
13. When police have properly entered the school and desire to interrogate a student, the building principal shall first attempt to notify the parent or guardian of the student involved by telephone prior to any such interrogation or by telephone or in writing after the fact if the parent or guardian could not be reached beforehand. The student's parent or guardian should be present, if appropriate. The building principal or other designated administrator, as appropriate, should also be present during any interrogation of a student by police on school property.

D. Regulations Pertaining to Child Protective Services Investigations

From time to time, Child Protective Services may desire to conduct interviews of students on school property. Such interviews generally pertain to allegations of suspected child abuse and/or neglect. The following guidelines apply to all such interviews:

1. This regulation shall apply to all interviews requested by the Department of Social Services, Child Protective Services, as it pertains to that agency's investigations involving a student. Such investigation shall include, but not be limited to, suspected child abuse, suspected child neglect and custody investigation.

2. All requests by Child Protective Services to interview a student of the district on school property shall be made directly to the Superintendent.
3. The time and place of such interview shall be designated by the Superintendent in his/her absolute discretion.
4. Any such interview conducted by the Child Protective Services shall be made in the presence of the Superintendent, or, in the event that the Superintendent cannot be present, in the presence of a staff person designated by the Superintendent for that purpose. In the event that the Superintendent is not present within the district, then such interview shall not take place unless it is in the presence of the school nurse.
5. This regulation is for the protection and benefit of the students of the district and every reasonable effort shall be made to accommodate the request of the Department of Social Services, Child Protective Services, as it relates to the aforementioned investigations.

E. Child Protective Services Investigations

From time to time, Child Protective Services may desire to conduct interviews of students on school property. Such interviews generally pertain to allegations of suspected child abuse and/or neglect. The Board encourages cooperation with Child Protective Services in accordance with applicable Social Services Law.

The Superintendent shall establish regulations regarding personal searches and interrogations of students in accordance with this policy and the law.

Ref: *New Jersey v. TLO* 469 U.S. 325 (1985)
People v. Scott D., 34 NY2d 483 (1974)
Horton v. Goose Creek Independent District, 690 F 2d 470 (1982)
Doe v. Renfrow, 631 F2d 91, cert. den. 451 US 1022 (1981)
MM. V Anker, 477 F. Supp. 837, aff d. 607 F. 2d 589 (2d Cir. 1979)
Bellnier v Lund 438 F. Supp. 47 (1977)
Us v Albarado, 495 F 2d 799 (2d Cir. 1974)
In Re Rondald B., 61 AD2d 204 (1978)
People v. Haskins, 48 AD2d 480 (1975)
People v. Overton, 24 NY2d 522 (1967)
 Opinion of Counsel, 1 EDR 800 (1959)
 Opinion of Counsel, 1 EDR 766 (1952)

F. Documentation of Searches

The following factors should be considered in order to determine whether reasonable suspicion exists with regard to a search of a student's person or his/her effects:

1. Eyewitness accounts
 - Note: by whom
 - date/time
 - place
 - detailed description of events/items witnessed

2. Information from a “reliable source”
 - Note: from whom
 - time received
 - how information was received
 - who received information
 - complete summary of information
3. Suspicious behavior; describe behavior and explain suspicions. If a search is conducted, the following should be documented:
 - a. Time and location of search
 - b. Age of student
 - c. Circumstances contributing to exigency of search
 - d. Purpose of search: what item(s) were being searched for?
 - e. Type of search and scope thereof
 - f. Person conducting search and his/her title/position
 - g. Witnesses of search
 - h. Results of search; material(s) found, disposition of such material(s)
 - i. Results of parental notification

XII. VISITORS TO THE SCHOOL

The Superintendent of Schools is directed to develop regulations to allow parents, members of the community, and other interested persons to visit the schools of the district under circumstances which will preserve the safety of students and staff, and will not disrupt classes or other educational activity in the schools. The regulation shall be conspicuously posted in all schools of the district.

Visitors to the schools of the district will be governed by the following rules:

1. Each building principal shall establish and maintain a safety plan outlining the process for registration, and authorization for visits to his/her school. Such plans shall be submitted to the Superintendent for approval, and thereafter be made available in the principal’s office for anyone interested in visiting the school.
2. The principal of the school must be contacted by the person or group wishing to visit, and prior approval must be obtained for the visit.
3. Parents or guardians wishing to speak with a specific teacher concerning the progress of a child must make an appointment with the teacher, in addition to obtaining the permission of the school’s principal.
4. All visitors must report to the main office, sign-in and will be issued a visitor’s permit. The permit must be returned to the main office and the visitor must sign out at the conclusion of the visit.

5. Registration shall not be required for school functions open to the public whether or not admission is to be charged.
6. Parents are encouraged to visit guidance counselors, school nurses, school psychologists and other support personnel, by appointment, in order to discuss any problems or concerns the parent may have regarding the student, whether school related or not.
7. Any visitor wishing to inspect school records or interview students on school premises must comply with all applicable board rules, regulations, policy, and federal/state law. In questionable cases, the visitor shall be directed to the Superintendent's office to obtain written permission for such a visit.
8. The principal is authorized to take any action necessary to secure the safety of students and school personnel. Unauthorized visitors shall be requested to leave school premises immediately, and will be subject to arrest and prosecution for trespassing if they refuse.

XIII. PUBLIC CONDUCT ON SCHOOL PROPERTY

The Board of Education recognizes that the primary purpose of the school district is to provide a superior atmosphere for learning and education. Any action by an individual or group which disrupts, interferes with or delays the educational process or having such effect, is hereby declared to be in violation of board policy. The Board shall approve rules and regulations to effect this policy as required by Education Law §2801.

The Board also recognizes its responsibility to protect school property and declares its intent to take any and all legal action to prevent its damage or destruction. The Board may also seek restitution from, and prosecution of any person or persons who willfully damage school property.

It is not the intent of this policy to limit freedom of speech or peaceful assembly. The Board recognizes that free inquiry and free expression are indispensable to the objectives of a school district. The purpose of the rules and regulations is to prevent abuse of the rights of others and to maintain public order, not to prevent or restrain controversy or dissent.

Cross-ref: 1240, Visitors to the Schools
5300, Student Conduct
5313.3 Suspension and Expulsion
Ref: Education. Law §§2801; 3214
Penal Law § §140.00; 140.10; 240.3 5

Public Conduct on School Property Regulations

A. Governing Policies

1. All policies must be interpreted and understood in light of the paramount rule of public order, that for every right exercised there is a corresponding duty to refrain from disruption of orderly classes, to refrain from willful interference with the lawful and authorized activity of others, to refrain from physical injury and damage to property, and to refrain from use or entry for other than authorized use.

2. All students, teachers and staff are guaranteed the constitutional right of free speech, peaceful assembly and just procedures for redress of grievance.
3. The right of peaceful demonstration of a non-disruptive nature is recognized as being within the constitutional privilege of freedom of speech.
4. Bigotry and racial discrimination have no place on school property.
5. The school is not a sanctuary from the law.

B. Prohibited Conduct

In accordance with its responsibilities under the law, the Board of Education declares that the conduct set forth below is prohibited conduct for all students, teachers, and other staff as well as visitors, licensees and invitees, acting either singly or in concert with others, on all school property, including buildings and grounds, except where otherwise stated:

1. No one shall willfully cause physical injury to any other person, nor threaten, harass or obstruct another for the purpose of compelling or inducing any other person to perform any act.
2. No one shall willfully damage or destroy property of the school district or property under its jurisdiction nor, remove or use such property without authorization.
3. No one shall engage in theft of or damage to or defacement of any property of the school district or any other person.
4. No one shall disrupt the orderly conduct of classes, the orderly movement of students between classes, the orderly conduct of cafeteria periods, the orderly conduct of other school activities or authorized extracurricular activities, or the orderly coming and going of students to and from school property for daily classes.
5. No one shall disrupt or threaten to disrupt or interfere with the orderly functioning of the school (functioning means academic activity, administrative activity, and operation and maintenance of the physical plant and grounds).
6. No one shall willfully interfere with the lawful authorized activities of others on school property.
7. No one shall enter upon and remain in any building, facility, office or room for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others.
8. No one shall enter into a locked school building or gate or room without prior authorization.
9. No one shall, without authorization, remain in any building facility after it is normally closed.
10. No one shall refuse to leave any building or facility after being requested to do so by any person responsible for the maintenance of order in a building or facility.
11. No one shall loiter in school buildings or on school grounds (under §240.35 of the State Penal Law: a person is guilty of loitering when he/she loiters or remains in or about a school building or grounds, not having any reason or relationship involving custody of, or responsibility for a student or any other specific legitimate reason for being there and not having written permission from anyone authorized to grant the same.)
12. No visitor shall visit or carry out any purpose on school property without first obtaining permission from the building principal, unless such visitor already has specific authorization for a specific purpose.
13. No one shall have access to or use school records without authorization.

14. No one shall willfully set fire to school district property, tamper with or obstruct any safety measures such as fire extinguishers, alarm systems, posted fire regulations, water sprinklers, fire doors, fail to conform to fire drill procedure, or tamper with any communications, heating, lighting, or power system.
15. No one shall make or cause to be made bomb threats, false alarms or false reports of school closings or cancellations of school events.
16. No one except law enforcement officers shall possess any firearms on school property, nor possess nor activate any firecrackers, blanks or caps, nor possess any cap gun, air gun or toy gun.
17. No one shall tamper with school telephones, nor remove authorized posters.
18. No one shall use any profane or obscene language.
19. No one shall commit dishonesty or fraud on school property, including theft of public or personal property/services.
20. No one shall gamble on school district property.
21. No one shall use, possess, sell or transfer alcohol or controlled substances on district property (this should not be interpreted to prohibit the taking of medicinal drugs pursuant to a doctor's prescription for medicinal purposes only); a student's prescription shall be turned over to the building principal or school nurse upon arrival on school grounds and shall be kept in the custody of the principal or nurse until the user is in route off school grounds.
22. No one shall violate school district rules and regulations concerning the use of motor or non-motor vehicles on school district property and school district parking regulations.
23. No one shall cause disruption on or interfere with the operation of school district buses.
24. No one shall fail to comply with directions of school district officials acting in the performance of their duties.
25. No one shall willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so.
26. No one from a community group having authorization to use school property for a specific purpose shall be exempt from the full equal application and enforcement of these regulations.
27. No one shall participate in action leading to a riotous disturbance. Inciting or encouraging action of a riotous nature by presence or leadership or by provocation either before or during the event shall be considered participation.

Demonstrating groups must adhere to the following guidelines, which are reasonably calculated to prevent riots:

1. Participants must not be rude, must not induce another student to skip class, and must not disrupt nor threaten to disrupt any class or authorized activity.
2. Demonstrators may not have any object which could be used as a weapon, and the demonstration must be orderly, peaceful and physically confined to public areas on the grounds outside school buildings, except if, at the discretion of the Superintendent of Schools or building principal, it is permitted to take place in a designated area inside a school building. In such case, access to and exit from any office or building must be continuously maintained, and streets kept open for vehicular traffic.
3. Demonstrators must respect and allow for the privacy of non-demonstrators and non-participants, and must respect the rights of opposing demonstrators if any.
4. Physical harassment and verbal abuse are to be absolutely avoided.

5. Leaders of such demonstrations shall confer in advance with the Superintendent or principal to assure no rules will be broken, and to secure police attendance for safety supervision if deemed necessary.

C. Program of Enforcement

1. Discovery of violation shall be by direct observation by the building principal or other person reporting such violation to the principal, or shall be by reasonable evidence reported by any person to the principal or his/her designee. The violation shall also be reported to the Superintendent of Schools, depending on the nature and severity of the violation.
2. All building principals have been delegated by the Board, pursuant to §3214 of the Education Law, the authority to suspend a minor student for a period not to exceed five school days without an advance hearing.
3. A person who shall violate any of the provisions of these rules and regulations shall:
 - a. If a student, be subject to expulsion or such lesser disciplinary action as the facts of the case may warrant including suspension, exclusion from extracurricular activities, reprimand or suspension proceedings shall be conducted in accordance with the requirements of §3214 of the Education Law.
 - b. If a licensee or invitee, have authorization to remain upon the school failure or refusal to do so, he/she shall be subject to ejection.
 - c. If a tenured teacher or professional staff member, be charged with conduct provided in §3020-a and 3019-a respectively of the Education Law.
 - d. If a staff member in the classified service of the civil service, described in §75 of the Civil Service Law, be charged with misconduct, and be subject to the penalties prescribed in said section.
 - e. If a non-tenured teacher or professional staff member, or a staff member other than one described in subdivisions (c) and (d) above, be subject to dismissal, suspension without pay, fine or reprimand subject to any applicable law, rule, or regulation.
 - f. If a trespasser or visitor without specific license or invitation, be subject to ejection.

D. Procedure

1. In the case of a student, charges for violation of any of these rules shall be presented and shall be heard and determined in the manner provided in 5313.3, Suspension and Expulsion.
2. The Superintendent or his/her designee, shall inform any licensee or invitee who shall violate any provisions of these rules that the license or invitation is withdrawn and shall direct him/her to leave the school property. In the event of failure or refusal to do so, such officer shall cause his/her ejection from such property.
3. In the case of a tenured teacher, charges of misconduct in violation of these rules shall be made, heard and determined in accordance with §3020-a of the Education Law.
4. In case of any staff member who holds a position in the classified civil service, described in §75 of the Civil Service Law, charges of misconduct in violation of these rules shall be made, heard, and determined as prescribed in that section.

5. Any other employee, staff member, or administrator, who shall violate any provision of these rules shall be dismissed, suspended, fined or reprimanded by the Superintendent subject to any applicable law, rule, or regulation.
6. In the case of a non-tenured probationary teacher, charges of misconduct in violation of these rules may be made in accordance with §3019-a of Education Law.
7. In the case of any other violator, who is neither a student nor teacher, other professional staff member, or other staff member, the Superintendent or his/her designee, shall inform the violator that he/she is not authorized to remain on the property of the school and direct him/her to leave such premises. In the event of failure or refusal to do so, such officer shall cause ejection of the violator from such property. Nothing in this subdivision shall be construed to authorize the presence of any such person at any time prior to such violation nor to affect liability to prosecution for trespass or loitering as prescribed in the Penal Law.

E. Responsibilities

1. The Superintendent shall be responsible for the enforcement of these rules and shall designate any other administrative officers who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.
2. It is not intended by any provision herein to curtail the right of students, teachers, or staff to be heard upon any matter affecting them in their relations with the school. In case of any apparent violation of these rules by such persons, which, in the judgment of the Superintendent or his/her designee, does not pose any immediate threat of injury to person or property, such office may make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for the resolution of any issues which may be presented. In doing so, such officer shall warn such persons of the consequences of persistence in the prohibited conduct, including their ejection from any school premises where their continued presence and conduct is in violation of these rules.
3. In any case where violation of these rules does not cease after such warning and in other cases of willful violation of such rules, the Superintendent or his/her designee, shall cause the ejection of the violator from any premises which he/she occupies in such violation and shall initiate disciplinary action as hereinbefore provided.
4. The Superintendent or his/her designee, may apply to the public authorities for any aid which he/she deems necessary in causing the ejection of any violator of these rules and may request the school attorney to apply to any court of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of such rules.

F. Criminal Charges

Many of the acts prohibited by these rules and regulations also constitute violations of the Penal Law. In such cases, the Superintendent and his/her designee may initiate criminal charges in addition to initiating the disciplinary procedures provided for herein or in place of such disciplinary procedure. All school personnel shall cooperate with police authorities, public officials and the courts in the prosecution of offenders.

At the discretion of the Superintendent, immediate court action may be taken to obtain an appropriate court order or injunction.

XIV. DISSEMINATION AND REVIEW

A. Dissemination of Code of Conduct

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

1. Providing copies of a summary of the Code to all students at a general assembly held at the beginning of each school year.
2. Making copies of the Code available to all parents at the beginning of the school year.
3. Mailing a summary of the Code of Conduct written in plain language 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 of Conduct when they are first hired.
6. Making copies of the Code available for review by students, parents, and other community members.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the Code of Conduct. The Superintendent may solicit the recommendations of the District staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

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 applied fairly and consistently.

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

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

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

EAST GREENBUSH CENTRAL SCHOOL DISTRICT
TRANSPORTATION CODE OF CONDUCT

Expectations for Students Using School Transportation

The safety of all students is our primary concern. Each student has an individual responsibility to help ensure the safety of all students on the bus by following the rules. All of the prohibited behaviors described in the Code of Conduct apply to the privilege of riding school buses to and from school and school activities.

Philosophy

- Every time a student violates a bus rule, it raises the chance the driver is distracted.
- Every time the driver is distracted, it raises the chance of an accident happening.

Therefore, every time a student violates a bus rule directly, it raises the chance of their bus being in an accident!

School Bus Transportation Policies

School buses will load and unload only at designated loading zones. School bus drivers are responsible for the safety of all students riding their buses. Bus drivers are instructed to pick up and deliver students **ONLY** to their assigned school bus stops and school.

The school bus driver has full authority and responsibility for maintaining the order and discipline needed to assure the safe operation of the bus. Those riding the bus have an obligation to obey the posted rules and bus driver's instructions.

TO ASSURE THE SAFETY OF ALL PASSENGERS, THE FOLLOWING STUDENT RESPONSIBILITIES WILL BE STRICTLY ENFORCED:

1. District policy states that students should be outside waiting at the bus stop 5 minutes before their scheduled pick up time. Students **SHOULD NOT** wait inside their house for the bus. This includes waiting in the garage, on the front porch, standing in the front door, etc.
 - Students should behave in an orderly manner at the bus stop. Students should stay 15 feet away from where the bus will stop, and should approach the bus only after the door has opened.
 - When exiting the bus, it is important to look both ways before stepping off the last step.
 - When crossing the road always wait for the driver's signal and remember to look both ways. If you hear the horn, go back.
2. Students should remain seated while the bus is moving. Keep head, hands and feet (the entire body) inside the bus. When you are assigned a seat, you are to sit in it even if there is a sub driver. If damage is done to a seat while assigned, the students sitting in that seat will be responsible for payment of vandalism costs for repairs.

3. Students are to keep books, body parts, back packs, etc. out of the aisles at all times. Objects too large to be held on laps or placed between the student's legs, so as to not interfere with other students' space assigned to the same seat, will not be allowed on the school bus. Other arrangements must be made to transport these items.
4. Talk must be kept at a conversational level. Loud talking or shouting will distract the driver and constitute a safety hazard.
5. Profane, foul, and disrespectful language or gestures shall be cause for disciplinary action.
6. Possession or use of tobacco, alcohol, or other illegal drugs, weapons, or pornographic material is prohibited.
 - Eating or drinking on the bus poses a choking hazard and is prohibited.
 - Skateboards, scooters, etc. are **NOT** allowed at school and not allowed on the school buses.
7. Fighting on the bus is prohibited, and all students involved will be suspended from the buses (*both am and pm buses & fieldtrip buses*) and/or from school. A written warning of said suspension is not required.
8. Students are under the supervision of the school until they are at their own bus stop. Students are to maintain the same good manners and good discipline on the school bus as they are required at school. *The school bus is considered to be an extension of the classroom.*
9. We encourage parents, if possible, to maintain order at the bus stop prior to the bus arriving to pick up students. If parents hear of any problems persisting, please try to help with supervision at the bus stop.
10. Students should wear seatbelts properly.

Parents and Guardians

We would appreciate your help too! Thanks so much!

1. Helping your child to be a responsible bus student helps keep everyone safe. Help them to be on time for their bus and take the safest route to and from the bus stop.
2. Help them learn all the bus rules and explain the importance of following the instructions of their driver. All of our drivers are certified New York State School Bus Drivers. The safety of your child is their first and foremost responsibility. This requires their attention to be on the road at all times. Disruption by students distracts the drivers from this responsibility. The safe transportation of your children to and from school is the driver's number one priority. This is why all the rules must be followed.

BEHAVIOR GUIDELINES AND CONSEQUENCES

Violations

Discipline for bus misconduct will be handled with an age appropriate, progressive plan of discipline that may include any of the consequences listed in the disciplinary action plan. In addition to these consequences, bus conduct will also be subject to bus contracts, assigned seating, and short-term, long-term, or permanent removal of bus riding privileges. **Automatic suspension of bus riding privileges can be implemented for the following offenses: fighting, inappropriate language, bullying, or other behavior deemed inappropriate by the Code of Conduct.**

Elementary:

- 3 referrals or less – warning
- 4th referral – meeting with Principal, Parent and Transportation Supervisor and his/her designee(s) and 2 days bus suspension
- 5th referral – meeting with Principal, Parent and Transportation Supervisor and his/her designee(s) and 3 days bus suspension
- Add 1 day for each successive referral up to maximum 5 days bus suspension

Middle School:

- 2 referrals or less – warning
- 3rd referral – meeting with Principal, Parent and Transportation Supervisor and his/her designee(s) and 2 days bus suspension
- 4th referral – meeting with Principal, Parent and Transportation Supervisor and his/her designee(s) and 3 days bus suspension
- Add 1 day for each successive referral up to maximum 5 days bus suspension

High School:

- 1 referral – warning
- 2nd referral – meeting with Principal, Parent and Transportation Supervisor and his/her designee(s) and 2 days bus suspension
- 3rd referral – meeting with Principal, Parent and Transportation Supervisor and his/her designee(s) and 3 days bus suspension
- Add 1 day for each successive referral up to maximum 5 days bus suspension

NOTE: For repeated offenses, students may be suspended from school and/or from riding the bus. The bus and the bus stop are extensions of the school. School bus transportation is a privilege not a right, except as provided by law. It is the responsibility of the parent to provide transportation for the student if bus privileges are suspended.

EAST GREENBUSH CENTRAL SCHOOL DISTRICT
CODE OF CONDUCT ACKNOWLEDGEMENT

Complete this section and return to your child's school.

We acknowledge we have read the Code of Conduct and the Transportation Code of Conduct for the East Greenbush Central School District. We are aware of the expectations of students, parents/guardians, and visitors while they are on and around the school buildings and grounds and using District transportation.

We agree to abide by this Code of Conduct, which has been set forth by the East Greenbush Central School District.

Building _____
(Columbia, Goff, Red Mill, Bell Top, Green Meadow, Genet, D.P.S)

Student Name (please print) _____

Student Signature _____ Date _____

Parent/Guardian Name (please print) _____

Parent/Guardian Signature _____ Date _____

Please complete one form for each student and return this form to the main office at your child's school. If more than one form is needed please copy or contact your school.