



# Wappingers Central School District 2023-2024 Code of Conduct DRAFT

(4/21/2023)

The mission of the Wappingers Central School District is to empower all of our students with the competencies and confidence to challenge themselves, to pursue their passions, and to realize their potential while growing as responsible members of their community.

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## **WAPPINGERS CENTRAL SCHOOL DISTRICT NOTICE OF NON-DISCRIMINATION POLICY & COMPLIANCE OFFICER FOR EMPLOYEES**

The Wappingers Central School District does not discriminate in offering employment opportunities on the basis of race, color, national origin, disability, sex, sexual orientation, age, religion, military/veteran status, genetic predisposition, marital status, and domestic violence victim status or any other basis prohibited by New York State and/or Federal non-discrimination laws.

Inquiries should be directed to the District Compliance Officer for Employees:

Renee Harris  
 Director of Human Resources &  
 Labor Relations  
 (845) 298-5000 extension 40115  
[renee.harris@wcsdny.org](mailto:renee.harris@wcsdny.org)

Office Location:  
 Wappingers Central School District

Mailing Address:  
 Wappingers Central School District

25 Corporate Park Drive  
Hopewell Junction, NY 12533

25 Corporate Park Drive  
PO Box 396  
Hopewell Junction, NY 12533

Inquiries may also be referred NYS Division for Human Rights:

New York State Division of Human Rights  
One Fordham Plaza, 4th Floor, Bronx, NY 10458.  
Call: 1-888-392-3644.  
General inquiries may also be directed to [info@thr.ny.gov](mailto:info@thr.ny.gov).

### **WAPPINGERS CENTRAL SCHOOL DISTRICT NOTICE OF NON-DISCRIMINATION POLICY & COMPLIANCE OFFICER FOR STUDENTS**

The Wappingers Central School District does not discriminate in offering educational opportunities on the basis of race, color, national origin, weight, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender, gender identity, gender expression, age, military/veteran status, genetic predisposition, marital status, and domestic violence victim status, or any other basis prohibited by New York State and/or Federal non-discrimination laws.

Inquiries should be directed to the District's Compliance Officer for Students:

Daren Lolkema  
Assistant Superintendent for Administration  
& Information Systems  
(845) 298-5000 extension 40138  
[daren.lolkema@wcsdny.org](mailto:daren.lolkema@wcsdny.org)

Office Location:  
Wappingers Central School District  
25 Corporate Park Drive  
Hopewell Junction, NY 12533

Mailing Address:  
Wappingers Central School District  
25 Corporate Park Drive  
PO Box 396  
Hopewell Junction, NY 12533

Inquiries may also be referred to the Office for Civil Rights:

New York Office  
Office for Civil Rights  
U.S. Department of Education  
32 Old Slip, 26th Floor  
New York, NY 10005-2500

Telephone: 646-428-3900  
FAX: 646-428-3843; TDD: 800-877-8339  
Email: [OCR.NewYork@ed.gov](mailto:OCR.NewYork@ed.gov)

Inquiries may also be referred NYS Division for Human Rights:

New York State Division of Human Rights  
One Fordham Plaza, 4th Floor, Bronx, NY 10458.  
Call: 1-888-392-3644.  
General inquiries may also be directed to [info@thr.ny.gov](mailto:info@thr.ny.gov).

## **SECTION I: INTRODUCTION, EXPECTATIONS, ROLES, AND RESPONSIBILITIES**

The Wappingers Central School District is committed to maintaining high standards of education for students in our schools. Because the District believes that order and discipline are essential to being educated effectively, it is committed to creating and maintaining high behavioral standards and expectations. An orderly learning environment requires that everyone in the school community be an active and contributing member. It also requires the development and implementation of a code of conduct that clearly defines individual responsibilities and provides for appropriate disciplinary options and responses.

This Code of Conduct was developed in collaboration with students, parents, teachers, administrators, school safety personnel and other Board-approved school personnel. Finally, it is our belief that, to be effective, such a code must:

1. identify, recognize and emphasize acceptable behavior;
2. identify, recognize and prevent unacceptable behavior;
3. promote self-discipline;
4. consider the welfare of the individual as well as that of the school community as a whole;
5. promote a close working relationship between parents/guardians and the school staff;
6. distinguish between minor and serious offenses, as well as between first time and repeated offenses;
7. provide disciplinary responses that are appropriate to the misbehavior;
8. outline procedures to ensure that the code is administered in a way that is fair, firm, reasonable, and consistent;
9. encourage a high regard for every person's right to reasonable hearing procedures and due process when accused of misconduct;
10. comply with the provisions of federal, state and local laws, as well as the guidelines and directives of the New York State Department of Education and the Board of Regents. (See "[Dignity for All Students Act](#)" information page)

A school's primary concern in establishing a Code of Conduct is to enable our young people to feel and be safe while in school, or at school sponsored events. To that end, the District provides PBIS in all our schools. PBIS stands for Positive Behavioral Interventions and Supports. The purpose of PBIS is to make schools more effective learning environments for all students. PBIS is an evidence-based framework which emphasizes the prevention of school discipline problems. PBIS provides ideas to support teaching, modeling and recognizing, appropriate behavior in schools. It also identifies systems for logically responding to classroom and individual student problems. By reducing behavioral problems, PBIS creates and maintains safe learning environments where teachers can teach and students can learn. Each school in the district has a PBIS team that is charged with educating students and staff in the principles of PBIS, tracking behavioral data and executing action plans to minimize negative behaviors and recognize positive behavior. In addition, the district provides a variety of programs and services which promote the development of good character, including the knowledge, skills, and abilities that enable each student to make informed, responsible choices. The Board of Education is responsible for ensuring that essential policies are established to effectively promote safety, as well as the social, physical, emotional, and intellectual growth of the students. Administrative regulations and practices are developed and enforced by the school administration and staff. Rather than being solely punitive in nature, the primary focus of discipline in the WCSD shall be to teach students appropriate behavior and good decision-making skills. PBIS use provides a framework for all our staff to teach appropriate behaviors and it maximizes the academic engagement and achievement for all students by:

- Reducing disciplinary referrals, suspensions and expulsions while increasing academic performance.
- Increasing the consistent use of positive teaching and reinforcement strategies for behavior.
- Using more engaging, responsive, preventive and productive approaches to problematic behavior.
- Improving supports for students whose behaviors require more specialized assistance including emotional, behavioral and mental health.

## STUDENT BILL OF RIGHTS AND RESPONSIBILITIES

NYS Education Law provides that a person over 5 and under 21 years of age who does not possess a high school diploma is entitled to attend the public schools maintained in the district where he or she resides. Under New York's compulsory education law, minors who turn six years old on or before December 1 in any school year must receive full-time instruction from the first day school is in session in September of such school year. Minors who turn six years old after December 1 of a school year must receive full-time instruction from the first day of school in the following September. All children must remain in attendance until the last day of the school year in which they reach the age of 17. Children of compulsory education age who have completed a four-year high school course of student do not have to attend school.

## RIGHTS OF STUDENTS

It shall be the right of each district student:

1. to have a safe, healthy, orderly and courteous school environment;
2. to take part in all district activities on an equal basis regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex;
3. to attend school and participate in school programs pursuant to education law;
4. to have school rules and conditions available for review and, whenever necessary, be provided an explanation of said rules and conditions by school personnel;
5. to be suspended from instruction only after his/her rights pursuant to Education Law §3214 have been observed; and
6. in all disciplinary matters, to have the opportunity to present his/her version of the facts and circumstances leading to imposition of disciplinary sanctions to the professional staff member imposing such sanction.

In addition, students in this District are bestowed the following rights:

1. **Student Expression** – Students shall be allowed the opportunity for the free expression of ideas consistent with rights established by the federal and state constitutions. However, a student's freedom is subject to limitation in that the constitutional protections will not extend to libelous, slanderous, vulgar, lewd, indecent or obscene words or images or to words or images which by their very use incite others to damage property or physically injure persons. Furthermore, speech which materially and substantially disrupts the work and discipline of the school may be subject to limitation.
2. **Student Activities** – All students shall enjoy equal access to the various extra-curricular and co-curricular activities sponsored by the School District. The privilege of participating in such activities shall be conditioned upon appropriate behavior as established by this Code of Conduct and any additional rules announced specifically for participation in extra and/or co-curricular activities.
3. **Student Government** – Students are encouraged to participate in the various student governmental bodies established in our schools. It shall be the duty of the student governmental body to establish reasonable standards for qualification of candidates to serve as officers of the government. Elections for student government shall be conducted in accordance with the principles of democracy and elected student representatives shall work with the faculty, administration and student body in identifying cooperatively those areas of appropriate student responsibility. All student governmental bodies shall have a faculty advisor and shall be organized pursuant to a specific written constitution which the students shall participate in formulating.
4. **Student Clubs and Other Students Organizations** – The District encourages students to participate in curriculum related extra-curricular activity clubs and/or organizations. To the extent that the District authorizes meetings of non-curriculum related clubs or organizations, the same shall be subject to the constitution of the student government and shall be conducted in accordance with any applicable federal or state law, as well as Board of Education policy or regulations.
5. **Privacy Rights (Search and Seizure)** – The Fourth Amendment of the U.S. Constitution prohibits government officials from conducting unreasonable searches and seizures. However, the Fourth Amendment rights of students in a public school setting and related school-sponsored activities are not as extensive as elsewhere. In light of these protections, no student's person or property shall be searched for illegal substances or materials

unless the school authorities conducting the search have reasonable suspicion to do so. Lockers and desks assigned to students may be subject to inspection at any time by school officials since such places are not the property of the student, but rather are owned by the School District and used by the student.

6. **Pregnant Students** –Public schools may not discriminate against students based on their parental and / or marital status. Pregnant students are entitled to educational opportunities equal to those provided to students who are not pregnant. In addition, we encourage pregnant students to remain in school. Homebound instruction will be made available to pregnant students when necessary.
7. **Student Grievances and Complaints** –If a student has a grievance or a complaint about a school-related matter, a school employee or other school official, s/he may submit it, in writing, to the Principal of the school who shall respond within ten (10) school days with a written answer or proposed resolution. Grievance or complaints may be appealed in writing to the Superintendent of Schools if the Principal's answer or proposed resolution is not deemed satisfactory by the student. The Superintendent of Schools shall respond to all grievances and complaints within a reasonable period of time following receipt of the written appeal document. It is the right of our students to expect a safe learning environment.

## **RESPONSIBILITIES OF STUDENTS**

It shall be the responsibility of each district student:

1. to be familiar with and abide by all district policies, rules and regulations pertaining to student conduct;
2. to work to the best of his/her ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible;
3. to conduct himself/herself, when participating in or attending school- sponsored extracurricular events, as a representative of the District and as such hold himself/herself to the highest standards of conduct, demeanor, and sportsmanship, and accept responsibility for his/her actions;
4. to seek help in solving problems that might lead to discipline procedures;
5. to be in regular attendance at school and in class;
6. to contribute to the maintenance of an environment that is conducive to learning and to show due respect to other persons and to property;
7. to dress in accordance with standards promulgated by the Board and the Superintendent; and
8. to make constructive contributions to the school, and to report fairly the circumstances of school-related issues.

## **ESSENTIAL PARTNERS**

Parents, teachers, administrators and other school employees share the responsibility of developing positive student behavior. When adults are clear in their expectations, children respond by meeting their responsibilities. School employees will continue to work with students to correct behaviors not conducive to a positive school environment.

## **THE ROLE OF SCHOOL PERSONNEL**

School personnel play an important role in the education of students. In view of this responsibility, school personnel must:

1. Promote positive reinforcement and/or interventions for appropriate behaviors; also, report negative behaviors to administration when applicable. Adhere to and enforce the PBIS rules, norms, and procedures that are established in each school.
2. Maintain a climate of mutual respect and dignity for all students (to promote and strengthen each student's positive self-image) regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex;
3. teach the common courtesies by precept and example;
4. treat students in an ethical and responsible manner;
5. help students to reach their maximum potential;
6. demonstrate desirable standards of behavior through personal example;
7. maintain confidentiality in accordance with federal and state law;



8. help children understand the district's expectations for maintaining a safe, orderly environment;
9. participate in school-wide efforts to provide adequate supervision in all school spaces;
10. address and report (Dignity for all Students Act) issues of harassment, bullying, cyberbullying, hazing or any other situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function;
11. know the Code of Conduct and report violations to the Building Principal, Assistant Principal, or acting building principal;

## **THE ROLE OF THE BOARD OF EDUCATION**

As the elected officials in charge of our schools, the Board of Education:

1. promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex;
2. adopts the policies governing the District, including this Code of Conduct;
3. ensures that the Code of Conduct contains clear behavioral expectations and disciplinary consequences for students, staff and visitors;
4. ensures that the Code of Conduct is clearly communicated to students, parents, staff and the school community;
5. ensures that the Code of Conduct is implemented and enforced in a consistent, reasonable, fair and equitable manner;
6. address issues of harassment, bullying, cyberbullying, hazing or any other situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function;
7. address personal biases that may prevent equal treatment of all students and staff;
8. annually reviews and adopts the Code of Conduct.

## **THE ROLE OF BUILDING ADMINISTRATORS**

As the educational leaders of the school, the Principal and his/her assistant(s) set the disciplinary climate for the school, not only for the students, but for staff as well. Therefore, they must:

1. Promote positive reinforcement and/or interventions for appropriate behaviors (ie: establish and provide support to the school's PBIS team as well as adhere to and enforce the PBIS rules, norms, and procedures that are established in each school)
2. promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex;
3. seek to develop a sound and healthy atmosphere of mutual respect;
4. evaluate the program of instruction in their school to achieve a meaningful educational program;
5. help their staff self-evaluate their procedures and attitudes in relation to the interaction within their classrooms;
6. develop procedures which reduce the likelihood of student misconduct;
7. provide the opportunity for students and staff to approach the Principal directly for redress of grievances;
8. work with students and staff to formulate school regulations;
9. assist staff members to resolve problems which may occur;
10. work closely with parents to establish a wholesome relationship between home and school;
11. maintain confidentiality in accordance with federal and state law;
12. evaluate on a regular basis all instructional programs to ensure infusion of civility education in the curriculum;
13. support the development of and student participation in appropriate extracurricular activities;
14. utilize all appropriate support staff and community agencies to help parents and students identify problems and seek solutions;
15. establish necessary building security;
16. assume responsibility for the dissemination and enforcement of the Code of Conduct and anti-harassment policies and ensure that all discipline cases referred are resolved promptly;

17. ensure that students are provided with fair, reasonable, and consistent discipline;
18. comply with pertinent state laws governing hearings, suspensions, and student rights;
19. develop behavior guidelines and appeals procedures which align with this Code of Conduct;
20. demonstrate desirable standards of behavior through personal example;
21. address issues of harassment, bullying, cyberbullying, hazing or any other situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function;

## **THE ROLE OF TEACHERS**

Every teacher knows that s/he works every day with this nation's most precious commodity—the future generation. In view of this responsibility, the teacher must:

1. Promote positive reinforcement and/or interventions for appropriate behaviors; also, report negative behaviors to administration when applicable. Adhere to and enforce the PBIS rules, norms, and procedures that are established in each school.
2. maintain a climate of mutual respect and dignity for all students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen student's self-concept and promote confidence to learn;
3. plan and conduct a product of instruction that will make learning challenging and stimulating;
4. recognize that some disciplinary problems are caused by a student's personal and academic frustrations;
5. utilize classroom routines which contribute to the total instructional program and to the student's development of civic responsibility;
6. seek to develop close cooperative relationships with parents for the educational benefit of the student;
7. distinguish between student misconduct best handled by the teacher and major issues requiring the assistance of an administrator;
8. teach the common courtesies by rules and example;
9. handle individual infractions privately and avoid punishing the group for the misbehavior of one or two;
10. help students cope with negative peer pressure;
11. identify changing student behavior patterns and notify the appropriate personnel;
12. be available to students to help resolve conflicts or to intervene on their behalf;
13. send communications home promptly;
14. report to the Principal or Assistant Principal any student who jeopardizes his/her own safety, the safety of others or of the teacher, or who seriously interferes with the instructional program of the classroom;
15. treat students in an ethical and responsible manner;
16. help students to reach their maximum potential;
17. serve within their authority in matters of behavior and discipline in accordance with New York State School Law;
18. explain and interpret the discipline code to students;
19. participate in school-wide efforts to provide adequate supervision in all school spaces and enforce the Code in all areas of the school;
20. demonstrate desirable standards of behavior through personal example;
21. address issues of harassment, bullying, cyberbullying, hazing or any other situation that threaten the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function;
22. address personal biases that may prevent equal treatment of all students in the school or classroom setting;
23. know the support services available to students and refer students who are in need of such services;
24. comply with state educational law regarding corporal punishment and mandated reporting of suspected child abuse;
25. in the event of removal from class, inform the student and the Principal or Assistant Principal of the reason for the removal and listen to the student's explanation for his/her behavior (see Guidelines for Student Removal);
26. immediately report and refer violent students to the Principal, Assistant Principal, SRO and/or Superintendent of Schools.

## **THE ROLE OF SCHOOL COUNSELORS**

1. Promote positive reinforcement and/or interventions for appropriate behaviors Adhere to and enforce the PBIS rules, norms, and procedures that are established in each school.
2. maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex;
3. assist students in coping with peer pressure and emerging personal, social and emotional problems;
4. initiate teacher/students/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems;
5. regularly review with students their educational progress and career plans;
6. maintain confidentiality in accordance with federal and state law;
7. provide information to assist students with career planning;
8. encourage students to benefit from the curriculum and extracurricular programs;
9. make known to students and families the resources in the community that are available to meet their needs;
10. participate in school-wide efforts to provide adequate supervision in all school spaces;
11. address issues of harassment, bullying, cyberbullying, hazing, or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function;
12. address personal biases that may prevent equal treatment of all students.

## **THE ROLE OF DISTRICT ADMINISTRATORS**

As the educational leaders of the school system, the Superintendent of Schools and Central Administrators must:

1. Adhere to and enforce the PBIS rules, norms, and procedures that are established in each school.
2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex;
3. reinforce the indicated responsibilities of the Principals and make them equally applicable K-12;
4. recommend to the Board of Education appropriate policy, regulations and actions to achieve optimum conditions for positive learning;
5. develop and implement an effective “Code of Conduct” supportable by students, parents, staff, and community;
6. demonstrate desirable standards of behavior through personal example;
7. address issues of harassment, bullying, cyberbullying, hazing or any other situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function;
8. address personal biases that may prevent equal treatment of all students and staff;
9. provide each teacher with a copy of the Code of Conduct.

## **THE DIGNITY FOR ALL STUDENTS ACT (DASA) COORDINATOR**

The Board of Education has designated school principals to be the DASA Coordinator. It is the responsibility of the DASA Coordinator to:

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

The requirements of the Dignity for all Students Act (DASA) are contained throughout this year's Code of Conduct. DASA extends protection from harassment & discrimination to new classes of students (weight, religious practice, gender identity and expression and ethnic group) and the updated policy reflects this.

The Dignity Act Coordinators for each building are as follows:

BUILDING	PHONE NUMBER	NAME	EMAIL
Brinckerhoff ES	845-897-6800	<a href="#">Domonique Cooper</a>	<a href="mailto:domonique.cooper@wcsdny.org">domonique.cooper@wcsdny.org</a>
Fishkill ES	845-897-6780	Andrew McNally	<a href="mailto:Andrew.McNally@wcsdny.org">Andrew.McNally@wcsdny.org</a>
Fishkill Plains ES	845-227-1770	Amy Fazio	<a href="mailto:Amy.fazio@wcsdny.org">Amy.fazio@wcsdny.org</a>
Gayhead ES	845-227-1756	James Daley	<a href="mailto:james.daley@wcsdny.org">james.daley@wcsdny.org</a>
James S. Evans ES	845-298-5240	Lauren Hernandez	<a href="mailto:Lauren.hernandez@wcsdny.org">Lauren.hernandez@wcsdny.org</a>
John Jay HS	845-897-6700	David Kedzielawa	<a href="mailto:David.kedzielawa@wcsdny.org">David.kedzielawa@wcsdny.org</a>
Kinry Road ES	845-463-7322	Adam Gerson	<a href="mailto:adam.gerson@wcsdny.org">adam.gerson@wcsdny.org</a>
Myers Corners ES	845-298-5260	Sydney Goldstein	<a href="mailto:Sydney.goldstein@wcsdny.org">Sydney.goldstein@wcsdny.org</a>
Oak Grove ES	845-298-5280	Angelina Rooney	<a href="mailto:Angelina.rooney@wcsdny.org">Angelina.rooney@wcsdny.org</a>
Orchard View AHS	845-298-5000	Laura Distefano	<a href="mailto:Laura.Distefano@wcsdny.org">Laura.Distefano@wcsdny.org</a>
Roy C. Ketcham HS	845-298-5100	David Seipp	<a href="mailto:David.seipp@wcsdny.org">David.seipp@wcsdny.org</a>
Sheafe Road ES	845-298-5290	Michael Corsano	<a href="mailto:Michael.corsano@wcsdny.org">Michael.corsano@wcsdny.org</a>
Van Wyck Jr HS	845-227-1700	<b>TBD</b>	
Vassar Road ES	845-463-7860	Richard Dominick	<a href="mailto:Richard.Dominick@wcsdny.org">Richard.Dominick@wcsdny.org</a>
Wappingers Jr HS	845-298-5200	Terrence Thompson	<a href="mailto:terrence.thompson@wcsdny.org">terrence.thompson@wcsdny.org</a>

## EXPECTATIONS FOR GOOD CONDUCT

All students are expected to behave respectfully toward each other and toward school staff and adhere to the guidelines of DASA.

### A. HONOR CODE

A healthy learning environment can exist only if a commitment is made by all to live in the most ethical way possible. Those who refuse to make this commitment hurt not only themselves but also those in the entire school community.

#### 1. Cheating

The District recognizes all policies and procedures required by NYSED for instances of cheating on all New York State Assessments. For class assigned work or local assessments a grade of zero may be given to any student who gives or receives information, including electronically, on any form of a test, quiz, homework, assignment or lab. Any person falsifying a grade or a test or related material, with the goal of increasing that grade shall take the penalty of cheating. A student may appeal the grade to the Principal and/or Building Administrator. In addition to the range of possible disciplines listed in the Disciplinary Measures table of this code of conduct, penalties for cheating will be at the discretion of the Building Administrator and the Classroom Teacher.

#### 2. Plagiarism

Plagiarism is defined as the act of stealing and passing off as one's own, the ideas or words of another, or using a created production without giving credit to the source. This includes ideas or words from any printed text and/or the Internet. Students must use proper citations and references when using another's work or ideas. Any student who plagiarizes may receive a zero on the plagiarized work and may have a conference with the teacher to explain the circumstances. In addition to the range of possible disciplines listed in the Disciplinary Measures table of this code of conduct, penalties for plagiarism will be at the discretion of the Building Administrator and the Classroom Teacher.

### **3. Falsification and forgery**

Falsification refers to the act of changing, adding to or deleting information from an absence note, early dismissal note, late arrival note, hall pass, parking permit, etc. Falsification also refers to deliberately providing false/inaccurate information. Forgery refers to the act of writing one of the above and passing it off as written by the appropriate adult. In addition to the range of possible disciplines listed in the Disciplinary Measures table of this code of conduct, penalties for falsification and forgery will be at the discretion of the Building Administrator and the Classroom Teacher.

### **4. Intentional False Allegations**

Any intentional false allegation is a serious offense and a breach of the Code of Conduct. In the event that it has been determined by administration that an intentionally false allegation has been made, the matter will be subject to disciplinary action.

Disciplinary measures for honor code violations may include contact of parent by administrator, detention, in-house restriction, external suspension, or alternative to suspension.

## **B. BEHAVIOR TOWARD OTHERS**

Objectionable physical behavior is that which infringes on the personal space and movement of others, offends propriety, or results in bodily injury. Manifestations of this behavior include, but are not limited to, running in the halls, shoving, pushing, display of intimate affection, overt sexual display, harassment (including sexual harassment) of others, unsafe use of property, throwing of objects (i.e., snowballs, rocks, coins, etc.) and offensive gestures. Students exhibiting objectionable physical behavior may be subject to discipline as per Section VI of this Code of Conduct.

Fighting is a serious breach of appropriate school conduct that can lead to serious physical harm. Students who physically fight will be subject to suspension as determined by the administration and/or a Superintendent's Hearing.

Students refusing to follow a directive to disperse will be considered insubordinate and students continuing to loiter in the areas of an altercation or potential disruption may be suspended. Any student attempting to videotape an altercation or other school incident is subject to disciplinary consequences. In addition, the distribution of such video using cell phone, camera, internet, social media or you tube is prohibited and subject to disciplinary action.

In circumstances where a student assaults another student and/or serious physical harm has occurred, the police will be contacted. In such cases, the administration may choose to proceed immediately to a Superintendent's Hearing which may result in a long term suspension. The administration may also file disorderly conduct charges on students involved in fights on school grounds or at school sponsored activities.

## **C. RESPECTING THE PROPERTY OF OTHERS**

Students have the right to maintain their belonging / property in a manner that is free from the risk of damage, theft, or mishandling\* by another individual. (\* Definitions found on page 34)

## **D. DISORDERLY BEHAVIOR**

In the event of a student strike or student disorder, the building principal or his/her designee will confront the students causing the disturbance. S/he will meet immediately with student representatives from the protesting group and will direct the other students to return to their regular classroom routine. Students failing to follow administrative directions will be suspended and directed to leave the building with the understanding that long-term suspension may result. The parents of these students will be contacted. In the event that the disruptive students refuse to leave the building and the school grounds after a reasonable time has elapsed as determined by the building administrator, the police will be called. Students may be subject to arrest if they refuse to follow the administrator's directions.

A student is guilty of disorderly conduct when, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk, a student engages in fighting, or in violent threatening behavior, makes unreasonable noise, exhibits lewd behavior, uses abusive, racially offensive or obscene language or makes an obscene gesture, disturbs any authorized assembly or meeting, obstructs vehicle or pedestrian traffic, congregates with other persons and refuses to comply with the request of a person in authority to disperse or creates a hazardous or physically offensive condition by an act which serves no legitimate purpose or whose conduct constitutes a misdemeanor or felony while on school property or at a school function and or otherwise substantially disrupts the educational process of a school.

## **E. REDUCING DISRUPTIONS AND DISTRACTIONS**

Disruptive noise is any noise that is excessive, intolerable or interferes with the learning experiences of others. Radios, tape players, electronic devices including games, light or laser pointers, cameras and video cameras, except as specifically authorized, as well as other non-curricular items used for play and/or entertainment during the school day. These items may be confiscated and stored for the day. The district is not responsible for any lost/stolen personal items. Confiscated property may be returned only to parents, or to students following a phone call or letter from the parent/guardian to the administrator.

Taping of classes or capturing images of people shall not occur without the permission of the instructors.

## **F. CELL PHONES & ELECTRONIC DEVICES**

### **Grades ~~Pre-UPK~~ through 8:**

It is the policy of the Wappingers Central School District that students in grades Pre-K through 8 will be prohibited from possessing smart phones, smart watches (i.e., internet enabled devices), and other electronic devices and related accessories (e.g., earbuds) on their person during the school day without permission from the Building Principal. Smart devices and related accessories may be stored in a school bag (turned off) for before or after school use. The school district is not responsible for any lost, stolen, or damaged smart devices.

In addition, given the dangers inherent in unsupervised access to the internet, students in grades Pre-K through 8 are prohibited from unsupervised internet use while on any school vehicle. Permission may be granted by the Principal (or his/her designee). The District is committed to responding to reported violations of this policy provision. The District will not require Bus Drivers to actively monitor student device use.

### **Grades 9 through 12:**

It is the policy of the Wappingers Central School District that students in grades 9-12 are allowed to carry smart devices during school hours and on school vehicles. However, during instructional times, students are prohibited from possessing smart devices on their person (study halls are considered instructional times unless otherwise determined by the Building Principal). Smart devices must be stored in a school bag or another location determined by the staff member in charge of that location. Any student who knowingly possesses a smart device on his/her person during an instructional period without permission, will be considered insubordinate and subject to the Student Code of Conduct.

It is the policy of the Wappingers Central School District that the use of personal cell phones and other electronic devices is not permitted by students in grades 9-12 at any time in specific common areas; locker rooms, bathrooms, gym class, the auditorium, and classrooms (except for instructional purposes, and only at the discretion of the teacher), and hallways.

Cell phones may be permitted (at the discretion of the High School Administrator) in the following common areas:

- The Cafeteria

### **Grades UPK through 12:**

Students are prohibited from using smart phones and other electronic devices for the following purposes:

- To take pictures or record video of individuals or groups of persons while on school property or at school sponsored events;
- To record classes, meetings, or conversations without the express written consent of the teacher of the class, the professional leading the meeting or the professional having the conversation with the student or students.

The use of personal cell phones or other electronic devices for instructional purposes as per an Individualized Education Plan (IEP) or 504 accommodation is permissible.

Misuse of any of these personal electronic devices will result in disciplinary action as outlined in Section VI of the Code of Conduct. Some uses of personal electronic devices constitute a violation of the school district Code of Conduct and in some instances, the law. The school district will cooperate with law enforcement officials as appropriate.

For safety reasons the use of headphones or ear buds outside of classrooms or designated areas is strictly prohibited.

The school district is not responsible for any lost, stolen, or damaged smart devices.

## **G. COMPLIANCE WITH DIRECTIVES**

Insubordination occurs when a student willfully disregards a reasonable directive issued by a staff member. The following are examples of insubordination:

1. Refusal to give his/her name upon request.
2. Refusal to present student identification.
3. Refusal to follow a directive during a fire drill, bomb threat or any other evacuation of building.
4. Refusal to report to an administrator upon directive.
5. Refusal to comply with reasonable requests from school personnel.
6. Refusal to comply with any aspect of the Code of Conduct.
7. Falsification of verbal / written information.
8. Intentionally providing false information (lying).

Disciplinary measures may include: detention, parent/administrative conference, in school restriction, or five day suspension. Depending on the severity and repetition of insubordinate acts, a student may be taken to a Superintendent's Hearing.

If a student believes that he/she is being treated unfairly, the student should immediately and respectfully ask to be taken to an administrator to register the complaint.

## **H. RESPECTING SCHOOL PROPERTY**

**Vandalism** is the intentional damage to the property of the school district or of any other person. The following are examples of vandalism:

1. Defacing of walls, lockers, bathroom stalls, desks, furniture, books, or other school equipment and materials.
2. Damage to floors, walls, ceilings, doors, windows and bulletin boards.
3. Mistreatment of any equipment or furnishings, such as library visual aids and books.
4. Damage to school buses or property within.

According to New York State law, a student's parents or guardian may be held responsible for costs of vandalism for which their child is responsible. Disciplinary measures may include restitution, parent/administrative conference, in school restriction, suspension and referral to law enforcement.

Discarding debris such as paper, chewing gum, lunch bags, food, etc. in the hallways, lavatories, classrooms and other areas, both inside and outside the building, school buses, is considered littering and is prohibited. Students will be expected to pick up after themselves.

## **I. CAFETERIA RESPONSIBILITIES**

Students are expected to return their trays, dishes, and eating utensils to the reception center. All students are expected to clean up after themselves and to comply with the reasonable requests of the cafeteria personnel, monitors and faculty. No food or drinks are to be taken from the cafeteria area. No eating or drinking is permitted in hallways or classrooms unless an administrator grants permission. Students abusing their cafeteria privileges will be disciplined as follows:

1. Loss of cafeteria lunch privileges for a designated period of time, assignment to detention, appropriate clean up assignment or in-school restriction. Parent/guardian will be notified and requested to provide a bag lunch for the student, if necessary.
2. Throwing food ("food fights") will result in suspension from school.

## J. OFF-CAMPUS BEHAVIOR

A student may be subject to discipline for conduct constituting a crime even if it is committed off school premises or at non-school sponsored activities to the extent that the Superintendent of Schools and/or Board of Education believes that the continued attendance in school of the student would constitute an endangerment to the health, safety, welfare or morals of the student and/or others in our schools. As per Board of Education policy, students can be subject to alcohol screening while on school campus or school sponsored events off campus. Students who do not cooperate will be required to leave the activity or event immediately in the custody of his/her parent or guardian. Students who test positive for alcohol will not be allowed to remain in attendance at the event and will be required to leave the activity or event immediately in the custody of his/her parent or guardian. Such student(s) will also be disciplined according to this Student Code of Conduct. No refunds will be provided to these students or their guests.

Student use of the internet or social networks outside of school that result in a negative impact in the school will be subject to school discipline.

## K. COMPUTER AND INTERNET USE

The Board of Education's policies and procedures regarding acceptable use of district computer systems place obligation on both the district and the students and staff that use its technology. (The Board's computer use policies are in part 4526 of the district's Policy Manual. The entire manual is on the BoardDocs part of the district's web site <http://www.boarddocs.com/ny/wcsd/Board.nsf>). During virtual learning, students shall be held to the existing standards set forth in the Code of Conduct, including with respect to prohibited conduct and potential penalties. Students may not display any virtual backgrounds, photographs or objects during a videoconference or during virtual learning that would violate the Code of Conduct.

## L. DRESS CODE

Students are expected to be dressed and groomed in an appropriate manner. Students **must** be dressed in appropriate clothing and protective equipment as required for physical education classes, participation in athletics, science laboratories and home and careers skills classes. The following are considered to be inappropriate and **are prohibited in school or at school functions**:

1. Any dress or appearance which advocates discrimination or denigrates others based upon race, color, creed, religion, national origin, gender, sexual orientation or disability;
2. Any dress or appearance which encourages or advocates the use of drugs, alcohol, and/or tobacco;
3. Any dress or appearance which encourages illegal or violent activities;
4. Any dress or appearance which ~~constitutes~~ ~~construes~~ a threat or danger to the health and safety of students; ~~(ie: gang wear, heavy jewelry or jewelry with spikes or chains which can injure the students or others);~~
5. Any dress or appearance which allows sight of ~~midriff, or~~ any undergarments;
- ~~5-6.~~ Length of shirts/tops must meet the tops of pants;
- ~~6-7.~~ Any dress or appearance, exclusive of religious or medical reasons, that hides or changes a student's identity (ex. Masks, sunglasses, hoods, etc.);
8. Any dress or appearance which, in the judgment of the school administration, may be reasonably forecast to cause a material or substantial disruption;

## M. STUDENT IDENTIFICATION

All high school students will be issued photo identification cards and break away lanyards. Students will be required to wear these identification cards throughout the school day. Students may be asked to present this identification card upon entry to the school or to common areas such as the school cafeteria so that school officials may verify their permission to gain access to the building or to a specific common area.

## ~~M.N.~~ USE OF STUDENT LOCKERS

Student lockers are the property of the school district. These lockers are for the storage of scholastic materials and for personal clothing. Students are responsible for the appropriate appearance and condition of their lockers. School administrators reserve the right to search lockers.



Students will have access to a locker for their physical education class and should utilize this locker for all valuables. Students are discouraged from bringing valuables to school and should never leave these unattended in the gym locker rooms. Gym lockers are not assigned to each student so leaving items overnight is discouraged. Loss of personal items (such as cell phones, iPods, jewelry or money) is not the responsibility of the school or District.

Students are not permitted to share lockers or lock combinations with other students to avoid the loss of personal items. Students are strongly encouraged to keep their lockers locked at all times to safeguard their possessions. Students who abuse their lockers or share lockers with other students will be subject to losing their locker privileges.

Students are responsible for the two locks (one for gym locker) they are issued for the school year. There will be a fee incurred to replace lost or stolen locks. Student lockers are not to be shared or changed without permission from administration or personnel in charge of lockers.

### **N.O. SUBSTANCE ABUSE**

Students shall not possess, transfer, use, sell or otherwise furnish or be under the influence of any illegal and/or controlled substance, drug paraphernalia, alcoholic beverage or an intoxicant of any kind on school property or at a school function. Students shall not transfer, furnish, offer, arrange or negotiate to sell any controlled substance, drug paraphernalia, alcoholic beverage or intoxicant of any kind, and then either sell, deliver or otherwise furnish to any person another liquid, substance or material and represent the liquid, substance or material as a controlled substance, alcoholic beverage or intoxicant. Students shall not transfer, furnish, possess or offer, arrange or negotiate to sell any drug paraphernalia. Students shall not possess, transfer, use or sell "over the counter" or prescription drugs. Where necessary, a search of the student and his possessions will be conducted by an administrator or administrator designee. Students suspected of drinking alcohol may be required to submit to an Alco-sensor test.

Students violating this policy may be suspended for any act which is related to school activity or attendance which occurs anytime, including, but not limited to while the student is on school grounds, going or coming from school or while going to or coming from a school-sponsored activity.

The school, once it determines that a student has violated this policy, will notify the appropriate law enforcement or juvenile agency. When the school releases a student to a peace officer for the purpose of removing the student from the school premises, the school shall take immediate steps to notify the parent, guardian or responsible relative of the student regarding the release of the student to the officer and regarding the place to which the student is reportedly taken. Prior to re-admittance, all attempts will be made to counsel both parents and student as to the perceived severity of the problem and to suggest involvement with appropriate professional support agencies. The student, if and when re-admitted to school, will be required to become involved with the Student Assistance Counselor.

A student in violation of the policy may be immediately suspended for a minimum of five days with the probability of a Superintendent's Hearing that may result in a long term or permanent suspension (3214). Students violating this policy may also be subject to corrective action as deemed appropriate by the school, including being placed in an alternative education program.

### **O.P. CONTRABAND/WEAPONS/DANGEROUS INSTRUMENTS**

Students shall not possess on their person, in their lockers, in their cars on school property dangerous and/or illegal items that will include, but not be limited to the following:

1. Weapons/dangerous instruments such as any firearm, gravity switchblade, or knife of any kind, cane sword, metal knuckles, light or laser pointers, shock devices, pepper spray, box cutter, chukka sticks, slingshot, razor, stiletto, explosive substance or incendiary device, any gun including but not limited to a rifle, shotgun, handgun, imitation handgun, BB gun, dart gun, paint ball gun or pellet gun.
2. Tobacco products (including electric cigarettes and smokeless paraphernalia), lighters, or matches.
3. Fireworks of any kind.
4. Ammunition of any kind.
5. Any item which is considered to be illegal by the penal law of the State of New York.

6. Any item which a member of the staff may consider dangerous.

Students who have a question about any object or instrument in their possession should, upon arrival to the building, consult with an administrator. All objects considered dangerous will be confiscated.

### **Q. District Transportation**

Riding a school bus is a privilege. School buses are an extension of the school itself. Students are expected to comply with the following rules for the bus:

- Keep the bus clean.
- Cooperate with the driver.
- Do not smoke or vape on the bus
- Do not damage bus or equipment
- Stay in your seat
- Do not tamper with bus equipment.
- Do not bring flammable material on the bus.
- Recognize the bus driver is authorized to assign seats.

### **P.R. ARTICLES PROHIBITED IN SCHOOL**

Problems arise each year because students bring articles that are hazards to the safety of others or interfere in the educational process. For that reason, the following items are not allowed in school and will be confiscated by school personnel. Student disciplinary action may be taken as well.

1. Tobacco (including electronic cigarettes, vaping products, and any nicotine containing substances along with tobacco paraphernalia such as vaping systems, lighters, or matches)
2. Alcohol
3. Vaping products and or paraphernalia (regardless of content)
4. Drugs
5. Water guns/pistols
6. Latex Balloons
7. Knives
8. Weapons (including, but not limited to, sling shots, bean shooters, clubs, razor blades, guns, etc.)
9. Fireworks
10. Electronic equipment, which must be off during school hours (ex. Personal stereos, walkman, handheld video games, disc players, game-boys, radios, music boxes, electronic games and toys, walkie-talkies, tape recorders, head phones, iPods, MP3 players, recording devices (audio and visual) etc.
11. Matches, lighters, etc.
12. Inappropriate pictures, printed or digital materials (including, but not limited to, the obscene, profane, pornographic, weapons, drugs, etc.)
13. Paint-balls s/s paintball equipment ~~or noisemakers~~
14. Skateboards or roller blades (unless prior approval from Administration has been obtained)
15. Anything distracting to the educational process or potentially dangerous in a school setting determined by administration

### **SECTION II: ATTENDANCE**

The Board of Education recognizes that regular school attendance is a major component of academic success.

Through implementation of [Board Policy 5100](#), the Board expects to minimize the number of unexcused **absences, tardiness, and early departures** (referred to in this policy as “**ATEDs**”), encourage full attendance by all students, maintain an adequate attendance recordkeeping system, identify patterns of student ATEDs and develop effective intervention strategies to improve school attendance.

#### **Excused and Unexcused Absences**

Excused ATEDs are defined as absences, tardiness, and early departures from class or school, each of which must be verified by the student's parent/guardian or school personnel, due to personal illness, illness or death in the family, impassable roads or weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations, other excused absence

per district discretion, parent or legal guardian has been called to duty for, is on leave from or immediately returned from deployment to a combat zone or combat support posting to be granted additional excused absences at the discretion of the Superintendent or designee, or such other reasons as may be approved by the appropriate building administrator (including, but not limited to, absences due to circumstances related to homelessness).

All other ATEDs are considered unexcused absences.

All ATEDs must be accounted for. It is the parent's responsibility to notify the school office within 24 hours of the ATED and to provide a written excuse upon the student's return to school. For homeless students, the homeless liaison will assist the student in providing or obtaining documentation if needed.

### Intervention

- Continuous monitoring will be conducted to identify students who are absent, tardy, or leave class or school early. A student will be considered chronically absent if they miss ten percent or more of the quarter. Satisfactory attendance is missing five percent or less of school over the course of the year. If a pattern of ATED's for an individual student is identified a designated staff person(s) will follow-up in accordance with this policy.
- The attendance office will call home or send a letter **if a pattern** of excessive or unusual absences occurs. If a student does not bring in an absence note, an unexcused absence will be recorded until an absence note is brought in. The administration will have the right to request a doctor's note for excessive absences. If a student has excessive absences without proper documentation from a doctor, or is believed to be excessively absent without good reason, the parent/guardian will be notified with an explanation of the additional steps the district will take.

Students who have been identified as having a pattern of unexcused absences, tardiness or early departure will be discussed at a team meeting. The members of the team will develop a plan of action for the purpose of improving the student's attendance. Intervention strategies to improve school attendance may include:

- Contacting the parent/guardian or person in parental relation;
- Referral to a building multidisciplinary team to recommend appropriate steps;
- Youth Services referral;
- Working with the Building Principal for administrative action;
- Involving the school physician;
- Coach and educate parents on the importance of class attendance and discuss appropriate intervention strategies to correct the situation;
- Filing a PINS petition, with probation if needed; and/or
- Collaboratively work with the Department of Social Services; and/or
- Refer parents to other local service agencies.

For additional Details about our District's Attendance Policy please refer to [Board Policy 5100](#) found in Boarddocs.

## **ORCHARD VIEW ALTERNATIVE HIGH SCHOOL**

In addition to Board of Education Policy 5100 as stated above, attendance is a critical component to the academic, social, and emotional success of all Orchard View Alternative High School students. A tiered approach to solving truancy issues (Appendix E) is employed for all students. However, if a student's attendance does not improve with targeted, individualized interventions, that student may be removed from Orchard View Alternative High School and returned to her/his home school.

## **SUMMER SCHOOL**

As per Board of Education Policy (4331): Summer School may be provided in accordance with requirements set forth in regulations of the Commissioner of Education. Part §110.2 of the Commissioners Regulations states that an approved secondary summer school program shall include least 20 hours of instruction, exclusive of days used for registration, final examinations. In addition, part §110.4 of the Commissioners Regulations states that a minimum of 42 hours of instruction is required for courses ending in an August Regents exam.

Attendance in any Wappingers CSD summer school class shall require a minimum of 42 hours of instruction for a course ending in a Regents Exam, and a minimum of 20 hours of instruction for all other courses. Course credit shall not be awarded for attendance that does not meet the minimum number of hours for each individual course.

### **STAYING ON CAMPUS DURING THE SCHOOL DAY**

Upon arrival at school, students **may not** leave the school grounds during the day under any circumstances without prior administrative authorization. Administrative authorization may be in the form of either a permanent early dismissal or a temporary one arranged on an “as needed” basis through the Attendance office, Grade Level Assistant Principal Office, or Main Office with parental permission. Failure to remain on campus during the school day may result in disciplinary measures including, but not limited to, in-school restriction or alternative to suspension. In addition to these disciplinary measures, students may also be subject to Youth Services/Persons in Need of Supervision referrals, as well as hall restrictions.

### **PROMPTNESS TO SCHOOL, CLASS, HOMEROOM, STUDY HALLS**

Being on time shows respect for your teachers and classmates and helps you develop good work habits. Tardiness is defined as entering the classroom after the official beginning of class (i.e. at the bell), without a pass or a valid reason. Students going to the cafeteria, library or PE are expected to be there by the time the late bell rings.

Tardiness will have the following consequences:

1. For the first three offenses, a teacher’s warning and a teacher phone call to the parent.
2. After chronic tardiness (i.e., three in a ten-week period), a referral to administration will result.
3. Chronic tardiness will result in progressive disciplinary or restorative actions (ex. warning, conferencing, parent contact, detention, in-school restriction).
4. Tardy students will not be denied entrance to class.

## **SECTION III: PROVIDING A SAFE AND SUPPORTIVE ENVIRONMENT**

### **Dignity for All Students Act:**

The intent of the amended Dignity for All Students Act (Dignity Act) is to provide all public school students with an environment free from harassment, bullying (including cyber bullying) and discrimination, as well as to foster civility in public schools. The Dignity Act focuses on the prevention of discriminatory behaviors, including harassment/bullying, through the promotion of educational measures meant to positively impact school culture and climate.

The amended Dignity Act requires that all public school districts (districts) and Boards of Cooperative Educational Services (BOCES) include provisions in their Codes of Conduct prohibiting harassment, bullying (including cyberbullying), and **discrimination against students by students and/or school employees** on school property or at a school function, as well as provisions for responding to acts of discrimination and harassment against students by students and/or school employees on school property or at a school function.

Please see a list of Dignity Act statutory definitions and protected classifications on page 34 of this Code of Conduct.

### **Addressing Bullying, Harassment, Intimidation, and Discrimination in our Schools**

When a student is the victim of bullying behavior (by students and/or school employees) and/or is a witness to such behavior they are encouraged to report such incidents to a staff member in the building. If a student feels the need to report bullying behavior anonymously they can do so by utilizing our DASA Incident Reporting form which can be found on any of our school websites or via the following link: <http://www.wappingersschools.org/Page/13013>

When a staff member suspects a bullying or cyberbullying situation (either by witnessing the behavior or by having behavior reported to him/her), he/she must report it to the building principal. School employees who witness harassment, bullying, and/or discrimination or receive an oral or written report of such acts shall promptly orally

notify the principal, superintendent, or their designee not later than one school day after such employee witnesses or receives a report of such acts, and shall also file a written report with the principal, superintendent, or their designee no later than two school days after making an oral report. Other persons not employed by the district may also report bullying or cyberbullying behavior to the building principal, assistant principal, or SRO.

The principal, superintendent or the principal's or superintendent's designee shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after receipt of any written reports. the building principal or designee will notify the following as appropriate to the situation to alert them to the potentially ongoing situation:

1. Parents/guardians
2. Guidance counselor
3. Appropriate teachers
4. Monitors/SSOs
5. Bus drivers
6. School Resource Officer

When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the superintendent, principal, or designee shall take prompt action, reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such behavior was directed.

The principal, superintendent, or their designee shall notify promptly the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct.

The principal shall provide a regular report, at least once during each school year, on data and trends related to harassment, bullying, and/or discrimination to the superintendent.

Pursuant to Education Law section 13, retaliation by any school employee or student shall be prohibited against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination.

## **SECTION IV: PRIVILEGES AND CONDUCT**

### **STUDENT DRIVING/PARKING PRIVILEGES (SR HIGH ONLY)**

Students must apply for permission to drive a car to school. Seniors will be considered for approval, depending on space availability. All requests must go to the designated administrator's office for a parking permit and to register the car. Due to the fact that we have limited space in our parking lots, the following rules and regulations must and will be enforced. Eligible seniors must attend the teen driving seminar in order to obtain a permit.

1. No unlicensed motor vehicles are allowed on school grounds.
2. Students must attend the school's mandatory driving safety class prior to applying for a parking permit.
3. All students must fill out a driving permit card and agree to be bound by all terms and conditions expressed therein.
4. The following students will be given preference when applying for parking permits:
  - a. Co-op students, Work-study students, early dismissal students
  - b. Seniors, post-graduate students
  - c. Underclassmen with extenuating circumstances (with approval of the administration)
  - d. Renaissance card holders.
5. Student drivers must park in the designated areas only. Any car illegally parked or without a parking permit is subject to being towed or booted and any costs incurred will be the responsibility of the owner. The driver may also be subject to disciplinary action.
6. Students are not allowed to go to parking lots or to cars during the day without prior written permission from a teacher or administrator.
7. Cars should be locked while parked on school premises.
8. The speed limit on school grounds is 10 m.p.h.
9. Driving privileges may be revoked and parent/guardian notified for the following reasons:
  - a. Leaving school early without proper authorization.

- b. Dangerous and disruptive use of the car during school hours.
  - c. Speeding on school grounds.
  - d. Chronic tardiness to school.
  - e. Chronic classroom truancy.
  - f. Chronic disciplinary problems in school.
  - g. Misuse of the car during school hours.
  - h. Reckless driving on/near school property.
  - i. Violations of the Code of Conduct.
  - j. Failing to follow the directives of the school crossing guard, school security/safety officer or administrator on school grounds.
10. Temporary parking permits may be issued for extenuating circumstances. Students should see the administrator in charge of school parking.
  11. School administrators reserve the right to search any cars parked on school grounds in order to protect the health, safety and welfare of our students.
  12. Three violations of the parking code will result in the loss of parking privileges for the remainder of school year.
  13. Under crisis conditions, students may be directed not to use their personal vehicles and will be asked to await parental pick-up or school transportation (crisis reunification process). Any student who fails to comply with this directive will be subject to disciplinary action.

All students requesting parking permits must be academically eligible.

Disciplinary measures for violating the parking regulations include fines, suspension, external suspension, and revocation of parking privileges.

## **RECREATIONAL VEHICLES AND EQUIPMENT**

All forms of recreational vehicles are prohibited. Recreational vehicles include, but are not limited to trail bikes, mini bikes, unregistered motorcycles, dune buggies, mopeds, snowmobiles, motor homes, trailers, camping vehicles, scooters, skateboards and roller blades. Building administrators may make exceptions for school-related and approved functions.

## **UNAUTHORIZED SALE OF MERCHANDISE ON SCHOOL GROUNDS**

The unauthorized sale of any merchandise (including candy) to other students is not permitted on school grounds or on buses. Any sale of an item on school grounds must have prior approval of the building principal. Unauthorized merchandise will be confiscated by the administration.

## **DISTRIBUTION OF OUTSIDE MATERIALS**

Prior to its distribution on school grounds, written material must first be presented to the District's Central Office for approval. Central Office will notify the building principal of such approval.

## **GAMBLING**

Gambling on school property or at school sponsored activities is prohibited. "Gambling" includes but is not limited to playing cards, dice, and wagering.

## **POSSESSION AND USE OF TOBACCO PRODUCTS**

In accordance with the Public Health Law 1399, Article E, smoking or the use of tobacco-related products by all persons in school buildings, on school property or at school-sponsored activities and the possession of tobacco products is prohibited. Violations may result in a referral to the Dutchess County Department of Health. The regulation will also apply to electronic cigarettes and smokeless paraphernalia.

## **CONDUCT OF VISITORS**

*Visitors to the School Building:*

In an effort to maintain a safe and healthy educational environment, all visitors to the District must sign-in when entering any school building, and be issued a visitor's permit which must be displayed at all times. Visitors **MUST** show photo ID, and when asked, scan their photo ID in the provided visitor management system. Visitors whose identity cannot be confirmed will be asked to leave the premises. According to the Board of Education policy, any visitor to a building must have a clear educational purpose and must confine their visit to the area for which they have approval. Visitors are expected to conduct themselves in a manner that does not disrupt the academic process, violate the privacy rights of others, and are in accordance with the law, Board of Education policy and this Code of Conduct.

### **Visitors & Spectators at District / School Sponsored Athletic Events**

It is the responsibility of the visitor to abide by the following as deemed appropriate by the supervising staff:

- Keep cheering positive. There should be no profanity or degrading language/gestures.
- Avoid actions that might offend teams or individual players.
- Show appreciation of good play by both teams.
- Learn the rules of the game in order to be better informed spectator.
- Treat all teams in a manner in which you would expect to be treated.
- Accept and respect the judgment of coaches and officials.
- Encourage other spectators to participate in the spirit of good sportsmanship.
- Avoid the use, abuse, or possession and resulting negative influence of drugs, including alcohol and tobacco.

### **Visitors & Spectators at Non-Athletic District / School Sponsored Events**

In addition to the above it is the responsibility of visitors at any district / building event to:

- Avoid the use, abuse, or possession and resulting negative influence of drugs, including alcohol and tobacco.
- Stay within the designated areas of the event.

## **SECTION V: PENALTIES AND PROCEDURES**

A person who shall violate any of the provisions of these rules shall be subject to the following penalties and procedures:

1. If a licensee or invitee, his/her authorization to remain upon the grounds or other property shall be withdrawn and s/he shall be directed to leave the premises. In the event of failure to do so, s/he shall be subject to ejection.
2. If trespasser or visitor without specific license or invitation, s/he shall be subject to ejection and/or arrest.
3. If s/he is a student, s/he shall be subject to disciplinary action as the facts of the case may warrant, as prescribed by §3214 of the Education Law and the Student Code of Conduct.
4. If a faculty member, s/he shall be subject to disciplinary action as prescribed by and in accordance with procedures of the Education Law and the collectively negotiated agreement.
5. If a staff member in the classified service of the civil service, described in §75 of the Civil Service Law, s/he shall be guilty of misconduct and subject to the penalties and procedures prescribed in said section and be subject to ejection.
6. If a staff member other than one described above, s/he shall be subject to discipline in accordance with law and any applicable collectively negotiated agreement.



## REPORTING CODE VIOLATIONS

### 1. To School District Personnel

Students, teacher, and other District personnel are encouraged to report any violation of the Code of Conduct to the Building Principal or, in his/her absence, the Acting Building Principal. Teachers and other District personnel shall immediately report violent students to the Building Principal.

### 2. To Local Law Enforcement Agencies

The principal, on behalf of the District, will report any acts of violence against persons that constitute a felony or misdemeanor and any other acts which violate local or state laws to the appropriate local law enforcement agency. When necessary, the District will file a complaint in criminal court against the student.

### 3. To Human Services Agencies

The District will report any violations of the Code of Conduct which constitute a crime when the student is under the age of 16 to the appropriate human service agencies. When necessary, the District will file a juvenile delinquency petition or a person in need of supervision (PINS) petition in Family Court.

## ENFORCEMENT PROGRAM

1. The Superintendent of Schools shall be responsible for the enforcement of these rules, and s/he shall designate the other personnel who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.
2. In the 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 officer 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 resolution of any issues which may be presented. In doing so, officer shall warn such persons of the consequences or persistence in the prohibited conduct, including their ejection from any district properties 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 s/he occupies in such violation and shall initiate disciplinary action herein before provided.
4. The Superintendent or his/her designee may apply to the public authorities for any aid which s/he deems necessary in causing the ejection of any violator of these rules and s/he may request the Board's Counsel to apply to any court of appropriate jurisdiction for any injunction to restrain the violation or threatened violation of such rules.

This code and the penalties set forth herein are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal or state law or local ordinance and the imposition of a fine or penalty provided for therein.

## REMOVAL OF A STUDENT FROM THE CLASSROOM

The School District has determined that certain acts of misconduct interfere with instruction and/or safety and welfare of students and staff. Although some incidents of misconduct may require removal from the classroom or suspension from school, effort will be made to deal with misconduct *without* removal from the classroom or suspension from school. This is in keeping with the District goal of avoiding consequences that interrupt or interfere with learning. However, no child will be allowed to continually disrupt the instruction of the class or interfere with the safety of the school, its staff, students or visitors.

-Teachers have the authority to remove a student from their classrooms whenever the student substantially disrupts\* the educational process, or substantially-interferes\*\* with the teacher's authority ~~over-in~~ the classroom, or poses a ~~safety risk~~ a continuing danger to persons or property.



\* “Substantially disruptive” shall mean that the course of instruction has to be discontinued more than momentarily, such that it breaks the continuity of the lesson, to address the disruptive conduct of the student.

\*\* “Substantially interferes” with the teacher’s authority over the classroom shall mean that the student has been insubordinate to the teacher in the presence of the class and has repeatedly failed to obey the teacher’s directives to cease and desist.

1. In each case of student removal from a classroom for disciplinary reasons, the teacher shall inform the pupil and the school principal of the reasons for the removal. If the teacher finds that the pupil's continued presence in the classroom does not pose a continuing danger to persons or property and does not present an ongoing threat of disruption to the academic process, the teacher shall, prior to removing the student from the classroom, provide the student with an explanation of the basis for the removal and allow the pupil to informally present the pupil's version of relevant events. In all other cases, the teacher shall provide the pupil with an explanation of the basis for the removal and an informal opportunity to be heard within twenty-four hours of the pupil's removal, provided that if such twenty-four hour period does not end on a school day, it shall be extended to the corresponding time on the next school day.
2. The principal shall inform the person in parental relation to such pupil of the removal and the reasons therefore within twenty-four hours of the pupil's removal, provided that if such twenty-four hour period does not end on a school day, it shall be extended to the corresponding time on the next school day. The pupil and the person in parental relation shall, upon request, be given an opportunity for an informal conference with the principal to discuss the reasons for the removal. If the pupil denies the charges, the principal shall provide an explanation of the basis for the removal and allow the pupil and/or person in parental relation to the pupil an opportunity to present the pupil's version of relevant events. Such informal hearing shall be held within forty-eight hours of the pupil's removal, provided that if such forty-eight hour period does not end on a school day, it shall be extended to the corresponding time on the second school day next following the pupil's removal.
3. The principal shall not set aside the discipline imposed by the teacher unless the principal finds that the charges against the pupil are not supported by substantial evidence or that the pupil's removal is otherwise in violation of law or that the conduct warrants suspension from school pursuant to this section and a suspension will be imposed. The principal's determination made pursuant to this paragraph shall be made by the close of business on the school day next succeeding the end of the forty-eight hour period for an informal hearing contained in paragraph b of this subdivision.”  
*(Quoted from: Paragraphs a, b and c of subdivision 3-a of section 3214 of the education law, as added by chapter 181 of the laws of 2000)*

Notwithstanding the above, in light of circumstances that warrant suspension, a Principal’s suspension for substantially disruptive behavior may be implemented in addition to, or in lieu of, removal of the student from the classroom by the teacher.

The District shall provide continued educational programming and activities for students who are removed from their classrooms.

An appeal brought by the parent or student over the age of 18 of a Principal’s removal decision must be presented to the Superintendent of Schools prior to any further appeal.

## **STUDENT SUSPENSION PROCESS**

The Board of Education, District Superintendent, Superintendent of Schools, a Building Principal or in his/her absence, an acting Building Principal, may suspend a student from school where it is determined that the student is insubordinate or disorderly, exhibits conduct which endangers the health, safety morals, or welfare of others, or if the student is violent or substantially disruptive of the educational process. In addition to the statutory grounds for suspension from school for conduct or health condition, students shall also be subject to suspension based upon a violation of the specific disciplinary infractions listed in this Code of Conduct.

**Short-Term Suspension:** A short-term suspension is the term often used to refer to the suspension of a student from school for five days or less in accordance with the provisions of section 3214 of the Education Law.

### **Pre-suspension Process**

Prior to suspension, the suspending authority (As stated above) must give the student notice of the charged misconduct. If the student denies the misconduct, the student must be provided with an explanation of the basis for the suspension.

Also prior to suspension, school officials must give parents and students:

- Immediate written notice of the proposed suspension in the parents dominant language or mode of communication, a description of the incident underlying the proposed suspension, and their right to request an informal conference with the building principal.
- The opportunity for them and the student to participate in such an informal conference with the building principal.
  - At the informal conference, the student and/or the student's parents are entitled to present the student's version of the incident and, in most cases, question the complaining witnesses against the student in the presence of the principal.
    - The only exception to this applies when the student's presence in school is a continuing danger to persons or property or an ongoing threat of disruption to the academic process. In such an instance, the requisite notice and opportunity for an informal conference must take place, instead, as soon after the suspension as is reasonably practicable.
- If the parent wishes to appeal the short-term suspension, the parent may appeal the suspension determination, in writing, to the Superintendent of Schools within ten days after receipt of the suspension notice. The parent may, if he/she disagrees with the Superintendent's determination thereafter, appeal the Superintendent's determination within ten days of receipt of it by written appeal to the Board of Education.

### **Long-Term Suspension:**

A long-term suspension is the term often used to refer to the suspension of a student from a school in excess of five days in accordance with the provisions of section [3214 of the Education Law](#).

- New York's Education Law provides that no student may be suspended in excess of five school days unless the student and the student's parents have had an opportunity for a hearing on reasonable notice. At such hearing, students may bring their parents, and also have the right to be represented by an attorney or other counsel, to testify on their own behalf and present witnesses and other evidence on their own behalf, and in most cases, to cross-examine witnesses against them.
    - A hearing shall be conducted by the Superintendent or his/her designee. The Superintendent of Schools or Board of Education may designate a Hearing Officer to make findings of fact with respect to the charges of infractions under this Code of Conduct, as well as penalty recommendation pursuant to the penalty parameters described herein.
    - If a student has an IEP or a 504 accommodation and is facing a possible long term suspension the District has an obligation to first conduct a Manifestation Determination. A manifestation determination consists of a review of the relationship between a student's disability and the behavior subject to the disciplinary action. Its purpose is to determine whether the conduct in question was:
      - Caused by or had a direct and substantial relationship to the student's disability, or
      - The direct result of the school district's failure to implement the student's individualized education program.
- AND
- If the behavior is a manifestation of the student's disability, the committee on special education must conduct a functional behavioral assessment (FBA) and implement a

behavioral intervention plan (BIP) for the student. In addition, with the exception of students placed in an \*interim alternative educational setting, students must be returned to the placement from which they were removed unless the parent and the school district agree to a change of placement as part of the modification of the student's BIP.

\*Placement in an interim alternative educational setting for a period of up to forty-five days, in the case of a student with a disability whose knowing possession or use of illegal drugs, or sale or solicitation of the sale of a controlled substance at a school or a school function is determined not to be related to his/her disability.

✱

## Appeals Process

The decision of the Superintendent with respect to the findings of fact sustaining charges in a long-term suspension hearing and/or penalty determination may be appealed to the Board of Education within fifteen days of the decision. The Board shall review the record of the proceedings held before the Superintendent or his/her designated Hearing Officer, including a review of the transcript of the proceedings, documentary evidence and written arguments of the representatives of the respective parties, if any. **The Board will not provide the representatives of the respective parties with the opportunity either to present evidence not previously in the record or to make arguments in person before the Board.** The matter may be further appealed to the Commissioner of Education following the appeal to the Board of Education.

## Alternative Instruction

Pursuant to the Education Law and Board of Education Policy #5130, no student under 17 shall be suspended from his/her regularly scheduled classes without being provided alternative equivalent instruction, either in the form of home instruction, or instruction in an alternative setting. Such instruction shall be of an equivalent nature to that provided in the student's regularly scheduled classes and continue for the duration of the suspension. A good faith effort shall be made to begin such alternative instruction as soon as possible after suspension begins.

## Suspension from Transportation Service

A suspension from transportation services does not require a full, formal hearing as required in school suspension cases because a suspension from transportation, in and of itself, does not affect a student's right to attend school. Instead, all that is required is an opportunity to informally discuss the facts underlying the suspension. School Districts must be reasonably certain that the student being suspended from transportation services was involved in the misconduct supporting the suspension.

However, where suspending a student from school transportation amounts to a suspension from school attendance because of the distance between home and school and the unavailability of an alternative public or private means of transportation, a district must make "appropriate arrangements" to provide for the student's education.

## Suspension from Extra-Curricular, Co-Curricular Activities and School Functions

A student may be suspended from participating in extra-curricular or co-curricular activities (including a sports team) for an infraction of any of the provisions herein, for violating a Code of Conduct issued to participants in the activity by the activity supervisor. The student's parent/guardian may request to appear before the building principal informally to discuss the conduct which led to suspension from the activity.

If a student is suspended from school pursuant to §3214 of the Education Law, s/he shall not be permitted to participate in or attend any extra-curricular or co-curricular activities, nor any other school events or activities which take place on the days of suspension (including intervening weekends).

## Person in Need of Supervision (PINS)

If a student accumulates excessive penalties or the health, safety and welfare of the individual or members of the school community is threatened, the principal may, as appropriate, file for a PINS petition:

- Persons in Need of Supervision, or PINS, is a term used to describe a child under the age of 18 who has committed a status offense. Examples of a status offense are running away, using marijuana, or skipping school.
- A PINS petition is a written request asking the Family Court to get involved when other efforts to control a child have failed.
- Most PINS petitions are filed by the parent or caregiver of a child. But school officials, police officers, people injured by the child, or the New York City Children's Services (which used to be called the Administration for Children's Services or ACS) may also file a PINS petition.

## **SECTION VI: DISCIPLINARY MEASURES AND PENALTY REFERENCES**

### **DISCIPLINARY MEASURES (K – 12)**

Wappingers CSD operates under a progressive discipline model. Students who are found to have violated the District's Code of Conduct may be subject to the following penalties, either alone or in combination:

1. Warnings (oral or written)
2. Restorative Practices
3. Parent (Guardian) Meeting
4. Loss of Privileges\*
5. Lunch Detention for one or more days or temporary removal from classroom to alternative setting.
6. Detention
7. Formal Conference
8. Behavior Contracts
9. Suspension from Extracurricular or Co-curricular Activities:
10. Suspension from classes and placement in alternative setting for up to five school days (ISR or ISS).
11. Suspension from school for up to five school days.
12. Suspension from school in excess of five school days.
13. Suspension from school for at least one calendar year for possession of a weapon pursuant to the Gun-Free Schools Act of 1994 (subject to the right of the Superintendent to modify such penalty) ~~or, in the case of a student with a disability whose possession of a weapon is determined not to be related to his/her disability, placement in an interim alternative educational setting for a period of up to forty-five days).~~
- ~~14. Placement in an interim alternative educational setting for a period of up to forty-five days, in the case of a student with a disability whose knowing possession or use of illegal drugs, or sale or solicitation of the sale of a controlled substance at a school or a school function is determined not to be related to his/her disability.~~
- ~~15.~~14. Referral to Pupil Personnel Services
- ~~16.~~15. Bus suspension where deemed appropriate by administration

~~\*Teachers have the statutory right to remove a disruptive student from the classroom.~~

~~\*\*All perceived violations of the law will be reported to law enforcement officers.~~

~~\*\*\*Examples of "privileges" that can be revoked include but are not limited to the following: Attendance at extracurricular events, games, and after school activities, Student Parking Permits, Proms, Field Trips, Possession of electronic items during school hours, etc.~~

~~The Wappingers CSD has 15 public schools within its boundary, 10 elementary schools, 2 junior high schools, 2 senior high schools, and 1 alternative high school. Building Principals will work collaboratively on "commonly occurring" infractions to ensure that discipline is addressed consistently across schools having the same grade level~~

enrollment. It is recognized that not all infractions occur under the same circumstances, and that the Building Principals have the discretion to adjust their disciplinary practices based upon the consideration of the seriousness of the infraction, any extenuating circumstances, student attitude, and the disciplinary history of the student involved.

It should be noted that misconduct at the end of one school year may carry consequences into the following school year. ***Special note for Seniors:*** Misconduct at the end of a senior's school year may jeopardize his/her privilege of participating in the graduation ceremonies.

### **Additional Disciplinary Measures for All Athletes:**

The coach, Assistant Director, District Athletic Director or Building Administrator may also impose sanctions on an athlete for any violation outlined in this Code of Conduct or, as dictated by Section 1 or the New York State Public High School Athletic Association (NYSPHSAA) rules and regulations: (Contest refers to regularly-scheduled athletic competition, not a scrimmage.)

**See Appendix F for details on each warning level listed below:**

- **Level I– Warning (A discussion between Athletic Coordinator and Student Athlete and Parents/Guardian)**
- **Level II – Suspension from one contest:**
- **Level III – Suspension up to one week (to include at least one contest):**
- **Level IV – Suspension up to two weeks (to include at least two contests):**
- **Level V – Suspension up to the remainder of the season:**
- **Level VI – Suspended up to one school year from date of violation:**

## RANGE OF DISCIPLINARY ACTIONS FOR SELECTED INFRACTIONS

The following charts constitute ranges of appropriate disciplinary measures used district-wide. The actual discipline penalty will be chosen from the ranges given after consideration of the seriousness of the infraction, any extenuating circumstances, student attitude, and the disciplinary history of the student involved. **Crimes will always be referred to law enforcement agencies.** Infractions not listed in the chart below will be handled at the principal's discretion and in accordance with Board of Education Policy.

INFRACTION	Elementary School Penalties (Grades UPK-6) RANGE OF PENALTIES		Junior & Senior High School Penalties (Grades 7-12) RANGE OF PENALTIES	
	FIRST OFFENSE FIRST OFFENSE	SUBSEQUENT OFFENSE SECOND OFFENSE	FIRST OFFENSE THIRD OFFENSE	SUBSEQUENT OFFENSE FOURTH OFFENSE
<del>Altercation (physical or verbal)</del>	<del>1 through 11</del>	<del>10, 11, 12</del>	<del>11, 12</del>	<del>11, 12</del>
Arson	11 through 14 / <del>Police</del>	11 through 14 / <del>Police</del>	11 through 14 / <del>Police</del>	11 through 14 / <del>Police</del>
<del>Assault: Physical or Serious</del>				<del>11, 12 / Police</del>
Attendance: Late to class or school	<u>1</u>	<u>3 through 6, 10</u>	<u>1</u>	<u>3 through 6, 10</u>
Attendance: Leaving school grounds w/o permission	<u>3 through 10, 14</u>	<u>3 through 10, 14</u>	<u>3 through 10, 14</u>	<u>3 through 10, 14</u>
Attendance: Skipping class	<u>1 through 7</u>	<u>1 through 10, 14</u>	<u>1 through 7</u>	<u>1 through 10, 14</u>
Attendance: Skipping school	<u>3 through 7</u>	<u>3 through 10, 14</u>	<u>3 through 7</u>	<u>3 through 10, 14</u>
Battery	11, 12 / <del>Police</del>	11, 12 / <del>Police</del>	11, 12 / <del>Police</del>	11, 12 / <del>Police</del>
<del>Bomb Threat</del>	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>		<del>11, 12 / Police</del>
<del>Bullying / Cyber Bullying</del>	<del>1 through 12</del>	<del>8 through 12 / Police</del>	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>
Burglary	11, 12 / <del>Police</del>	11, 12 / <del>Police</del>	11, 12 / <del>Police</del>	11, 12 / <del>Police</del>
Cell Phone / Electronic Device Violation	1 through 11 / Confiscation	<u>10</u> , 11, 12 / Confiscation	<u>1 through 11 / Confiscation</u> <del>11, 12 / Confiscation</del>	10, 11, 12 / Confiscation
Cheating	2, 3, 7, 10, 11, 12	2, 3, 7, 10, 11, 12	2, 3, 7, 10, 11, 12	2, 3, 7, 10, 11, 12
Computer Policy Violations	1 through 7	2 through 1 <del>12</del>	<u>1 through 7</u> <del>11</del>	<u>2 through 12</u> <del>12</del>
<del>Cutting Class / Skipping Class / Truancy</del>	<del>1 through 7</del>	<del>7, 10</del>	<del>10</del>	<del>10 / PINS</del>
<del>Disrespectful language or action toward staff or student</del>	<del>1 through 11, 14</del>	<del>11, 12, 14</del>	<del>11, 12, 14</del>	<del>11, 12</del>
Disorderly Conduct	11, 12 / <del>Police</del>	11, 12 / <del>Police</del>	11, 12 / <del>Police</del>	11, 12 / <del>Police</del>
Disruptive Behavior <del>(incl. Bus)</del>	1 through 11, 15	7, 11, 15	<u>1 through 11, 15</u> <del>11, 15</del>	<u>7, 11, 12, 15</u> <del>11, 12, 15</del>
<del>Drugs or Alcohol</del>	<del>11, 12, 14 / PINS / Police</del>	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>

Possession or Use				
Drugs: Sale or Distribution	<del>12 through 15 / PINS / Police</del>	<del>12 through 15 / Police</del>	<del>12 through 15 / Police</del>	<del>12 through 15 / Police</del>
Excessive Misconduct	1 through 11, 14	<del>1 through 12, 14</del>	<del>1 through 11, 14</del> <del>12, 13</del>	<del>1 through 12, 14</del> <del>12, 13</del>
Extortion	11, 12 <del>/ Police</del>	11, 12 <del>/ Police</del>	11, 12 <del>/ Police</del>	11, 12 <del>/ Police</del>
False Alarms	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>
False Reporting	1 through 12	8 through 12 <del>/ Police</del>	<del>1 through 12</del> <del>11, 12 / Police</del>	<del>8 through 12</del> <del>11, 12 / Police</del>
Fighting (per VADIR definition)	11, 12	11, 12	11, 12	11, 12
Fireworks	11, 12 <del>/ Police</del>	11, 12 <del>/ Police</del>	11, 12 <del>/ Police</del>	11, 12 <del>/ Police</del>
Food: Throwing Food	2 through 10	2, <del>10 through 12</del> <del>10, 11</del>	<del>2 through 10</del> <del>12, 11, 12</del>	<del>2, 10 through 12</del> <del>12, 11, 12</del>
Forgery/Fraud	7 through 12	11, 12	<del>7 through 12</del> <del>11, 12</del>	<del>11, 12</del> <del>11, 12</del>
Gambling	7 through 12 <del>/ Police</del>	11, 12 <del>/ Police</del>	<del>7 through 12</del> <del>11, 12 / Police</del>	<del>11, 12</del> <del>11, 12 / Police</del>
Harassment: Sexual or Racial	2 through 12	<del>10 through 12</del> <del>10, 11</del>	<del>2 through 12</del> <del>10, 11</del>	<del>10 through 12</del> <del>11, 12</del>
Hazing	10 through 12 <del>/ Police</del>	11, 12 <del>/ Police</del>	<del>10 through 12</del> <del>11, 12 / Police</del>	<del>11, 12</del> <del>11, 12 / Police</del>
Homicide	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>
Inappropriate Attire / Violating Dress Code	1, 3 / Change Clothing	3 through 6, 10 / Change Clothing	<del>1, 3 / Change Clothing</del> <del>3 through 6, 10 / Change Clothing</del>	<del>3 through 6, 10 / Change Clothing</del> <del>3, 10, 11 / Change Clothing</del>
<u>Inappropriate language/or gestures towards Staff or Student</u>	<u>1 through 11, 14</u>	<u>11, 12, 14</u>	<u>1 through 11, 14</u>	<u>11, 12, 14</u>
Instigation / Intimidation or Coercion	10, 11	10 <del>through 12</del> <del>10, 11</del>	<del>10, 11</del> <del>10, 11</del>	<del>10 through 12</del> <del>10, 11, 12</del>
Insubordination <del>/ failure to follow school rules</del>	1 through 10, 14	2 through 10, 14	10, 11	11, 12
Kidnapping	11, 12 <del>/ Police</del>	11, 12 <del>/ Police</del>	11, 12 <del>/ Police</del>	11, 12 <del>/ Police</del>
<del>Leaving School Grounds w/o Permission / Leaving Class without permission</del>	<del>10, 14</del>	<del>10, 14</del>	<del>10, 14</del>	<del>10, 14</del>
Lewd Behavior	<del>10 through 12</del> <del>10, 11</del>	<del>10 through 12</del> <del>10, 11</del>	<del>10 through 12</del> <del>11, 12</del>	<del>10 through 12</del> <del>11, 12</del>
Objectionable Physical Behavior	1 through 11	10, 11, 12	<del>1 through 11</del> <del>11, 12</del>	<del>10, 11, 12</del> <del>11, 12</del>
Parking Violation	Suspension of parking privileges up to discretion of administration, Boot, Tow	Suspension of parking privileges up to discretion of administration, Boot, Tow	Suspension of parking privileges up to discretion of administration, Boot, Tow	Suspension of parking privileges up to discretion of administration, Boot, Tow

Plagiarism	1 through 10, 15 Zero on Assignment	1 through 10, 15 Zero on Assignment	1 through 10, 15 Zero on Assignment	1 through 10, 15 Zero on Assignment
Possession of Stolen Property	10, 11, 12 <del>/Police</del>	11, 12 <del>/Police</del>	<u>10, 11, 12</u> <del>11, 12 / Police</del>	<u>11, 12</u> <del>11, 12 / Police</del>
Possessing or Sharing obscene materials	1 through 12, 14	1 through 12, 14	<u>1 through 12, 14</u> <del>10, 11, 12</del>	<u>1 through 12, 14</u> <del>11, 12</del>
<del>Profanity / Gestures</del>	<del>1 through 10</del>	<del>6 through 10</del>	<del>10</del>	<del>10, 11</del>
Possession of Prohibited Item	1 through 12, 15	1 through 12, 15	<u>1 through 12, 15</u> <del>10, 11, 12</del>	<u>10, 11, 12</u>
Public Display of Affection	1, 3	1 through 10	<u>1, 3</u> <del>10, 11, 15</del>	<u>1 through 11</u> <del>10, 11</del>
Reckless Endangerment	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>
Retaliation	2 through 10, 11, 12 <del>/Police</del>	11, 12 <del>/Police</del>	<u>2 through 10, 11, 12</u> <del>11, 12 / Police</del>	11, 12 <del>/Police</del>
Riot	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>
Robbery	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>
<del>Sexual Offenses: Forcible or Other</del>	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>	<del>11, 12 / Police</del>
<del>Vaping / Smoking / or other nicotine use / possession</del>	<del>10, 14</del>	<del>11, 14</del>	<del>11, 14</del>	<del>11, 14</del>
<del>Tardiness to School / Class</del>	<del>1, 15</del>	<del>6, 15</del>	<del>10, 15</del>	<del>10, 15</del>
Theft / Larceny	10, 11, 12 / Restitution <del>/Police</del>	10, 11, 12 / Restitution <del>/Police</del>	11, 12 / Restitution <del>/Police</del>	11, 12 / Restitution <del>/Police</del>
Threatening Employee (Physical or Verbal)	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>
Threatening Student (Physical or Verbal)	1 thru 12 <del>/Police</del>	1 thru 12 <del>/Police</del>	1 thru 12 <del>/Police</del>	1 thru 12 <del>/Police</del>
Trespassing	1, 10, 11	10, 11	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>
<del>Vandalism / destruction of school property (incl. bus) / Truancy</del>	<del>2, 10, 11 / Restitution 6, 10, 14</del>	<del>10 through 12 / Restitution 6, 10, 14</del>	<del>2, 10, 11 / Restitution 10, 14</del>	<del>10 through 12 / Restitution 10, 14</del>
<del>Vaping / Smoking / or other nicotine use / possession Vandalism / destruction of school property (incl. bus)</del>	<del>11, 14 2, 10, 11 / Restitution / Police</del>	<del>11, 14 10, 11 / Restitution / Police</del>	<del>11, 14 11, 12 / Restitution / Police</del>	<del>11, 14 11, 12 / Restitution / Police</del>
<b>School Safety and Educational Climate (SSEC) Related Infractions (NYSED <a href="#">Glossary</a> Definitions)</b>				
Homicide	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>	11, 12 <del>/Police</del>



<u>Sexual Offenses: Forcible or Other</u>	<u>11, 12 / Police</u>	<u>11, 12 / Police</u>	<u>11, 12 / Police</u>	<u>11, 12 / Police</u>
Assault	11, 12 / <del>Police</del>	11, 12 / <del>Police</del>	11, 12 / <del>Police</del>	11, 12 / <del>Police</del>
Weapons possession <del>or use</del>	11, 12, 13 / <del>Police</del>	11, 12, 13 / <del>Police</del>	11, 12, 13 / <del>Police</del>	11, 12, 13 / <del>Police</del>
<u>Material Incidents of Discrimination, Harassment and Bullying (Excluding Cyberbullying)</u>	<u>11, 12, 13</u>	<u>11, 12, 13</u>	<u>11, 12, 13</u>	<u>11, 12, 13</u>
<u>Cyberbullying</u>	<u>11, 12, 13</u>	<u>11, 12, 13</u>	<u>11, 12, 13</u>	<u>11, 12, 13</u>
<u>Bomb Threat</u>	<u>11, 12</u>	<u>11, 12</u>	<u>11, 12</u>	<u>11, 12</u>
<u>False Alarms</u>	<u>11, 12</u>	<u>11, 12</u>	<u>11, 12</u>	<u>11, 12</u>
<u>Threat of School Violence (Other than Bomb Threat or False Alarm)</u>	<u>11, 12</u>	<u>11, 12</u>	<u>11, 12</u>	<u>11, 12</u>
<u>Use, Possession, or Sale of Drugs</u>	<u>11, 12, 14 / PINS</u>	<u>11, 12</u>	<u>11, 12, 14 / PINS</u>	<u>11, 12</u>
<u>Use, Possession, or Sale of Alcohol</u>	<u>11, 12, 14 / PINS</u>	<u>11, 12</u>	<u>11, 12, 14 / PINS</u>	<u>11, 12</u>

Key

PINS = Probation / Social Services

RSS = Referral to (PPS) Student Services (Ex. LIT, 504, Psychologist, Assistance Counselor, Guidance)

**SSEC Explained:** All public schools, boards of cooperative educational services, charter schools, and county vocational education and extension boards are required to document incidents occurring on school property, including incidents occurring in, or on, a school bus (as defined in Vehicle and Traffic Law §142), and at school functions. Each year, charter school leaders are required to report data from each charter school, and school district/BOCES superintendents are required to submit data on a district form and for each school in the district, to SED.

## SECTION VII: Definitions

Infraction	Definition
Altercation (physical or verbal)	<del>Physical: Involving physical contact and no physical injury, with or without a weapon. Striking, shoving, or kicking another person or subjecting another person to unwanted physical contact with intent to harass, alarm or seriously annoy another person, but no physical injury results. Fights that do not result in serious physical injury or physical injury are reported in this category. Verbal: A heated or angry dispute; noisy argument or controversy involving two or more students.</del>
Arson	Intentionally starting or attempting to start any fire or combustion.
<del>Assault: Physical or Serious</del>	<del>(NYSED Glossary Definitions) Engaging in behavior intentionally or recklessly that causes physical injury to another person with or without a weapon, in violation of school district code of conduct and falls under one of these categories:</del>
<del>Attendance: Late to class or school</del>	<del>Entering the classroom or school after the official beginning of class (i.e. at the bell) or school day, without a pass or a valid reason.</del>
<del>Attendance: Leaving school grounds w/o permission</del>	<del>Student willfully and without permission leaves school premises and/or is an area that is outside of school boundaries.</del>
<del>Attendance: Skipping class</del>	<del>Student purposely does not attend class / or student leaves class without permission.</del>
<del>Attendance: Skipping school</del>	<del>Student who misses an entire day or any part of a day of school without being properly excused. Administration determines truant status.</del>
Battery	The actual intentional striking of someone, with intent to harm, or in a "rude and insolent manner" even if the injury is slight.
<del>Bomb Threat</del>	<del>(NYSED Glossary Definitions) A telephoned, written or electronic message that a bomb, explosive, or chemical or biological weapon has been or will be placed on school property</del>
<del>Bullying/ Cyber Bullying</del>	<del>Unwanted, aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time.</del>
Burglary	Unauthorized entry into an unoccupied school building with the intent of committing another offense, including stealing, when the building is closed to students and the public.
<del>Cell Phone / Electronic Device Violation</del>	<del>Reference CoC Section on Cellphone &amp; Electronic Device Usage</del>
Cheating	Student engages in non-serious misrepresentation of his/her work and/or non-serious misrepresentation of the use of someone's signature and when confronted or out of own volition admits wrong doing
Computer Policy Violations	Student engages in non-serious but inappropriate (as defined by school) use of cell phone, music/video players, camera, and/or computer.
<del>Cutting Class/Skipping Class/Truancy</del>	<del>Student leaves class/school without permission or stays out of class/school without permission.</del>
<del>Cyber Bullying</del>	<del>(NYSED Glossary Definitions)</del>

Disrespectful language/or action toward staff or student	<del>Disrespectful words and actions are rude and show a lack of respect.</del>
Disorderly Conduct	Behaving in a violent or seriously inappropriate manner which disrupts the educational process. This category is used when the police cite a student for extreme disruption.
Disruptive Behavior (Incl. Bus)	<u>Behavior (physical, verbal or action) that disrupts the educational process, and/or school related activities.</u> <del>Defiance of authority figures, angry outbursts, and other antisocial behaviors such as lying and stealing.</del>
<u>Drugs or Alcohol: Use, Possession, or Sale</u>	<del><b>Drugs:</b> illegally using, possessing or being under the influence of marijuana or a controlled or an illegal substance on a person, on school property or at a school sponsored event. This includes in a locker, a vehicle or other personal space; selling or distributing a controlled substance, illegal substance, or marijuana on school property or at a school sponsored event; finding a controlled substance, illegal substance, or marijuana on school property that is not in the possession of any person. This does not apply to the lawful administration of a prescription drug on school property. <b>Alcohol:</b> illegally using, possessing, or being under the influence of alcohol on school property or at a school function. This includes possessing alcohol on a person, in a locker, a vehicle or other personal space; selling or distributing alcohol on school property or at a school function; and finding alcohol on school property that is not in the possession of any person.</del>
<u>Unauthorized Possession or Use of Electronic Devices: Use of Cell Phone/IPOD, etc.</u>	<del>Student engages in use of/or possession of electronic devices during unauthorized time. Student engages in inappropriate (as defined by school) use of cell phone, social media, computer, and use of camera/video taping that compromises themselves and/or other students and staff members.</del>
Excessive Misconduct	Students who are involved in severe behavioral problems or who are repeatedly involved in disciplinary situations because of violations of the Code of Conduct.
Extortion	Any action intended to acquire money or property from another person against his/her will.
<u>False Alarms</u>	<u>(NYSED Glossary Definitions)</u> <del>Causing a fire alarm or other disaster alarm to be activated knowing there is no danger, or through false reporting of a fire or disaster.</del>
False Reporting	A person who, makes a false statement that either creates the need to begin an investigation, creates a substantial disruption to the educational process, or endangers the health and safety of him/herself or that of other individuals.
Fighting	Actions involving two or more students that are involved in serious physical contact where injury may occur (e.g. hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.).
Fireworks	A device containing gunpowder and other combustible chemicals that causes spark or explosion when ignited.
Food: Throwing Food	Students who are involved with throwing food.
Forgery/Fraud	Student is in possession of, has passed on, or is responsible for removing someone else's property or has signed a person's name without that person's permission.
Gambling	Playing any game of chance or skill for money or anything of value
Harassment: Sexual or Racial	The creation of a hostile environment by conduct or verbal threats, intimidation, or abuse that has or would have the following effect: • reasonably and substantially interfering with a student's educational performance, opportunities or benefits; or • would reasonably be expected to cause a student to fear for his or her physical safety.
Hazing	The imposition of strenuous, often humiliating, tasks as part of a program of rigorous physical training and initiation.

Homicide	<u>(NYSED Glossary Definitions)</u> <del>Any conduct which results in the death of another person, with or without a weapon.</del>
Inappropriate Attire/Violating Dress Code	Student wears clothing that is near, but not within, the dress code guidelines defined by the school/district.
<u>Inappropriate language / or Gestures towards Staff or Student</u>	<u>Derogatory, verbal or non-verbal messages, that include physical gestures, swearing, name calling, or use of words in a negative manner.</u>
Instigation / Intimidation or Coercion	Persuading someone to do something by using force or threats.
<u>Insubordination- failure to follow school rules</u>	Student engages in blatant failure to respond to adult requests.  <u>Refusal to comply with reasonable school board policies, building rules, or instructions from school employees.</u>
Kidnapping	To abduct a person, so as to restrain such person with intent to prevent his or her liberation, by either: (a) secreting or holding him or her in a place where he or she is not likely to be found, or (b) using or threatening to use deadly physical force, with or without a weapon.
<u>Leaving School Grounds w/o Permission/Leaving Class without permission</u>	<u>Student willfully and without permission leaves school premises and/or is an area that is outside of school boundaries.</u>
Lewd Behavior	Self-exposure or "mooning," depending on the circumstances, are reported as (Intimidation, Harassment, Menacing or Bullying) or (Other Disruptive Incident).
<u>Material Incidents of Discrimination, Harassment and Bullying (Excluding Cyberbullying)</u>	<u>(NYSED Glossary Definitions)</u>
<u>Objectionable Physical Behavior</u>	<u>An altercation or physical behavior which infringes upon the personal space and movement of others. This includes, but is not limited to; striking, shoving, or kicking another person or subjecting another person to unwanted physical contact with intent to harass, alarm or seriously annoy another person. Objectionable physical behavior is that which infringes on the personal space and movement of others, offends propriety, or results in bodily injury.</u>
Parking Violation (Permit Holders)	Parking in a location without authorization or permit.
Plagiarism	Student is in possession of someone else's work or ideas and passing them off as one's own.
Possession of Stolen Property	Taking property known or believed to be stolen with the intent of depriving the owner of the items(s).

Possessing or Sharing obscene materials	According to a Supreme Court decision, material is obscene, and hence not protected by the free-speech provision of the First Amendment if it has three elements: It must have prurient appeal, as decided by the average person applying the standards of the community; it must portray sexual conduct in an offensive way; and it must be lacking in serious artistic, literary, scientific, or political value.
<del>Profanity/Gestures</del>	<del>Verbal or non-verbal messages that include swearing, name calling or use of words in an inappropriate way.</del>
Prohibited Item	<u>1. An item, which can be potentially harmful to a member of the school community or to themselves.</u> <u>2. An item which may deface or destroy school property.</u> <u>3. An item that may cause material disruption to the educational process.</u>  <u>See Prohibited Items Section of this Code for examples. An item, legal or illegal in nature, where possession is restricted from entry into a school or at a school event.</u>
Public Display of Affection	Student engages in inappropriate (as defined by school) verbal and/or physical gestures/contact.
Reckless Endangerment	Subjecting individuals to danger by recklessly engaging in conduct that creates a grave risk of death or serious physical injury, but no actual physical injury, with or without a weapon. The following are examples of incidents that did not result in physical injury but should be reported as reckless endangerment: - Throwing an object at another student. The object thrown must be capable of causing a grave risk of death or serious physical injury. A serious physical injury requires hospitalization or treatment in an emergency room and includes, but is not limited to, a bullet wound, a serious stab or puncture wound, fractured or broken bones or teeth, concussions, cuts requiring stitches and any other injury involving risk of death or disfigurement.
Retaliation	Student engaging in misconduct against another person in response to a previous incident, or against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and or discrimination.
Riot	A disturbance of the peace by several persons, assembled and acting with a common intent in executing a lawful or unlawful enterprise in a violent and turbulent manner.
Robbery	Forcible stealing of property from a person by using or threatening the immediate use of physical force upon that person, with or without a weapon.
Sexual Offenses: Foreible or Other	<del>(NYSED Glossary Definitions) Intentional sexual contact of a harmful, forcible, unwelcome or offensive nature. It includes, but is not limited to the following conduct: 1. touching or grabbing another student on a part of the body that is generally regarded as private, such as buttocks, breast, genitalia, etc. 2. Removing another student's clothing to reveal underwear or private body parts 3. Brushing or rubbing against another person in a sexual or provocative manner 4. A student first rubbing his/her own genitalia and then touching another person's body 5. Unwelcome conduct of a sexual nature (including, but not limited to, comments, drawings, touching) which makes the educational environment hostile for the victim, and/or conduct whereby the aggressor seeks sexual favors in exchange for an educational benefit to or withheld from the victim</del>
Smoking/or other tobacco use	Student is in possession of or is smoking tobacco and/or any other substance.
Tardiness to School/ Class	Entering the classroom or school after the official beginning of class (i.e. at the bell) or school day, without a pass or a valid reason.
Theft / Larceny	Unlawful taking and carrying away of property belonging to another person while the building is occupied with the intent to deprive the lawful owner of its use.

Threatening Employee or Student (Physical or Verbal)	The act of threatening to strike, attack or harm any person in school or at any school sponsored or supervised activity.
<u>Threat of School Violence (Other than Bomb Threat or False Alarm)</u>	<u>(NYSED Glossary Definitions)</u>
Trespassing	Entering school property or school facility without proper authority. This includes a student coming onto school property during suspension without prior administrative approval.
<b>Truancy</b>	<b>Student who misses an entire day or any part of a day of school without being properly excused. Administration determines truant status.</b>
<u>Use, Possession, or Sale of Alcohol</u>	<u>(NYSED Glossary Definitions)</u>
<u>Use, Possession, or Sale of Drugs</u>	<u>(NYSED Glossary Definitions)</u>
Vandalism/ destruction of school property (incl. bus)	The willful or malicious destruction or defacement of public or private property belonging to another.
<u>Weapons possession or use</u>	<u>(NYSED Glossary Definitions)</u> <del>Possession of one or more weapons, except possession in a classroom or laboratory as part of an instructional program or in a school-related activity under the supervision of some teacher or other school personnel as authorized by school officials and falls under one of these categories: <b>Weapons**</b>: means one or more of the following dangerous instruments: 1. firearm, including, but not limited to, a rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, air gun, spring gun, BB gun, or paint ball gun; 2. a switchblade knife, gravity knife, pilum ballistic knife, cane sword, dagger, stiletto, dirk, razor, box cutter, metal knuckle knife, utility knife, or any other dangerous knife; 3. a billy club, blackjack, bludgeon, chukka stick, or metal knuckles; 4. a sandbag or sand club; 5. a sling shot or slingshot; 6. a martial arts instrument, including, but not limited to, a kung fu star, ninja star, nun-chuck, or shuriken 7. An explosive, including but not limited to, a firecracker or other fireworks; 8. A deadly or dangerous chemical, including, but not limited to, a strong acid or base, mace, or pepper spray; 9. An imitation gun that cannot be easily distinguished from a real gun; 10. Loaded or blank cartridges or other ammunition; or 11. Any other deadly or potentially dangerous object that is used with the intent to inflict injury or death. **In accordance with law, the term “weapon” means “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 that such term does not include a pocket knife with a blade of less than 2 1/2 inches in length</del>

## **Additional definitions in accordance with the Dignity for All Students Act:**

### **Definitions**

“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 (Education Law §11[1]).

“School Bus” means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law §11[1] and Vehicle and Traffic Law §142).

“School Function” means a school-sponsored extra-curricular event or activity (Education §11[2]).

“Disability” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law §292[21]).

“Discrimination” means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

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

“Employee” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title 9-B of article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §§11[4] and 1125[3]).

“Gender” means a person’s actual or perceived sex and includes a person’s gender identity or expression (Education Law §11[6]).

“Sexual Orientation” means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]).

“Harassment/bullying” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying as defined in Education Law §11(8), that (a) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. For purposes of this definition, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions. (Education Law §11[7])

“Cyberbullying” means harassment/bullying, as defined above, through any form of electronic communication. Acts of harassment and bullying that are prohibited include those acts based on a person’s actual or perceived membership in the following groups including, but not limited to:

- 1.race
- 2.color
- 3.weight
- 4.national origin
- 5.ethnic group
- 6.religion
- 7.religious practice
8. disability
- 9.sex
- 10.sexual orientation
- 11.gender (which includes a person’s actual or perceived sex, as well as gender identity and expression).

This is not an exhaustive list. For example, students with acne or short stature, who are subjected to discrimination, harassment, or bullying are also covered by the Dignity Act. Schools/districts may add to this list based on their own regional or specialized needs (for example, students of incarcerated parents).

Dignity Act prohibits discrimination including harassment/bullying/cyberbullying, of students on school property, including at school functions, by any student and/or employee. As the amended act states, cyberbullying may include, among other things, the use, both on and off school property, of electronic technology, including, but not limited to, e-mail, instant messaging, blogs, chat rooms, pagers, cell phones, gaming systems and social media websites, to deliberately harass or threaten others.



## APPENDICES:

### Appendix A



Tri-State  
Consortium

Member



## Wappingers ODR Tracking Form-Elementary Schools



Middle States Association  
of Colleges and Schools

Member

1. STUDENT Name: \_\_\_\_\_

### 2. LOCATION:

☐ Arrival/Dismissal Area or Room ☐ Art

☐ Bathroom

☐ Bus

☐ Cafeteria

☐ Classroom

☐ Gymnasium

☐ Hallway

☐ Library

☐ Music

☐ Other \_\_\_\_\_

☐ Playground

3. DATE of Incident: \_\_\_\_\_

4. SPECIFIC TIME of Incident: \_\_\_\_\_

Student's Classroom Teacher: \_\_\_\_\_

5. GRADE: K 1 2 3 4 5 6

6. REFERENT Name: \_\_\_\_\_

7. Problem Behavior Minor OR Major (completed by referent)		8. PERCEIVED MOTIVATION for the behavior (Referent: chose the best one)
MINOR Please only document 1 minor per form.	MAJOR Immediately submit to administrator	
<ul style="list-style-type: none"><li><input type="checkbox"/> Disrespect</li><li><input type="checkbox"/> Defiance/Insubordination</li><li><input type="checkbox"/> Disruption</li><li><input type="checkbox"/> Physical Contact</li><li><input type="checkbox"/> Tardy/Late to class</li><li><input type="checkbox"/> Inappropriate Language</li><li><input type="checkbox"/> Property Misuse</li><li><input type="checkbox"/> Dress Code Violation</li><li><input type="checkbox"/> Technology Violation (Electronics-texting, calls, music, video-taping etc.)</li><li><input type="checkbox"/> OTHER _____</li></ul> <p>*** The student needs to have at least 3 of the same minor incident documented before being sent to administration.***</p>	<ul style="list-style-type: none"><li><input type="checkbox"/> Gross Insubordination/ Non-Compliance/ Overt Defiance</li><li><input type="checkbox"/> Gross Physical Aggression</li><li><input type="checkbox"/> Excessive Disruption</li><li><input type="checkbox"/> Overt Disrespect</li><li><input type="checkbox"/> Directed Abusive Language/ Inappropriate Language/ Profanity</li><li><input type="checkbox"/> Excessive Tardiness</li><li><input type="checkbox"/> Skipping Class</li><li><input type="checkbox"/> Harassment/ Bullying/ Threats</li><li><input type="checkbox"/> Physical Aggression</li><li><input type="checkbox"/> Fighting</li><li><input type="checkbox"/> Inappropriate Location/Out of Bounds Area/ Leaving School Grounds</li><li><input type="checkbox"/> Truancy</li><li><input type="checkbox"/> Forgery/Theft/Plagiarism</li><li><input type="checkbox"/> Property Damage/Vandalism</li><li><input type="checkbox"/> Overt Lying/Cheating</li><li><input type="checkbox"/> Overt Dress Code Violation</li><li><input type="checkbox"/> Grossly Inappropriate Displays of Affection</li><li><input type="checkbox"/> Other: _____</li></ul>	<ul style="list-style-type: none"><li><input type="checkbox"/> Obtain peer attention</li><li><input type="checkbox"/> Avoid task or activity</li><li><input type="checkbox"/> Obtain item(s)/activity</li><li><input type="checkbox"/> Obtain adult attention</li><li><input type="checkbox"/> Avoid adult(s)</li><li><input type="checkbox"/> Avoid peer(s)</li><li><input type="checkbox"/> Unknown</li><li><input type="checkbox"/> Other: _____</li></ul>

9. Actions Taken by Referent or Administration

10. Actions Taken by Administration (only)

<input type="checkbox"/> Action Pending <input type="checkbox"/> Referred to: Circle ( Principal, Assistant Principal, Social Worker, Psychologist, Nurse, Other _____) <input type="checkbox"/> Conference with Student <input type="checkbox"/> Individualized Instruction <input type="checkbox"/> Loss of Privilege <input type="checkbox"/> Parent Contact <input type="checkbox"/> Time in Office	<input type="checkbox"/> Alternative Placement <input type="checkbox"/> In-school Suspension (_____hours/days) <input type="checkbox"/> Out of School Suspension (_____days) <input type="checkbox"/> Bus Suspension <input type="checkbox"/> Other _____
---	---

Other Staff or Students involved in incident or who witnessed the incident (for students use first name, last initial only):

\_\_\_\_\_

\_\_\_\_\_

Behavior observed/reported:

A) Check off what happened immediately before the behavior:    ☐ Told to do something    ☐ Told NOT to do something    ☐ Wanted something    ☐ Peer Interaction    ☐ Staff Interaction    ☐ Out of the Blue

☐ OTHER \_\_\_\_\_

B) Describe the Specific Behavior Observed/Reported:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Outcome: List the dates, interventions attempted (successful/unsuccessful), and the outcomes (how did the student respond):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

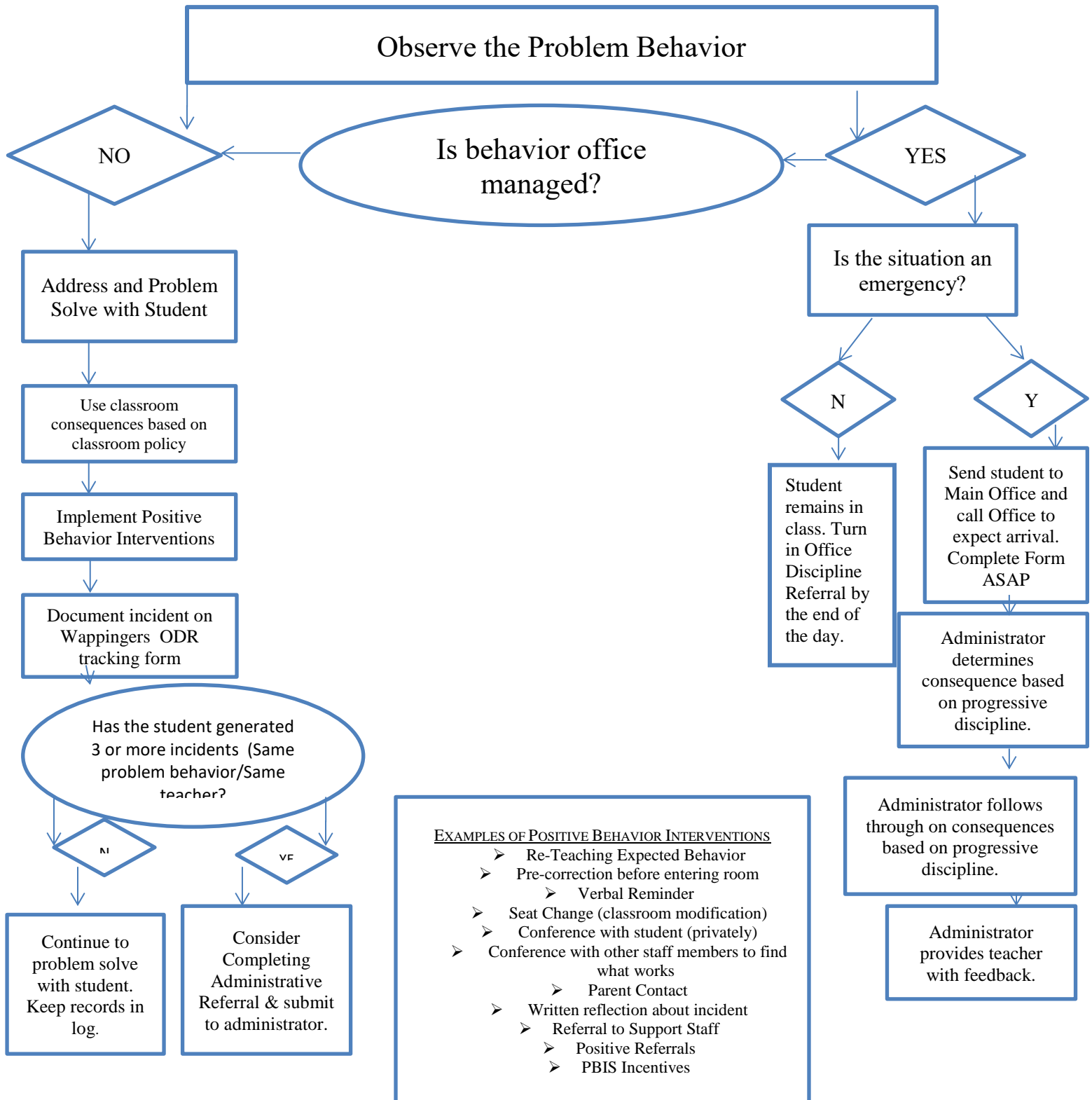
\_\_\_\_\_

\_\_\_\_\_

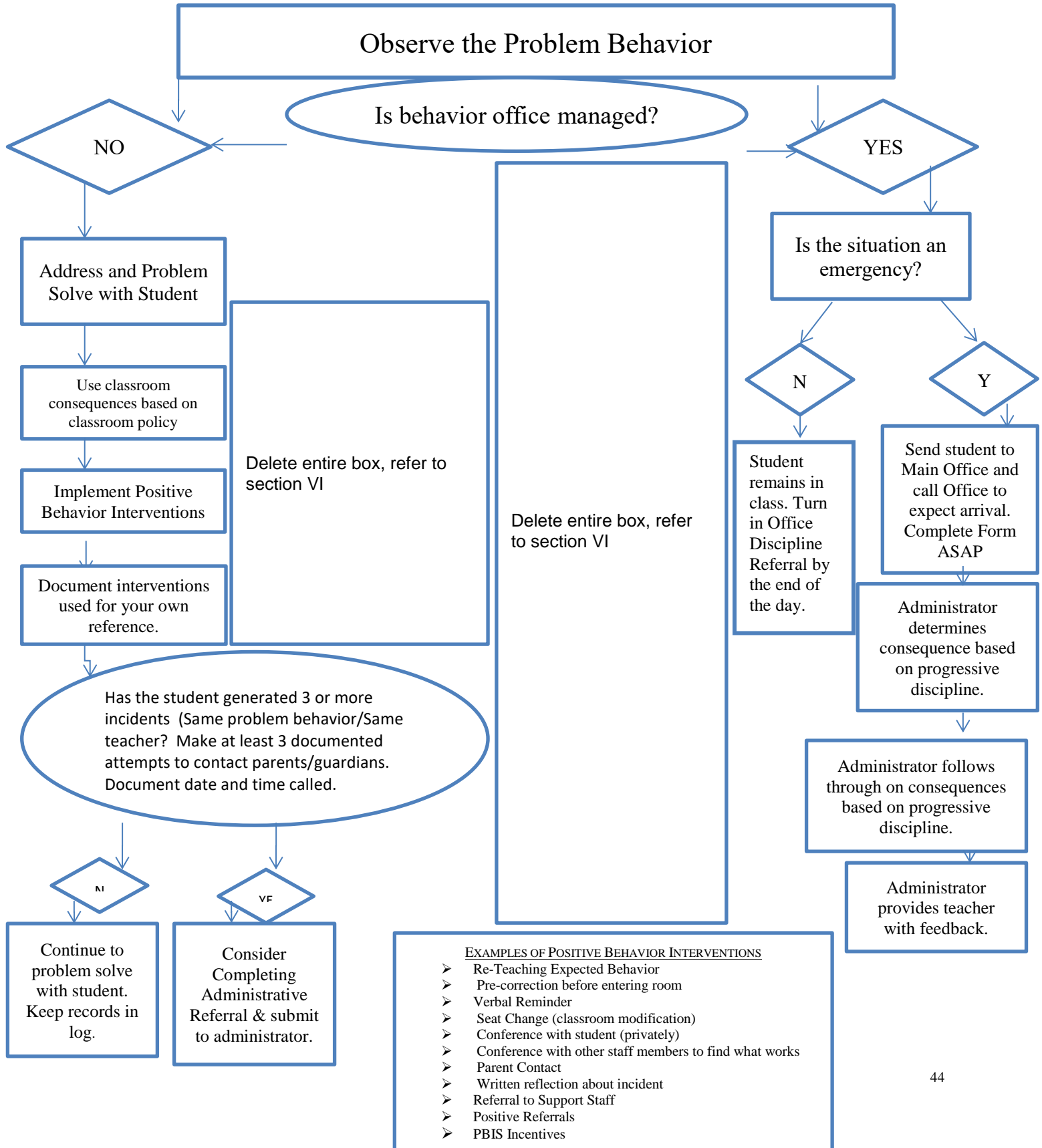
## Appendix B

### WCSD Behavioral Flow Map for Elementary Schools

# STUDENT BEHAVIOR MANAGEMENT PROCESS



# STUDENT BEHAVIOR MANAGEMENT PROCESS



## **Appendix D**

PBIS stands for Positive Behavior Intervention and Support

PBIS is a proactive approach to school-wide discipline.

Instead of using a piecemeal approach of individual behavioral plans, schools are leaning towards school-wide discipline systems that address the entire school, the classroom and areas outside the classroom. In the past, school-wide discipline has focused mainly on reacting to specific student misbehavior including reprimands, loss of privileges, office referrals, suspensions, and expulsions. For this reason the Wappingers Central School District has implemented the PBIS program. PBIS is a research-validated approach to discipline which emphasizes the creation of proactive systems of support for the students and staff. Schools using the PBIS framework for school-wide discipline develop a comprehensive system for defining, teaching, and supporting appropriate student behaviors that results in positive school climate and positive social behavior. This is important to a student's educational experience. Rewarding students for following the rules is a most positive approach as oppose to waiting for misbehavior to occur. The purpose of school-wide PBIS is to establish a climate in which appropriate behavior is the norm.

## Appendix E

# Orchard View Alternative High School

## Tiers of Attendance

# of Absences	Possible Interventions
1-5	<ul style="list-style-type: none"><li>❖ Verify Accuracy of Contact Information</li><li>❖ Teacher Contact with Parent/Guardian</li><li>❖ Student Counseling</li><li>❖ Document Reason for Absence</li><li>❖ PPS Contact with Parent/Guardian</li><li>❖ Identify Barriers to Attendance</li><li>❖ Schoolwide Attendance Incentives</li><li>❖ Advisory Support</li></ul>
6-14	<ul style="list-style-type: none"><li>❖ Team Meeting with Parent/Guardian</li><li>❖ Attendance Contract with Individualized Incentives</li><li>❖ Attendance Counseling Group</li><li>❖ Refer Family to Community Supports</li><li>❖ Youth Services Referral</li><li>❖ CSE Program Review (<i>if applicable</i>)</li><li>❖ 504 Program Review (<i>if applicable</i>)</li><li>❖ Student May Need to Return to Home School</li></ul>
15-20	<ul style="list-style-type: none"><li>❖ Continued Attendance Counseling Group</li><li>❖ Home Visit by School Counselor/Social Worker</li><li>❖ PINS Referral</li><li>❖ CPS Report</li><li>❖ Student May Need to Return to Home School</li></ul>
20+	<ul style="list-style-type: none"><li>❖ Student May be Referred to a More Therapeutic Setting</li><li>❖ Student May Need to Return to Home School</li></ul>

*This list represents possible interventions. Student interventions will be decided on an individual basis, taking all circumstances into consideration.*



## Appendix F

### Additional Disciplinary Measures for Athletes:

The coach, Assistant Director, District Athletic Director or Building Administrator may also impose sanctions on an athlete for any violation outlined in this Code of Conduct or, as dictated by Section 1 or the New York State Public High School Athletic Association (NYSPHSAA) rules and regulations: (Contest refers to regularly-scheduled athletic competition, not a scrimmage.)

#### Level I– Warning (A discussion between Athletic Director and Student Athlete and Parents/Guardian)

- Any behavior detrimental to the team or individual, at the coach's discretion
- Acts which may exhibit poor sportsmanship \*
- Unauthorized absence from scrimmage/contest
- Verbal abuse at the coach's discretion
- Violation of the individual team rules set forth at the onset of the season, at the coach's discretion

#### Level II – Suspension from one contest:

- A school suspension (in-house or out), shall cause the athlete to forfeit the right to participate or observe any contest/practice scheduled that day. If the suspension is 2 or more consecutive days, and no contest was held, the athlete cannot participate in the next scheduled contest.
- Any behavior detrimental to the team or individual, at the coach's discretion
- Acts which may exhibit poor sportsmanship \*
- Unauthorized absence from scrimmage/contest
- Verbal abuse at the coach's discretion
- Bullying \*
- Harassment, and/or Hazing \*
- Violation of the individual team rules set forth at the onset of the season, at the coach's discretion

#### Level III – Suspension up to one week (to include at least one contest):

- Vandalism of school property (including school buses or facilities of the host school at away contests) \*
- Verbal abuse at the coach's discretion
- Bullying \*
- Harassment and Hazing \*
- Acts which may exhibit poor sportsmanship \*
- Any behavior detrimental to the team or individual, at the coach's discretion
- Unauthorized possession of issued equipment or uniform articles \*\*
- Second occurrence of a one-day suspension (in-house or out)
- Violation of the individual team rules set forth at the onset of the season, at the coach's discretion
- First occurrence - objectionable physical behavior with a teammate, opponent, official, coach, or spectator

#### Level IV – Suspension up to two weeks (to include at least two contests):

- Any behavior detrimental to the team or individual, at the coach's discretion
- Violation of the individual team rules set forth at the onset of the season, at the coach's discretion
- First occurrence – possession or use of chewing/smoking tobacco \*
- Verbal abuse at the coach's discretion
- Bullying \*
- Harassment and Hazing \*

#### Level V – Suspension up to the remainder of the season:

- Second occurrence – use or possession of chewing/smoking tobacco \*
- First occurrence – use, possession or distribution of alcoholic beverages The student must present a release from the Student Assistance Counselor before trying out for any team in a subsequent season.\*
- Second occurrence of vandalism \*
- Theft (in school or on school-sponsored trip) \*
- Verbal abuse at the coach's discretion
- Bullying \*
- Harassment and Hazing \*

- Any athlete suspended for 2 or more consecutive days (in-house or out) on two separate occasions during that season
- Third unexcused absence from practice during any season
- Second occurrence of unauthorized possession of issued equipment or uniform articles\*\*
- Second occurrence – unauthorized absences from scrimmages/contests
- Third occurrence of a one-day suspension (in-house or out)
- Second occurrence - objectionable physical behavior with a teammate, opponent, official, coach, or spectator

**Level VI – Suspended up to one school year from date of violation:**

- Sale, possession, distribution or use of illegal drugs \*
- Second occurrence – use, possession or distribution of alcoholic beverages \*
- (After suspensions regarding either one of these two issues, drugs and alcohol, the student must present a release from the Student Assistance Counselor before trying out for any team in a subsequent school year.)
- Physical abuse to teacher or coach \*
- Second occurrence of theft \*
- Verbal abuse at the coach's discretion
- Bullying \*
- Harassment and Hazing \*

\* As defined by this Code of Conduct and reported by any building personnel, the athlete's own parents, or any recognized law enforcement official.

\*\* Any athlete who fails to return issued equipment or uniform articles at the end of the season, shall forfeit the right to participate in any athletic team the following season.

Individual Team Rules: Individual teams may elect to have additional rules. These rules must be cleared and approved by the Assistant Director, District Director for Inter-scholastic Athletics and the Building Principal, and must be adhered to by the athletes.

Right to Appeal: An athlete who has been suspended under Levels I-VI above, or for violations of any approved team rules, may appeal the suspension within two school days from the date of the action, to the Assistant Director or to the Building Principal. The Assistant Director or Principal must then convene a meeting of an Appeals Board, within two school days. See a copy of the Athletes Participation Guide for details on the appeals process.



## Appendix G

### Parent / Guardian Acknowledgement Form

Within one week of the opening of school, each school shall send to the parents of each enrolled student a copy of the Code of Conduct. Each parent of a student shall sign and return to the school in which the student is enrolled a statement acknowledging the receipt of the Code of Conduct. Each school shall maintain records of such signed statements.

As parent/guardian, I have reviewed the Code of Conduct and the attendance policy within the Code of Conduct. The telephone number below is the number where I can be contacted for attendance/disciplinary issues.

Student ID # \_\_\_\_\_ Grade \_\_\_\_\_

Homeroom \_\_\_\_\_

\_\_\_\_\_  
Student Name (print)

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Parent Name (print)

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Telephone Number