

**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:

Dr. Dwight Bonk Assistant Superintendent for Human Resources & Labor Relations (845) 298-5000 extension 40115 Dwight.bonk@wcsdny.org	Wappingers Central School District 25 Corporate Park Drive PO Box 396 Hopewell Junction NY 12533
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**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:

Mr. Daren Lolkema Assistant Superintendent for Compliance & Information Systems (845) 298-5000 extension 40131 Daren.lolkema@wcsdny.org	Wappingers Central School District 25 Corporate Park Drive PO Box 396 Hopewell Junction NY 12533
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## DISTRICT CODE OF CONDUCT

### INTRODUCTION

The Wappingers Central School District is committed to maintaining high standards of education for students in the 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 educational environment requires that everyone in the school community play a role in contributing to an effective environment. It also requires the development and implementation of a code of discipline that clearly defines individual responsibilities and provides for appropriate disciplinary options and responses.

The District believes that order and discipline must be a shared responsibility among school, home and community. This Code of Conduct was developed in collaboration with students, teachers, administrators and parent organizations, 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 on page 14-16)

A school's primary concern in establishing a Code of Conduct is to enable our young people to feel and be safe as well as become responsible, respectful and caring citizens within the school and community settings. 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 training 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 uses 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.

The parent/guardian is expected to assume primary responsibility for the behavior of his or her child. The parent/guardian may be called upon to actively cooperate with the school in providing the necessary structure to promote his or her child's social and educational growth. To this end, the school will encourage parent-school communication.

Prior to undertaking disciplinary actions negative behaviors are classified as minor/(s) and major(s). Minor behaviors are handled by the classroom teacher or staff member in an effort to teach the positive and expected behavior. A teacher will attempt at least three times to correct the negative behavior. If the student does not comply the student will then be referred to an administrator. Major behaviors are negative behaviors that due to their seriousness and gravity are immediately referred to an administrator. Disciplinary measures available to the administration of each school building include conferences, detention, in-school suspension, out-of-school suspension, and administrative hearings with a designated hearing officer. Administrative hearings may result in out-of-school suspensions of more than five days and, in particularly serious cases, a student may be permanently suspended from school. For each student suspended a meeting will be conducted to re-explain the rules and expectations, devise a re-entry plan which included restorative steps as well as offer supports necessary to minimize repeated suspensions. Check-in/ Check-out procedures will be put in place for students that may require additional behavior supports. Functional Behavioral Assessments and the development of a Behavioral Intervention Plan will be put in place for students that require the highest level of behavior supports. Students identified as having negative behaviors that require more intervention than classroom supports will have documented interventions on the RtIm Database and will be referred to the Schools Response to Intervention Team to identify further supports and interventions. Please refer to Appendix B, C, and D to view the Elementary Office Discipline Referral Form, and the Elementary and Secondary Behavioral Flow Maps for further details.

### **STUDENT BILL OF RIGHTS AND RESPONSIBILITIES**

The Wappingers Central School District believes in the rights of each child between the ages of five and 21 years or until the child receives a high school diploma, whichever comes first, to receive a free and appropriate education. All students in this state between the ages of six and the school year through which he or she becomes 16 are required by law to regularly attend school, either in the public schools, non-public schools that are approved for equivalency of instruction by the appropriate school authorities, or in the home in accordance with the Regulations of the Commissioner of Education.

The right to a free public school education extends to all students, including those with disabilities. However, this right is not unconditional. As long as due processes of law requirements are met, a student may be removed from the classroom, suspended temporarily or suspended long-term from school. Only students within the compulsory education ages (age six through the school year in which the student turns 16) are entitled to alternative equivalent instruction following suspension.

### **RIGHTS OF STUDENTS**

We believe students have the right:

1. to be provided with an education that is intellectually challenging and relevant to demands of the 21<sup>st</sup> century;
2. to learn in an environment free from interruption, harassment, discrimination, intimidation and fear;
3. to participate in district activities on an equal basis regardless of race, color, creed, national origin, religion, gender, weight, ethnic group, religious practice, disability or sexual orientation.
4. to be informed of all school rules;
5. to be guided by a discipline policy which is fairly and consistently implemented.
6. to be provided with interventions and supports that will enable them manage and eliminate negative behaviors.
7. to be acknowledged and recognized for positive behaviors and attitudes.

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. **Symbolic Expression** – Students, in light of constitutionally protected free speech rights, may wear buttons, arm bands or badges of symbolic expression so long as the same conform to the limits set forth herein under “school newspaper” and “dress code.”
3. **Student Activities** – All students shall enjoy equal access to the extent of their capabilities for participation in 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 the student Code of Conduct and any additional rules announced specifically for participation in extra and/or co-curricular activities.
4. **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.
5. **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.
6. **Privacy Rights (Search and Seizure)** - Students in attendance in our public schools are protected against illegal or unreasonable personal searches or seizures of their property by both the federal and state constitutions. 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.
7. **Pregnant Students** – During pregnancy and the period of pregnancy-related disability that follows childbirth; a student shall be entitled to home instruction, upon request.
8. **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.

The following protocol should be followed regarding student/parent complaints

**POLICY 1400**-The intent of this policy is to maintain dialogue among residents, the Board of Education and the administration while, at the same time, safeguarding employees from unfair criticism.

The Board believes that complaints and grievances by community members are best handled and resolved as close to their origin as possible and that the staff should be given every opportunity to consider issues and attempt to resolve problems prior to Board involvement. Therefore, the proper channeling of complaints will be as follows:

1. Teacher or staff member,
2. Principal and/or Coordinator,
3. Superintendent of Schools/his or her designee, and
4. Board of Education.

Exceptions will be made only when complaints concern Board action or Board operations. In addition, the Board will not act on complaints that have not been explored at the appropriate level.

Individual Board members will refer complaints to the Superintendent. Board members will refrain from expressing any judgment until such complaint is submitted to the entire Board. The Superintendent shall refer complaints to other staff members when appropriate.

### **RESPONSIBILITIES OF STUDENTS**

Students attend school so that they may develop to their fullest potential. With this in mind, each student is expected:

1. to follow all PBIS rules and expectations of their school.
2. to accept responsibility for his/her actions;
3. to respect the rights of others, including his/her right to secure an education in an environment that is orderly and disciplined;
4. to attend school on a regular and punctual basis;
5. to complete class assignments and other school responsibilities by established deadlines;
6. to show evidence of appropriate progress toward meeting course and/or diploma requirements;
7. to respect school property, e.g. lockers, and help to keep it free from damage;
8. to obey school regulations and rules made by school authorities and by the student governing body;
9. to recognize that teachers assume the role of a surrogate parent in matters of behavior and discipline when at school, as well as during any school-sponsored activities;
10. to contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all;
11. to become familiar with this Code and seek interpretation of parts not understood;
12. to actively discourage inappropriate behavior of other students (including bullying but not limited to) and report the incidents to the administration.

### **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. Adhere to and enforce the PBIS rules, norms, and procedures that are established in each school including the submission of ODR(Office Discipline Referrals) and the implementation of interventions to support positive student behaviors.
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. address and report (Dignity for all Students Act) personal biases that may prevent equal treatment of all students;
12. know the Code of Conduct and report violations to the Building Principal, Assistant Principal, or acting building principal;
13. immediately report and refer violent students to the Principal or Superintendent of Schools.

### **THE ROLE OF PARENTS/GUARDIANS**

A cooperative relationship between home and school is essential to each student's successful development and achievements. To achieve this wholesome relationship, parents are urged:

1. to become apprised of the PBIS rules and expectations of their child's school and reinforce these at home.
2. to show an enthusiastic and supportive attitude toward school and education and build positive, constructive relationships with teachers, other parents and their children's friends;
3. to teach their child self-respect, respect for the law, respect for others and for public property;
4. to insist on timely and regular attendance;
5. to listen to the views and observations of all parties in a dispute;
6. to recognize that teachers merit the same consideration and respect that parents expect from their child;
7. to encourage their child to take pride in his/her appearance;
8. to insist that their child promptly bring home all communications from school;
9. to cooperate with the school in jointly resolving any school-related problem;
10. to set realistic standards of behavior for their child and resolve to remain firm and consistent;
11. to help their child learn to deal effectively with negative peer pressure;
12. to provide a place conducive for study and completion of homework assignments;
13. to demonstrate desirable standards of behavior through personal example;
14. to foster a feeling of pride in their child for their school;
15. to provide support and positive reinforcement to their child.
16. To provide up-to-date emergency contact information, change of address and general contact information to the school office staff.

Parents should be aware that they are responsible for any financial obligations incurred by their child in school. This includes lost books, damage to property, etc.

### **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. To 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 specific to each assigned school in harmony 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. adhere to and enforce the PBIS rules, norms, and procedures that are established in each school including the submission of ODR(Office Discipline Referrals) and the implementation of interventions to support positive student behaviors.
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 in loco parentis 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 GUIDANCE COUNSELORS**

1. 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 COORDINATOR

The Board of Education has designated school principals to be the Dignity Act Coordinator.

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 new 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:

<b><u>BUILDING</u></b>	<b><u>PHONE NUMBER</u></b>	<b><u>NAME</u></b>	<b><u>EMAIL</u></b>
<b>Brinckerhoff</b>	<b>845-897-6800</b>	<b>Ursula Platz</b>	<b>Ursula.platz@wcsdny.org</b>
<b>James S. Evans</b>	<b>845-298-5240</b>	<b>Lauren Guerrero</b>	<b>Lauren.guerrero@wcsdny.org</b>
<b>Fishkill</b>	<b>845-897-6780</b>	<b>Andy McNally</b>	<b>Andy.McNally@wcsdny.org</b>
<b>Fishkill Plains</b>	<b>845-227-1770</b>	<b>Eric Seipp</b>	<b>Eric.seipp@wcsdny.org</b>
<b>Gayhead</b>	<b>845-227-1756</b>	<b>Jose Olavarria</b>	<b>Jose.olavarria@wcsdny.org</b>
<b>Kinry Road</b>	<b>845-463-7322</b>	<b>Mary Bish</b>	<b>Mary.bish@wcsdny.org</b>
<b>Myers Corners</b>	<b>845-298-5260</b>	<b>Sydney Vazquez</b>	<b>Sydney.vazquez@wcsdny.org</b>
<b>Oak Grove</b>	<b>845-298-5280</b>	<b>Angelina Rooney</b>	<b>Angelina.rooney@wcsdny.org</b>
<b>Sheafe Road</b>	<b>845-298-5290</b>	<b>James Daley</b>	<b>James.daley@wcsdny.org</b>
<b>Vassar Road</b>	<b>845-463-7860</b>	<b>Richard Dominick</b>	<b>Richard.Dominick@wcsdny.org</b>
<b>Van Wyck</b>	<b>845-227-1700</b>	<b>Steven Shuchat</b>	<b>Steven.shuchat@wcsdny.org</b>
<b>WJHS</b>	<b>845-298-5200</b>	<b>Terrence Thompson</b>	<b>Terrence.thompson@wcsdny.org</b>
<b>John Jay</b>	<b>845-897-6700</b>	<b>Bonnie King</b>	<b>Bonnie.king@wcsdny.org</b>
<b>Roy C. Ketcham</b>	<b>845-298-5100</b>	<b>Tom Stella</b>	<b>Tom.stella@wcsdny.org</b>
<b>Orchard View</b>	<b>845-298-5000</b>	<b>Laura Distefano</b>	<b>Laura.Distefano@wcsdny.org</b>
<b>AHS</b>			

## CODE OF CONDUCT VIOLATIONS WITH PENALTY REFERENCES K-12

1. Acts which disrupt instruction (1,2,3,4)

2. Repeated or serious acts that interfere with the teacher's authority in class (2,3,4,5)
3. Using foul language and/or indecent gestures (1,2,3,4)
4. Failure to follow school rules and staff directions (1,2,3,4)
5. Dress or grooming which is not appropriate as described in this code (1,2,3)
6. Possessing or sharing obscene materials (1,2,3,4,5)
7. Smoking or other tobacco use including smokeless vapor cigarettes, e-cigarettes, hookah pipes, inhalants (4, 5, notification to Dutchess County Health Dept.)
8. Cheating in any school sponsored academic setting (1,2,3,4)
9. Choosing not to obey the directions of school staff (insubordination) (1,2,3,4,5)
10. Fighting between students where no dangerous instruments are involved and no person is injured in the event (2,3,4,5)
11. Fighting between students where harm is caused to one or more of the students present (5,6) \*\*
12. A fight involving the use or threatened use of a dangerous or deadly weapon (5,6,7,8) \*\*
13. Any violent act against a teacher or other staff member, as described in this code (4,5,6) \*\*
14. Any violent act against another as described in this code (4,5,6) \*\*
15. Possession of dangerous or deadly weapons on school property (6,7,8)\*\*
16. Possession or use of illegal drugs to be such drugs or alcohol, at school or while attending school function (5,6) \*\*
17. Sale or other distribution of illegal drugs, alcohol or counterfeit, dangerous drugs, counterfeit drugs or alcohol or a substance which the individual believes or represents to be such drugs or alcohol at school or while at school functions (5,6,7,8) \*\*
18. Possession and/or use of fireworks on school property or at school function (4,5,6) \*\*
19. Acts which constitute a misdemeanor while on school property or at a school function (5, 6) \*\*
20. Acts which constitute a felony while on school property or at a school function (5,6) \*\*
21. Gambling (3,4,5,6) \*\*
22. Hazing (4,5,6) \*\*
23. Lewd behavior (2,3,4,5,6) \*\*
24. Extortion (4,5,6) \*\*
25. Plagiarism (1,2,3,4)
26. Arson (5,6,7,8) \*\*
27. Vandalism or destruction of school property (3,4,5,6) \*\*
28. Theft of school property (4,5,6) \*\*
29. Possession or use of beepers, lighters, light or laser pointers, laptops or other electronic devices during the school day (confiscation, 2,3,4)
30. Use of cell phones is prohibited (confiscation 2,3,4)
31. Violation of the district computer use policy (1,2,3,4,5, suspension of computer privileges)
32. Eating or drinking outside of lunch periods or where prohibited (1,2,3)
33. Activation of a false alarm, bomb threat or other disaster alarm (5,6,) \*\*
34. Forgery or fraud (3,4,5) \*\*
35. Harassment (sexual, racial, etc.) (2,3,4,5,6) \*\*
36. Intimidation or coercion (3,4,5,6)
37. Leaving school grounds without permission (3,4)
38. Public displays of affection beyond hand holding (1,2,3)
39. Theft of personal property (2,3,4,5,6) \*\*
40. Trespassing (no permission to be on school grounds) while suspended from school (1)\*\*
41. Bullying (1,2, 3 ,4, 5, 6)
42. Spitting (1, 2, 3, 4)
43. Bus Disturbance( 1,2,3,4,5,6)

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

## **DISCIPLINARY MEASURES (K – 12)**

1. Warnings (oral or written).

2. Lunch detention for one or more days or temporary removal from classroom to alternative setting.
3. After school detention
4. Suspension from classes and placement in alternative setting for up to five school days (ISS).\*
5. Suspension from school for up to five school days.
6. Suspension from school in excess of five school days.
7. Suspension from school for at least one 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.
8. 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.
9. Referral to Pupil Personnel Services
10. Bus suspension where deemed appropriate by administration

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

## **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. 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.

## **COMPUTER AND INTERNET USE**

The following prohibited use of district-owned computer drives, network facilities and Internet links may give rise to disciplinary action against users of such equipment and/or facilities:

1. E-mail originating from the school premises or received at the school premises that a student user creates that:
  2. is lewd, vulgar, obscene, indecent or inappropriate for student recipients of certain ages;
  3. conveys an imminent threat of violence, including sexual violence, to a specific individual or individuals;
  4. constitutes a state and/or federal crime;
  5. is the cause of or a substantial contributing factor to a substantial interference with the orderly functioning of the school(s);
  6. attributes the text of e-mail to school officials or that the text is school endorsed, unless there is such official endorsement or consent from school officials;
  7. internet use that circumvents access restrictions placed upon the District's computer systems by the Board of Education or its administrative designee(s).
  8. computer and/or Internet use that is not school related or is unauthorized.
  9. permitting the use of a student's computer access code by any other person. Such student shall assume responsibility for occurrences in violation of this Code of Conduct that occurs under the student's access code number.
  10. misuse of hardware.
  11. violation of WCSD Policy #4526.1 – "Internet: Acceptable Use Policy"

## **ATTENDANCE**

We believe attendance influences academic achievement. Classroom lessons foster and require social interaction, development of effective communication skills, and critical thinking in addition to subject mastery. Textbook or make-up assignments are not adequate substitutes for classroom attendance and participation.

Excused absences include: Illness of student; illness or death in family/immediate and extended/significant other; urgent medical appointment, which is documented as unable to be scheduled outside the school day; documented

religious observance; documented mandatory legal circumstances; documented quarantine; impassible roads; other absences which may have been approved by the Commissioner of Education.

All other absences are unexcused absences. They include, but are not limited to: Absent without permission; four (4) incidents of being late less than fifteen (15) minutes without an authorized pass will result in one (1) unexcused absence; not reporting to the designated location after obtaining an authorized pass from a class; leaving school due to illness without the permission of the nurse; leaving school due to an emergency situation without the permission of the Principal or designee; vacation.

Teachers will maintain careful and accurate attendance records on the school attendance recording system that include classroom absences and lateness to class with the understanding that these are official documents.

Students must bring in a note signed by a parent/guardian when returning to school after an absence. This note should include the child's name, ID number, date(s) of absence, and reason for absence.

A student with an unauthorized absence from school is considered **truant**:

#### **ELEMENTARY (K-6)**

1. **First referral** - After ten days of absence/tardy a letter will be sent to the parent with a copy placed in the student's cumulative file.
2. **Second referral** - After fifteen days of absence/tardy, a referral to the Learning Improvement Team and parent conference will be made. A follow up letter will be sent to the parent and a copy placed in the cumulative file.
3. **Third referral** - After 21 days, a referral to the appropriate authorities will be made. A letter will be sent to the parent and a copy placed in the cumulative file.

#### **SECONDARY (7-12)**

4. **First referral** – The student will be referred to an administrator. The teacher will contact the parent/guardian. Discipline will range from detention to in-school restriction.
5. **Second referral** – The teacher will complete a referral to the appropriate administrator. The teacher will contact the parent/guardian. Guidance may be involved in counseling the student. Parent communication will be from an administrative office. Discipline will range from detention to in-school restriction.
6. **Third referral** – A referral will be made to the appropriate administrator and the student will be assigned discipline including in-house restriction and interventions with academic support. The teacher will contact the parent/guardian. Administrative conference will be held involving parent, teacher, and student. Parent communication will be from an administrative office.
7. **Fourth referral** – The student may be referred to an Intervention Team/ Administrator for parent conference. The Intervention Team will be comprised of an administrator, social worker/psychologist, general education teacher/special education teacher, and nurse. Discipline may include loss of privileges, referral to Youth Services, and further discipline such as in-house restriction. The teacher will contact the parent/guardian.
8. **Fifth referral** – A referral will be made to the appropriate administrator. The teacher will contact the parent/guardian. A Principal's conference may be held involving parent, student, and guidance counselor.

#### **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.

## **DRESS AND GROOMING**

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 constitutes a threat or danger to the health and safety of students (e.g., gang wear, heavy jewelry or jewelry with spikes or chains which can injure the students or others);
2. Any dress or appearance which is vulgar, lewd, obscene or indecent or profane or which exposes to sight the private parts of the body, midriff, or any undergarments (for example: T-shirts with sexual metaphors; see-through garments, extremely plunging necklines or waistlines, boxers, bra straps, peek-a-boo tops, halter tops, spaghetti straps, tube tops);
3. Any dress or appearance, exclusive of religious or medical reasons, that hides or changes a student's identity (ex. Masks, sunglasses, hoods, etc.)
4. Any dress or appearance which encourages or advocates the use of drugs, alcohol, and/or tobacco;
5. Any dress or appearance which encourages illegal or violent activities;
6. Any dress or appearance which advocates discrimination or denigrates others based upon race, color, creed, religion, national origin, gender, sexual orientation or disability;
7. any dress or appearance which, in the judgment of the school administration, may be reasonably forecast to cause a material or substantial disruption.

## **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.

## **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.

## **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.

## **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 actions (ex. warning, parent contact, detention, in-school restriction).
4. Tardy students will not be denied entrance to class.

## **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.

## **CONTRABAND/WEAPONS/DANGEROUS INSTRUMENTS**

Students shall not possess on themselves, in their lockers, or 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.

Disciplinary Measures:

Any object considered fireworks, a weapon, and/or a dangerous instrument or any other object intended as a weapon may result in police involvement, five days suspension and the probability of a long term suspension. Any other object that can potentially endanger the health and safety of others will, at the discretion of the administration, result in suspension. 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.

If the student is found guilty of bringing a “firearm” as defined in federal law, in one of the public schools or other premises used by the school district to provide such programs, a mandatory suspension of one year will be imposed, subject to modification by the Superintendent or his designee on a case-by-case basis.

### **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 electric cigarettes and smokeless paraphernalia, lighters, or matches)
2. Alcohol
3. Drugs
4. Water guns/pistols
5. Latex Balloons
6. Knives
7. Weapons (including, but not limited to, sling shots, bean shooters, clubs, razor blades, guns, etc.)
8. Fireworks
9. Electronic equipment must be off during school hours (ex. Personal stereos, walkman, 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.
10. Pagers or cell phones that are “on” (including being set to vibrate) are prohibited during school hours
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 equipment or noisemakers
14. Skateboards or roller blades (unless prior approval from Administrative has been obtained)
15. Anything distracting to the educational process or potentially dangerous in a school setting determined by administration

### **POTENTIALLY DISRUPTIVE ITEMS**

Students shall not possess/use/distribute nuisance items such as graffiti instruments, noxious chemicals, water guns, cap guns, laser pointers, paintball guns or imitation handguns/weapons of any kind.

Items brought to school for demonstration in a teacher-directed and supervised activity will have prior administrative approval and registration. The item shall be turned over to the appropriate staff member at the beginning of the school day. Under no conditions shall the student have the items in his/her possession during the school day (except for the period of time during the supervised demonstration).

Failure to comply with the above regulations will result in items being confiscated and disciplinary actions being taken.

### **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 will be subject to discipline ranging from an administrative conference to suspension.

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.

### **RESPECTING THE PROPERTY OF OTHERS**

**Theft** is defined as the wrongfully taking, depriving or withholding property from another. Burglary is defined as entering school property with intent to commit a crime.

**Larceny** is the unlawful taking and carrying away of personal property with intent to deprive the rightful owner of property permanently.

Disciplinary measures may include, but are not limited to, restitution, parent/administrative conference, in school restriction, suspension and referral to law enforcement.

### **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 may, at the discretion of the administration, be subject to a Superintendent's hearing to consider long term suspension from school.

If a student accumulates excessive penalties or the health, safety and welfare of the school community is threatened, the principal may, as appropriate, initiate the following:

1. Mandatory in-school restriction during unassigned class or study hall periods.
2. A referral will be made to a multi-disciplinary team for review of the student's educational program and services.
3. A PINS complaint will be filed.
4. External suspension of the student.
5. An alternative educational placement for the student will be made.
6. A Superintendent's Hearing in contemplation of a long-term suspension from school.

### **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 services no legitimate purpose or whose conduct constitutes a misdemeanor or felony while on school property or at a school function.

**1. Files false fire alarms, bomb scares, false reports to 911, and threatens to injure person or property or commits arson.**

A student guilty of one of these actions will be subject to a Superintendent's Hearing, a long-term suspension, and will be prosecuted to the fullest extent of the law. Restitution will be required where applicable.

**2. Uses abusive or vulgar language including racial, sexual and/or ethnic comments (either verbally, electronically, or in written form).**

The use of abusive or vulgar language and racial and/or ethnic comments, either in general conversation or as directed to a school community member will result in disciplinary consequences.

**Racial harassment is recognized in two different forms:**

1. when the district's employees or agents, acting within the scope of official duties, treat a student differently than other students solely on the basis of race\*; or
2. when the education environment is not kept free from discrimination because the harassing conduct is so severe, pervasive or persistent that it interferes with or limits the ability of a student to participate in or benefit from the services, activities or privileges provided.

*\*For the sake of simplicity and clarity the term "race" shall be used to refer to all forms of discrimination prohibited by Title VI – that is, race, color and national origin.*

**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.

**CELL PHONES**

Teachers may allow or permit students to utilize cell phones or other electronic devices for educational purposes. At all other times during the school day, cell phones must not be visible and be OFF (not merely on vibrate). Use of a cell phone for any other use is subject to disciplinary action per the code of conduct. Administrators may also prohibit the use of cell phones during extra- curricular events/activities if warranted.

Use of cell phones in any manner during the administration of state or local examinations will result in the student's exam being immediately invalidated and no credit will be awarded for the work per New York State Education Department regulations.

**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 wear and display student identification (high school only).
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.

### **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.

### **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.

### **PROVIDING A SAFE AND SUPPORTIVE ENVIRONMENT**

Students should feel comfortable in the school setting. Any student who intentionally harasses, threatens and/or assaults students or a member of the staff will be disciplined to the full extent of the New York State laws and district rules, including external suspension, a Superintendent's Hearing and legal prosecution. Included are actions on and/or off school grounds and through the use of the internet, telephone or cell phone, and electronic devices. All students must display/present upon request identification badges (upon policy implementation).

#### **1. Sexual harassment**

Students who believe they have been subjected to sexual harassment must, at the earliest possible time, report the incident to the school's equity officer/team and/or the building Principal, Assistant Principal or guidance counselor. Should the Principal be the alleged harasser, the report should be made to the District Compliance Officer designated by the Board of Education.

#### **2. Extortion**

Extortion is any action intended to acquire money or property from another person against his/her will and as otherwise set forth in the penal law. Panhandling at lunch lines and/or at cafeteria tables is strictly prohibited and subject to discipline as described in this Code of Conduct.

## **ELIMINATING BULLYING BEHAVIOR**

*(adapted from Preventing Bullying: A Manual for Schools and Communities)*

1. Bullies come in all shapes, sizes, ages, and from all types of backgrounds.
2. Bullying is a pattern of intentional intimidation, demonstrated socially, physically, sexually, verbally, and/or emotionally that continues even after mediation.
3. Physical bullying may include, but is not limited to, punching, poking, strangling, hair pulling, beating, biting, excessive tickling, tripping, touching, pushing, elbowing, holding, scratching, pulling clothing, flicking, throwing objects, and spitting
4. Verbal bullying may include, but is not limited to, name calling, teasing, gossip, rudeness, cursing, put-downs, and written notes with any of the above.
5. Social/emotional bullying may include, but is not limited to, rejecting, terrorizing, extorting, defaming, humiliating, blackmailing, rating/ranking of personal characteristics such as race, disability, ethnicity, or perceived sexual orientation, manipulating friendships, isolating, ostracizing and peer pressure.
6. Sexual bullying may include, but is not limited to, making fun of someone's body, exhibitionism, voyeurism, sexual propositioning, sexual harassment and abuse involving actual physical contact and sexual assault.
7. Cyberbullying is the repeated and willful attempt to intimidate, harass or humiliate using social media, cell phone texting and e-mails.

### *Difference between teasing and bullying*

It is important to distinguish between "joking", "teasing" and "bullying". Joking may lead to teasing, which may lead to bullying.

1. Joking is fun for both parties. It is used to socialize.
2. Teasing is fun for the person doing the teasing and annoying to the person being teased. It is used to antagonize.
3. Bullying is fun for the bully and frightening to the one being bullied. It is used to intimidate.

### *Procedure for Dealing With Bullying Behavior*

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. Other persons not employed by the district may also report bullying or cyberbullying behavior to the building principal, assistant principal, or SRO.

The building principal or designee, will interview the students involved and assign consequences as appropriate. If identified as a bullying or cyberbullying situation (rather than joking or teasing), 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

The building principal or designee will then follow the guidelines of the Dignity for All Students Act which include conducting an investigation to determine if a bullying or cyberbullying incident occurred. If it is determined that a bullying or cyberbullying act did, in fact, occur, then the principal or designee should document the findings and follow the guidelines recommended by the Dignity for All Students Act through the resolution of the incident including appropriate discipline.

## **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.

## **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**

A grade of zero will be given to any student who gives or receives information, including electronically, on any form of a test, quiz, homework, lab, or state exam. 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.

### **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 will receive a zero on the plagiarized work and may have a conference with the teacher to explain the circumstances.

### **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.

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

### **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**

In an effort to maintain a safe and healthy educational environment, all visitors to the District must sign-in when entering any school building. Visitors MUST show photo ID. 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.

### **PROHIBITED CONDUCT**

No person, either singly or in concert with others, shall:

1. willfully cause physical injury to any other person, or threaten to do so, for the purpose of compelling or inducing such other person to refrain from any act which s/he has a lawful right to do, or to do any act which s/he has a lawful right not to do;
2. intimidate, bully, harass, or discriminate against any person on the basis of race, creed, color, national origin, religion, gender, age, marital status, sexual orientation, or disability;
3. physically restrain or detain any other person, or remove such person from any place where s/he is authorized to remain;
4. willfully damage or destroy property of the District or under its jurisdiction, or remove or use such property without authorization;
5. without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty, or staff member

6. enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others;
7. without authorization, remain in any building or facility after it is normally closed;
8. refuse to leave any building or facility after being required to do so by an authorized administrative officer, member of the faculty or staff member, or member of the Board of Education;
9. obstruct the free movement of persons and vehicles in any place to which these rules apply;
10. deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings or deliberately interfere with the freedom of any person to express his/her views, including invited speakers;
11. knowingly have in his/her possession upon any premises to which these rules apply, any items referred to on page 17 without written authorization of the chief administrative officer;
12. willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so.

### **PUBLIC CONDUCT ON SCHOOL PROPERTY**

The Board of Education recognizes that the primary purpose of the School District is to provide a superior atmosphere for learning and education. Any action by an individual or group(s) aimed at disrupting, interfering with or delaying the education process or having such effect, is prohibited. The Board also recognizes its responsibility to protect school property and declares its intent to take any and all legal action to prevent its damage or destruction. The Board will also seek restitution from, and prosecution of, any person or persons who willfully damage school property.

These rules govern the conduct of students, parents, faculty and other staff, other visitors, licensees, invitees, and all other persons, whether or not their presence is authorized, upon district property, and also upon or with respect to any other premises or property (including school buses) under the control of the district and used in its instructional programs, administrative, cultural, recreational, athletic, and other programs and activities, whether or not conducted on school premises.

### **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.

### **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 will-ful 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, substantially interferes with the teacher's authority over the classroom, or poses a safety risk. "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.

## **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.

## **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.

### **1. Pre-suspension Process**

Prior to being suspended from school, the student shall meet with a school official empowered to suspend, as referenced above, at which time the evidence upon which the decision to suspend is based shall be stated to the student and the student shall be given the opportunity to explain his/her version of the facts. The student shall also be afforded the right to present other persons to the suspending authority in support of his/her version of the facts. If the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, such confrontation shall occur following suspension, as soon thereafter as is reasonably practicable. In all cases, there shall be no suspension until after the informal Principal's conference, unless waived, as described in paragraph "C" below.

## **2. Short-Term Suspension Process: Suspension for 1-5 days**

Prior to a proposed suspension from school for between one and five days by a Building Principal or an acting Principal in the absence of the Building Principal, the student and his/her parent shall be notified, in writing and by telephone, if possible, within 24 hours of the decision to suspend. Such written notice shall include a description of the incident(s) resulting in the suspension and shall inform the parent of their right to request an immediate informal conference with the Principal at which the student may present the student's version of the event and ask questions of complaining witnesses. Upon such request, an informal conference with the Principal and other parties involved shall be convened as soon as possible. The notice shall be in the dominant language or mode of communication used by the parent. The informal conference shall be in English with appropriate interpretive services provided as may be necessary or required. If the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, the notice and opportunity for an informal conference shall take place 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.

## **3. The Long-Term Suspension Process: Suspension for More than 5 Days**

Any suspension from school in excess of five school days shall be considered a long-term suspension. Unless there is an agreement between the person requesting the suspension and the parent, a long-term suspension may be done only after the Superintendent of Schools or his/her designee has conducted a hearing.

When a student is subject to a long-term suspension, 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.

### **1. Hearing Procedures - Notice of Hearing**

The notice of suspension will be mailed or delivered to the parent, who shall have a minimum of 48 hours notice of the time and place of the hearing, as well as the nature of the charge(s) and specific facts so that a proper defense may be placed upon the record on behalf of the student.

In the event of the suspension of a student over the age of 18, the notice, as described above, shall be delivered or mailed to the student, as well as to the student's parents(s) if any. Emancipated minors shall be entitled to the same notice rights as a student beyond the age of 18 years.

All notices of long-term suspension hearings shall state that the student has the right to be represented by an attorney or lay counsel, that a transcript of the hearing will be prepared (tape recording or stenographic record) and that the student has the right to subpoena witnesses, or otherwise present witnesses in his/her defense. The time, date and location of the hearing shall also be prominently set forth in the notice. If the student is 18 years of age or older, the letter described above will be mailed to the student as well as his/her parent.

### **2. The Long-Term Suspension Hearing**

The person conducting the hearing shall not have intimate knowledge of the details of the charges to assure an impartial, unbiased hearing of the case.

At the beginning of the hearing, the Hearing Officer shall inform the student and the student's representative(s):

1. that the Districts and the student's representatives shall have the right to examine and cross-examine witnesses;
2. that the student has the privilege against self-incrimination, but that if the student does testify, s/he shall be subject to cross-examination;
3. that the District has the burden of proving the charges by a preponderance of credible evidence;
4. that a transcript of the proceedings shall be maintained and made available to the student's representative upon request; and
5. that the hearing shall be private or open to the public, as determined by the student's representative.

The District presents its evidence first. District witnesses shall be subject to cross-examination by the student's representative. The student will then have the opportunity to present witnesses on his/her behalf, subject to cross-examination by the District's representative.

Following the conclusion of the testimony and the introduction of other evidence matters, the parties shall be afforded the opportunity to present oral arguments to the Hearing Officer indicating the reasons why the charges should be sustained or dismissed.

The Hearing Officer shall then reach findings of fact upon the charges.

In the event that one or more of the charges is sustained, the Hearing Officer shall then entertain statements from the parties regarding the appropriate penalty outcome. In the event that the parent and/or the student, in an appropriate case, have been served with a notice indicating the student's past disciplinary anecdotal record may be offered for consideration at the hearing, such record may be considered by the Hearing Officer in determining an appropriate penalty. The incidents contained within the past anecdotal record shall be subject to proof to the extent that they are denied by the student, as expressed by the student's representative.

The Hearing Officer, upon the conclusion of the portion of the proceedings dealing with penalty determinations, shall make findings of fact and penalty recommendations, if any, to the person or body which designated him/her immediately upon the conclusion of the long-term suspension hearing.

The Superintendent shall make his own findings of fact and penalty decision, by adopting those of the designated Hearing Officer, where applicable, in whole or in part, or by reaching independent findings of fact and penalty determinations. This process shall be concluded within the five school day period from the time of the initial suspension if the student is to be continuously suspended. The decision may be communicated to the student's representative and/or student (where over the age of 18) beyond the five day period in cases where the student has been reinstated to attendance in school pending the final determination on the charges and penalty by the Superintendent.

### **Alternative Instruction**

Pursuant to the Education Law, no student under 16 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.

### **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.

### **Suspension from Transportation Service**

Students may be suspended from transportation services for an infraction or infractions listed herein. If requested by the parent/guardian, an informal hearing may be held, at which time the student's parent/guardian or other representative shall be allowed to confront the witnesses relied upon by the District in determining the appropriateness of such suspension of service.

### **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).

### **Long-Term Suspension of Students with Disabilities**

In the event that a student has a known or suspected disability, the District will proceed to conduct a §3214 disciplinary proceeding for any suspension of more than five days.

If guilt is determined, before a penalty may be imposed, the following rules shall apply:

1. Before discipline may be meted out for a student with a disability or suspected disability founded solely under §504 of the Rehabilitation Act of 1973 (hereinafter "§504")/Title II of the Americans with Disabilities Act (hereinafter the "ADA"), the §504 multi-disciplinary committee (hereinafter the "§504 Committee") must make a determination of whether the conduct underlying the charge(s) was a manifestation of the disability.
2. If a nexus is found between the disability and the conduct underlying the charges, the §3214 proceeding must be discontinued and the matter placed under the jurisdiction of the §504 Committee for any further consideration. The §504 Committee must register a referral and bring about an evaluation of a student with a suspected disability or, if the student is already eligible under §504, it must consider possible program modification and disposition on a non-disciplinary basis.
3. If no nexus is found, yet a disability is indicated or has been identified, discipline may be imposed upon remand to the §3214 Hearing Officer. Students whose sole disabilities are founded under §504 and for whom no nexus is found shall be disciplined in the same manner as their non-disabled peers. Any penalty imposed may not be based on past behavior for which a nexus determination was not made.
4. The School District must continue to provide a free appropriate public education to students who have been suspended from school as required by the regulations implementing §504 (34 CFR 104 et. seq.) until the end of the school year in which the student reaches the age of 21.
5. Before discipline may be meted out for a student classified or deemed to be known as having a disability under the Individuals with Disabilities Education Act (hereinafter "IDEA") [a student with an educational disability], The Committee on Special Education (hereinafter the "CSE") must make a determination of whether the conduct underlying the charges was a manifestation of the disability:
6. If a nexus is found between the disability and the conduct, the §3214 proceeding must be discontinued (except for weapons, drugs, and dangerous behavior) and the matter placed under the jurisdiction of the CSE for any further consideration. The CSE must register a referral and bring about an evaluation in the case of a student who may be deemed to be known as having a disability or, if the student is already classified under IDEA, it must consider possible program modification and disposition on a non-disciplinary basis.

7. If no nexus is found, yet nonetheless a disability is indicated or has been identified, discipline may be imposed upon remand to the §3214 Hearing Officer. The relevant disciplinary procedures applicable to children without disabilities may be applied in the same manner in which they would be applied to children without disabilities, as long as the child continues to receive a free appropriate public education during any such term of suspension.
8. Where no nexus is found and no suspected disability is determined to exist, the matter shall be remanded to the §3214 Hearing Officer for a determination of penalty. Any penalty imposed may not be based on past behavior for which a nexus determination was not made.
9. The School District must continue to provide a free appropriate public education to students who have been suspended from school.
10. A student classified or deemed to be known as having an educational disability under IDEA may be suspended and placed in an interim alternative education setting for up to forty-five (45) days if the student carries a weapon to school or a school function, or knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school or a school function.
  - a. 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.” (See page 2 for detailed description)
  - b. In accordance with law, the term “illegal drugs” means controlled substances but not those legally possessed or used under the supervision of a licensed health care professional or other permitted authority under the Federal Controlled Substances Act or under any other provision of Federal law. Controlled substances are drugs and other substances identified under schedules set forth in applicable Federal law provisions.
11. Before a student is suspended and placed in an interim alternative educational setting for up to 45 days for behavior involving weapons and/or drugs, the CSE must conduct a manifestation determination and a functional behavioral assessment, as well as implement a behavioral intervention plan that addresses the behavior underlying the disciplinary proceeding or review any such pre-existing plan for modification, if necessary.
12. Placement in an interim alternative educational setting as a result of conduct involving weapons and/or drugs is not contingent upon a CSE determination that the misconduct is not related to the student’s disability.
13. The exception allowed for the suspension/removal of students with educational disabilities for up to 45 days for conduct involving weapons and/or drugs does not apply to student whose disabilities are founded solely upon §504/Title II ADA.
14. It is up to the CSE to determine what would constitute an interim alternative educational setting that would meet the requirements of the student’s IEP and enable the student to participate in the general curriculum (although in another setting).
15. Such an interim alternative educational setting shall be deemed the student’s “stay put” placement during the pendency of any due process proceedings contesting the interim alternative educational setting for the duration of the interim placement.

<b>MINOR PROBLEM BEHAVIORS: CLASSROOM MANAGED</b>	<b>DEFINITIONS</b>
ALTERCATION (verbal)	A heated or angry dispute; noisy argument or controversy involving two or more students.
DISRESPECT	Student engages in brief or low-intensity refusal to follow directions, talking back and /or socially rude interactions with authority figures
DEFIANCE/INSUBORDINATION	Student engages in brief or low-intensity failure to respond to adult requests.
DISRUPTION	Student engages in low-intensity, but inappropriate physical contact.
DRESS CODE VIOLATION	Student wears clothing that is near, but not within, the dress code guidelines defined by the school/district.
INAPPROPRIATE LANGUAGE	Student engages in low-intensity instance of inappropriate language.
PROPERTY MISUSE	Student participates in an activity that results in minor disfigurement of property and/or misuses property.
TARDY/ LATE TO CLASS	Student arrives to class after the bell (or signal that class has started).
TECHNOLOGY VIOLATION- (ELECTRONICS-TEXTING, CALLS, MUSIC)	Student engages in non-serious but inappropriate (as defined by school) use of cell phone, music/video players, camera, and/or computer.
<p data-bbox="191 1310 289 1339">OTHER</p> <ul style="list-style-type: none"> <li data-bbox="240 1415 483 1444">• CALLING OUT</li> <li data-bbox="240 1520 574 1549">• CHEATING/FORGING</li> <li data-bbox="240 1688 467 1717">• DISHONESTY</li> <li data-bbox="240 1822 597 1852">• ELECTRONIC DEVICES</li> </ul>	<p data-bbox="670 1310 1401 1373">Student engages in any other minor problem behaviors that do not fall within the above categories:</p> <ul style="list-style-type: none"> <li data-bbox="719 1415 1401 1478">• Student talks without being called on and interrupts as the teacher and/or peer is speaking/presenting</li> <li data-bbox="719 1520 1433 1646">• 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.</li> <li data-bbox="719 1688 1425 1772">• Student engages in non-serious delivery of message that is untrue and when confronted or out of their own volition admits misbehavior.</li> <li data-bbox="719 1822 1385 1885">• Student engages in use of/or possession of electronic devices during unauthorized time but complies with</li> </ul>

<ul style="list-style-type: none"> <li>• FOOD/DRINK</li> <li>• INAPPROPRIATE COMMENTS</li> <li>• PARENT SIGNATURE</li> <li>• PERSONAL DISPLAY OF AFFECTION</li> <li>• PREPAREDNESS</li> <li>• PROPERTY DAMAGE/MISUSE</li> <li>• PUT DOWN</li> <li>• REFUSING TO WORK</li> <li>• TONE/ATTITUDE</li> <li>• TOUCHING</li> </ul>	<p>request to put device away. 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.</p> <ul style="list-style-type: none"> <li>• Student engages in non-serious eating/drinking during an undesignated time or in an unauthorized location such as auditorium, etc.</li> <li>• Student engages in low-intensity instance of making an inappropriate comment and when confronted/or out of his/her own volition is quick to retract comment and apologize.</li> <li>• Student engages in non-serious misrepresentation of their parents'/guardians' signature and/or intentionally does not produce his/her parents'/guardians' signatures as requested by teacher.</li> <li>• Student engages in non-serious public display of affection and when confronted and/or out of his/her own volition ceases and refrains from behavior.</li> <li>• Student comes to class without required materials and/or assignments completed.</li> <li>• Student engages in non-serious misuse and/or actions which contribute to the damage of school and/or the property of the teacher and/or another student.</li> <li>• Student engages in low-intensity instance of putting down another student or adult and when confronted and/or out of his/her own volition ceases and refrains from behavior.</li> <li>• Student engages in low-intensity instance of refusing to initiate or complete work.</li> <li>• Student engages in low-intensity instance of disrespectful tone and/or attitude and when confronted and/or out of his/her own volition ceases behavior.</li> <li>• Student engages in non-serious instance of touching and annoying peers and upon confrontation and/or out of his/her own volition ceases behavior.</li> </ul>
<p><b>MAJOR BEHAVIOR PROBLEMS:</b></p>	<p><b>DEFINITIONS</b></p>

<b>Administration-Office Managed</b>	
ALTERCATION (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.
ARSON	Intentionally starting or attempting to start any fire or combustion.
ASSAULT	<p>With criminal intent, the act of threatening to strike, attack or harm a person in school or at any school sponsored activity; intentional offensive/physical contact without consent</p> <ol style="list-style-type: none"> <li>1. <b><i>Assault with Serious Physical Injury</i></b>: Intentionally or recklessly causing serious physical injury to another person, with or without a weapon, in violation of the school district’s code of conduct. Pursuant to Penal Law §10.00(10), "serious physical injury" means physical injury creating a substantial risk of death or serious and protracted disfigurement or protracted impairment of health or protracted loss or impairment of the function of any bodily organ. 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.</li> <li>2. <b><i>Assault with Physical Injury</i></b>: Intentionally or recklessly causing physical injury (not serious) to another person, with or without a weapon, in violation of the school district’s code of conduct. Physical injury means impairment of physical condition or substantial pain. Physical injury includes, but is not limited to, black eyes, welts, abrasions, bruises, black and blue marks, cuts not requiring stitches, and swelling. Substantial pain includes, but is not limited to, severe headaches, joint, or muscle pain.</li> </ol>

BATTERY	Any physical force or violence unlawfully applied to any person. This can include jostling, tearing clothes, seizing or striking another person so long as there is criminal intent.
BOMB/EXPLOSIVE	Device containing combustible material and a fuse, including fireworks M-80 or larger.  1. <b>Bomb Threat:</b> A telephoned, written, verbal or electronic message that a bomb, explosive, chemical, or biological weapon has been or will be placed on school property, with or without a weapon.
BURGLARY	Unauthorized entry into an unoccupied school building with the intent of committing a felony when the building is closed to students and the public.
BULLYING	Bullying occurs when a student is the target, over time, of repeated negative actions. It is not bullying when two students of approximately the same age, strength or developmental level fight or quarrel. Bullying means there is an imbalance of power so that the student being victimized has trouble defending him or herself.
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.
OVERT DEFIANCE/GROSS INSUBORDINATION/NON-COMPLIANCE	Student engages in blatant failure to respond to adult requests.
EXCESSIVE DISRUPTION DISRUPTIVE 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.
OVERT DISRESPECT	Refusal to follow directions, talking back and /or socially rude interactions with authority figures
DIRECTED ABUSIVE LANGUAGE/ INAPPROPRIATE LANGUAGE/ PROFANITY	Verbal Messages that include swearing, name calling or use of words in an inappropriate way.
EXCESSIVE TARDINESS	Student is late (as defined by the school) to class or the start of the school day.

SKIPPING CLASS/TRUANCY	Student leaves class/school without permission or stays out of class/school without permission.
INTIMIDATION, HARRASMENT, MENACING, BULLYING (IHMB)	Threatening , stalking or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal or physical conduct that threatens another with harm including intimidation through the use of epithets or slurs involving race, ethnicity, weight, color, national origin, religion, religious practices, gender, sexual orientation, age or disability.
THREATENING/ MENACE	With criminal intent, the act of threatening to strike, attack or harm any person in school or at any school sponsored or supervised activity.
EXTORTION	Use of “mild” threats or intimidation to demand money or something of value from another (no weapon).
FALSE FIRE ALARM	Report a fire to school or fire officials or setting off a fire alarm without a reasonable belief that a fire exists.
GAMBLING	Playing any game of chance or skill for money or anything of value
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.).
INAPPROPRIATE LOCATION/OUT OF BOUNDS AREA/LEAVING SCHOOL GROUNDS	Student is found to be in an unauthorized area without permission and/or has left the school building without consent.
LOITERING/TRESPASSING	ENTERING SCHOOL PROPERTY OR SCHOOL FACILITY WITHOUT PROPER AUTHORITY. THIS INCLUDES A STUDENT COMING ONTO SCHOOL PROPERTY DURING SUSPENSION WITIOUT PRIOR ADMINISTRATIVE APPROVAL.
PHYSICAL AGGRESSION/CONTACT	<b>Aggressive</b> behavior is behavior that causes <b>physical</b> or emotional harm to others, or threatens to or inappropriate contact. Actions involving one student that is involved in serious physical contact where injury may occur (e.g. hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.).
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.
TRUANCY	Student who misses an entire day or any part of a day of school without being properly excused. Administration determines truant status.
FORGERY/PLAGIARISM	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.
PARKING VIOLATION	Parking in a location without authorization or permit.
POSSESSION OF STOLEN PROPERTY (CRIMINAL)	Taking property known or believed to be stolen with the intent of depriving the owner of the items(s).
PROPERTY DAMAGE/VANDALISM/GRAFFITI	The willful or malicious destruction or defacement of public or private property belonging to another.
OVERT LYING/CHEATING	Student delivers message that is untrue and/or deliberately violates rules.
OVER DRESS CODE VIOLATION	Student wears clothing that does not fit within the dress code guidelines practiced by the school/district.
GROSSLY INAPPROPRIATE DISPLAYS OF AFFECTION	Student engages in inappropriate (as defined by school) verbal and/or physical gestures/contact, of a sexual nature to another student/adult, either consensual or non-consensual.
OTHER	<p>Problem behavior causing this referral is not listed above. Staff using this area will specify the problem behavior observed and/or refer to additional "major problem behaviors" listed below.</p> <ul style="list-style-type: none"> <li>• DRUGS/ALCOHOL/CHEMICAL OFFENSE</li> <li>• HOMICIDE</li> <li>• KIDNAPPING</li> <li>• LEAVING SCHOOL GROUNDS</li> <li>• LEWDNESS</li> </ul> <ul style="list-style-type: none"> <li>• Any controlled substance or alcohol. This includes any transfer of a prescription drug or any substance alleged to be a drug regardless of its actual content.</li> <li>• Any conduct which results in the death of another person, with or without a weapon.</li> <li>• To abduct, as defined in Penal Law §135.00, 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.</li> <li>• Student willfully and without permission leaves school premises and/or is an area that is outside of school boundaries.</li> <li>• Self-exposure or "mooning," depending on the circumstances, are reported as (Intimidation, Harassment, Menacing or Bullying) or (Other Disruptive Incident).</li> <li>• Subjecting individuals to danger by recklessly engaging</li> </ul>

<ul style="list-style-type: none"> <li>• RECKLESS ENDANGERMENT</li> </ul>	<p>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:</p> <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ Incidents involving a person choking another individual, including, but not limited to incidents where a student offender refuses to obey staff directives or interventions to stop choking his or her victim.</li> <li>○ Brandishing a weapon on a school bus threatening other students, bus driver and/or bus monitor with harm or injury.</li> <li>○ Driving a car erratically and recklessly in a school parking lot while other student(s), staff, or individuals are present.</li> </ul>
<ul style="list-style-type: none"> <li>• ROBBERY</li> </ul>	<ul style="list-style-type: none"> <li>• 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.</li> </ul>
<ul style="list-style-type: none"> <li>• RIOT</li> </ul>	<ul style="list-style-type: none"> <li>• Four or more persons simultaneously engaging in tumultuous and violent conduct and thereby intentionally or recklessly causing or creating a grave risk of physical injury or substantial property damage or causing public alarm, with or without a weapon.</li> </ul>

<ul style="list-style-type: none"> <li>• SEXUAL ACTS</li>   <li>• SEXUAL ASSUALT/OFFENSES</li> </ul>	<ul style="list-style-type: none"> <li>• Student engages in sexual acts with another student/adult, either consensual or non-consensual.</li>   <li>• Intentional sexual contact of a harmful or offensive nature.  <b>Forcible Sex Offenses:</b> Involving forcible compulsion and completed or attempted sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact, with or without a weapon, including but not limited to, rape and sodomy. Pursuant to Penal Law §130.00(8), "<b>forcible compulsion</b>" means "to compel by either: (a) use of force; or (b) a threat, express or implied, which places a person in fear of immediate death or physical injury to himself, herself or another person, or in fear that he, she or another person will immediately be kidnapped." Pursuant to Penal Law §130.00(11), "<b>aggravated sexual contact</b>" means "inserting, other than for a valid medical purpose, a foreign object in the vagina, urethra, penis or rectum of a child, thereby causing physical injury to such child." "<b>Oral sexual conduct</b>" and "<b>anal sexual conduct</b>" mean oral or anal sex.</li>   <li>• <b>Other Sex Offenses:</b> involving inappropriate sexual contact but no forcible compulsion, with or without a weapon. Other sex offenses, includes, but is not limited to, conduct that may be consensual or involve a child who is incapable of consent by reason of disability or because he or she is under 17 years of age. However, it does not include consensual conduct involving students and/or non-students 18 years of age or under, unless at least one of the individuals participating in the conduct is at least 4 years older than the youngest participant.         Inappropriate sexual contact requires physical contact with another person but no forcible compulsion. It includes, but is not limited to, the following conduct:       <ul style="list-style-type: none"> <li>• touching or grabbing another student on a part of the body that is generally regarded as private, such as buttocks, breast, genitalia, etc.</li> <li>• removing another student’s clothing to reveal underwear or private body parts</li> <li>• brushing or rubbing against another person in a sexual or provocative manner</li> <li>• a student first rubbing his/her own genitalia and then touching another person’s body</li> </ul> </li> </ul>
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<ul style="list-style-type: none"> <li>• SEXUAL HARASSMENT</li>   <li>• SMOKING</li>   <li>• VIOLENT CRIMINAL OFFENSE</li>   <li>• WEAPONS POSSESSION</li> </ul>	<ul style="list-style-type: none"> <li>• 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</li>   <li>• Student is in possession of or is smoking tobacco and/or any other substance.</li>   <li>• A crime that inflicts serious physical injury upon another as defined in the Penal Law, a sex offense that involved forcible compulsion or any other offense defined in the Penal Law that involves the threatened use of a deadly weapon. Under the No Child Left Behind Act of 2001, a student who has been the victim of a “violent criminal offense” has the option to transfer to another school in the district (if available)at the same grade level.</li>   <li>• Student is in possession of knives or guns (real or look alike), or other objects readily capable of causing bodily harm and/or intimidation.</li> </ul>
<ul style="list-style-type: none"> <li>• LOCATIONS</li> </ul>	<b>DEFINITIONS</b>
PLAYGROUND	The outside area used for recess breaks.
CAFETERIA	The area used for breakfast and lunch.
HALLWAY	Areas designated for passing from one activity/class to another.
CLASSROOM	Classrooms used for instructional purposes.
LIBRARY	The area designated for research and study.
BATHROOM	Area used by students for taking care of personal needs.
ARRIVAL/DISMISSAL	Area used by students for arriving to and dismissing from school.
GYMNASIUM	Area used by students for gym class.

ART	Area used by students for art class.
MUSIC	Area used by students for music class.
BUS	Vehicle used for student transportation.
OTHER	Location for referral occurs in a location that is not listed above. Staff using this area will specify the location of the problem.
<b>POSSIBLE MOTIVATION</b>	<b>DEFINITION</b>
OBTAIN PEER ATTENTION	Student engages in problem behavior(s) to gain peer(s) attention.
OBTAIN ADULT ATTENTION	Student engages in problem behavior(s) to gain adult(s) attention.
OBTAIN ITEM(S)/ACTIVITY	Student engages in problem behavior(s) to gain item(s) and/or activities.
AVOID PEER(S)	Student engages in problem behavior(s) to get way from/escape peer(s).
AVOID ADULT(S)	Student engages in problem behavior(s) to get away from adult(s).
AVOID TASKS/ACTIVITIES	Student engages in problem behavior(s) to get away/escape from tasks and/or activities.
SENSORY STIMULATION	Student engages in problem behavior(s) to gain sensory stimulation gratification.
DON'T KNOW	Student engages in problem behavior(s) for unclear reasons.
<b>OTHERS INVOLVED</b>	<b>DEFINITION</b>
NONE	Student engaged in problem behavior incident alone.
PEERS	Student engaged in problem behavior incident with peer(s).
STAFF	Student engaged in problem behavior incident with staff.
SUBSTITUTE	Student engaged in problem behavior incident with substitute.

TEACHER	Student engaged in problem behavior incident with teacher.
UNKNOWN	It is unclear if any others were involved in incident.
<b>TEACHER DECISION</b>	<b>DEFINITION</b>
REMOVAL	The act of a teacher in discontinuing the presence of the student in his/her classroom. If the incident is minor incident the teacher must have at least attempted and documented three separate interventions prior to removing the student from class. If the incident is a major incident the teacher may remove the student from class immediately and must notify administration.
<b>ADMINISTRATIVE DECISION</b>	<b>DEFINITION</b>
CONFERENCE WITH STUDENT	Consequence for referral results in student meeting with administrator, teacher, and/or parent (in any combination) with the ultimate goal to deter and replace behavior problem.
PARENT CONTACT	Consequence for referral results in parent communication by phone, e-mail or person to person about the problem with the ultimate goal to deter and replace be.
INDIVIDUALIZED INSTRUCTION	Consequence for referral results in student receiving individualized instruction specifically related to the student's problem behaviors.
SUSPENSION	The act of a Building Principal (or acting building principal), Superintendent of Schools, District Superintendent or Board of Education in discontinuing the presence of a student from his/her regular classes.
IN-SCHOOL SUSPENSION	Consequence for referral results in a period of time spent away from scheduled activities/classes during the school day. A part of the time in school suspension will be dedicated to remediating and teaching of replacement behaviors to avoid future behavior problems.
OUT-OF-SCHOOL SUSPENSION	Consequence for referral that results in a specified period when student is not allowed on campus. Upon return to the school campus the student will participate in remediating activities/work that will teach replacement behaviors to avoid future behavior problems.
OTHER	Consequence for referral results in administrative decision that is not listed above. Staff using this area will specify the administrative action taken.

OTHER DEFINITIONS	
DISRUPTIVE STUDENT	An elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.
PARENT	The parent, guardian or person in parental relation to a student.
SCHOOL FUNCTION	Any school sponsored extra-curricular, co-curricular or other event or activity.
SCHOOL PROPERTY	In or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus as defined §142 of the New York State Vehicle and Traffic Law.
VIOLENT STUDENT	A student under the age of 21 who: <ul style="list-style-type: none"> <li>▪ commits an act of violence upon a school employee, or attempts to do so.</li> <li>▪ commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property, or at the school function, or attempts to do so.</li> <li>▪ possesses, while on school property, or at a school function, a weapon.</li> <li>▪ displays, while on school property, or at a school function, what appears to be a weapon, threatens, while on school property, or at a school function, to use a weapon.</li> <li>▪ knowingly and intentionally damages or destroys the personal property of any person lawfully on school property or at a school function.</li> <li>▪ knowingly and intentionally damages or destroys school district property.</li> </ul>
WEAPON	Any instrument which can cause or be converted to cause bodily harm, including but not limited to firearms as defined in the Gun-Free Schools Act; the frame or receiver of such firearm; any muffler or silencer, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, knife, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

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**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).

## **APPENDIX A**

### **ATTENDANCE POLICY 5100**

The Wappingers Central School District believes that students who are most successful academically, socially and emotionally are those who attend school on a daily basis. We believe parents, teachers, staff and the community need to be responsible for implementing an attendance policy that will enhance educational success. The Wappingers Central School District supports the following objectives in its attendance policy:

1. To maximize the opportunities for student academic success through daily class attendance.
2. To confirm that students are meeting compulsory attendance requirements.
3. To know the whereabouts of every student for safety and school management reasons.
4. To foster lifelong habits and attitudes of personal responsibility and accountability.

The Board of Education, in accordance with the State Education Law, requires that each minor regularly attend school full-time from the first day of session in September of the school year in which the minor becomes six years of age on or before December 1, through the last day of the school year in which such minor becomes sixteen years of age, unless he/she has completed a four-year high school course of study. He/she may attend a school other than a public school or receive home instruction, provided the instruction is equivalent to that given in the public schools.

In order that students, parents, teachers and administrators are notified of and understand this policy, the policy will receive wide distribution through district venues such as student handbooks, distribution of plain language summaries, school newsletters, the district web site and district publication's.

#### **Record Keeping**

In order to regularly monitor student attendance records and identify related attendance concerns and issues, a daily register of school attendance will be maintained in a database.

Students' absences, tardiness and early departures will be recorded as excused or unexcused as defined by our attendance policy. The school, on a regular basis, will review the attendance data to identify patterns or trends in student absences. The school will implement student and parent accountability measures. The school will assist with the accountability measures through its parent notification and reporting procedures.

At the elementary level, teachers will take attendance in homeroom on a daily basis.

At the junior and senior high levels, teachers will take attendance in homeroom and in each class period on a daily basis. A daily attendance bulletin will be published in a timely manner.

At the elementary level, parents will call the school at the opening of school to report their children absent for the day. The school will make phone calls to the homes of the parents of absent children who have not notified the school of their children's absences. The building administrator will send a letter home if a pattern of excessive absences occurs.

At the junior and senior high levels, a student absent from class after homeroom will be immediately reported to the attendance office. A daily phone call will be made to the home unless the attendance office is notified of the reason for the absence during the day. 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 within seventy-two hours, 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.

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

The Board recognizes the following as reasons for excused absences, tardiness and early departures from school, each of which must be verified by the student's parent/guardian or school personnel, where applicable:

1. Personal illness
2. Death in the immediate family
3. Impassable roads or weather related problems
4. Religious observance
5. Legal obligation, required attendance in court
6. Quarantine
7. Doctor/dental/professional appointment
8. Military obligations
9. College visitations
10. Approved school-sponsored activities, including field trips, interscholastic athletics, musical and other competitions
11. Approved cooperative/work study program
12. Suspension
13. Other excused absence per district discretion

It is the parent/guardian's responsibility to provide a written excuse upon the student's return to school following an excused absence. Any category of absence not provided for on the excused list shall be deemed an unexcused absence.

Unexcused absences, tardies and early dismissals will result in disciplinary action consistent with the district' Code of Conduct.

### **Course Credit Standard**

Elementary children's attendance is dependent upon the parents. Therefore, absences, excused or unexcused, will not impact the children's grades if the work is made up in a timely manner. However, due to the nature of the classroom work, it may not be possible to replicate class work and the children's grades will reflect that loss of instruction.

At the junior high level, students who are absent from school and/or a class are responsible for completing all missed class work and homework within three days of their return to class. The student and parent are responsible to check with his/her teacher/guidance counselor to determine the class work or homework that must be completed. Assignments not completed within the three-day time limit will receive zeroes. If a student has an unexcused absence on the day of a local final exam, he or she will receive a zero on that test.

At the high school level, a student's final grade may be based on classroom participation as well as the student's performance and homework, tests, papers, project. Unexcused absences, tardies and early dismissals will affect a student's class participation grade for the marking period. If a student has an unexcused absence on the day of a quiz, test, or exam, he or she will receive a zero.

Teachers are not required to provide advanced classwork and homework for planned unexcused absences. The student and parent are responsible to check with his/her teacher/guidance counselor to determine the class work or homework that must be completed.

### **Process of Developing Intervention Strategies**

Schools will set up procedures to intervene with students with excessive absences or tardies or with unusual patterns of absences or tardies by referring the student to the school's Response to Intervention Team. These procedures may also include contacting the parent/guardian, referral to a building multidisciplinary team to recommend appropriate steps, Youth Services referral, filing a PINS petition, with probation if needed, or contacting Child Protective Services.

### **Sanctions and Incentives Related to Attendance**

Schools may set up a program of incentives and sanctions to encourage responsible attendance. Incentives could include a letter from the building administrator for perfect attendance, attendance commendation certificates, school recognitions for perfect attendance each marking period, end of the year ceremony for students with perfect attendance, consideration of students with good attendance for special privileges and activities that are unavailable to all students, and the Renaissance program.

Schools will enforce the sanctions in the district's Code of Conduct as it applies to unexcused absences, tardies, and

early dismissals from school or class. The Code of Conduct prescribes a range of disciplinary steps dependent upon the level of school and severity of the problem.

### **Oversight Responsibilities**

The Building Principal and/or his/her administrative designee shall be responsible for reviewing student attendance records and initiating appropriate action consistent with this policy.

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

Ref: Education Law §§ 1709; 3024; 3025; 3202 (1-a); 3205-3213; 3225  
8 NYCRR §§ 104.1; 175.6

**The following Office Discipline Referral form will be used at the elementary level to refer students to the office for minor and major incidents. These incidents will be input into the SWIS data system, without student names in order to track the number of referrals and plan interventions that will minimize and eliminate negative behaviors. Please refer to the Wappingers Central School District Behavior Flow Map for explicit direction. A copy of the referral will be sent home so the parent is informed of the incident. Any student names will be omitted.**

**Appendix B**



# WAPPINGERS

Central School District



Middle States Association  
of Colleges and Schools

Member

## Wappingers ODR Tracking Form-Elementary Schools

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

**2. LOCATION:**

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

Arrival/Dismissal Area or Room  Art

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

Bathroom  Bus

Cafeteria

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

Gymnasium  Hallway

Music

**5. GRADE:** K 1 2 3 4 5 6

Library

**6. REFERENT Name:** \_\_\_\_\_  
Playground

Other \_\_\_\_\_

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 _____
<input type="checkbox"/> Time out or Detention (lunch / recess)	

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

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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:

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

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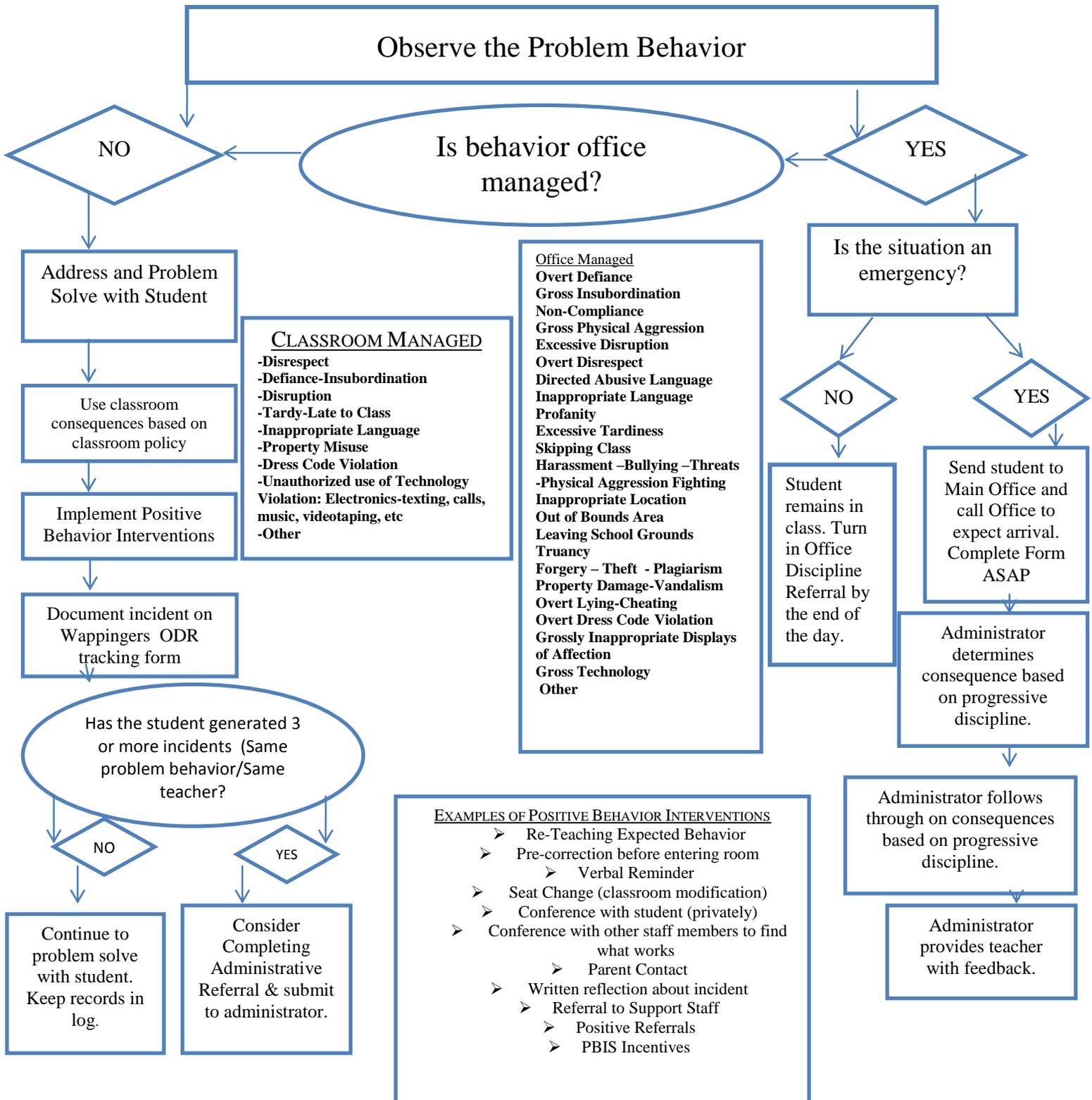


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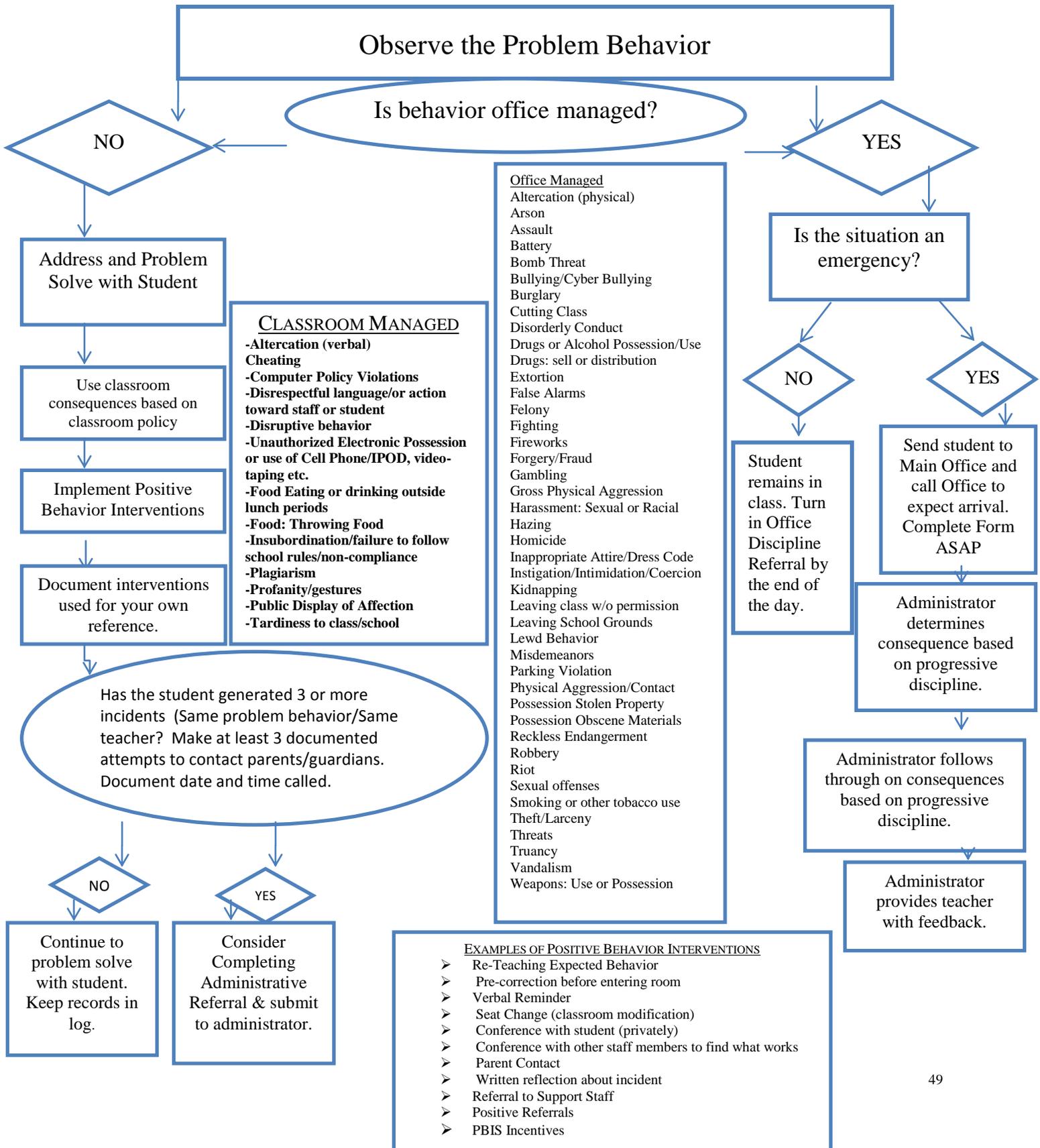


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# STUDENT BEHAVIOR MANAGEMENT PROCESS



# STUDENT BEHAVIOR MANAGEMENT PROCESS



## Appendix E

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.

## RANGE OF DISCIPLINARY ACTIONS FOR SELECTED INFRACTIONS

The following chart constitutes a range 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 according to Board of Education Policy.

Chart

INFRACTION	RANGE OF PENALTIES FIRST OFFENSE	RANGE OF PENALTIES SECOND OFFENSE	RANGE OF PENALTIES THIRD OFFENSE	RANGE OF PENALTIES FOURTH OFFENSE
Altercation (physical or verbal)	warning/ISR/RSS/ISS/OSS	ISR/ISS/OSS	OSS	OSS/Supt. Hearing
Arson	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Assault: Physical or Serious	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Battery	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Bomb Threat	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Bullying/ Cyber Bullying	RSS/ISR/ISS/Police	ISS/OSS/Police	ISS/OSS/Supt. Hearing/Police	OSS/Supt. Hearing/ Police
Burglary	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Cheating	warning/RSS/Zero on Assignment Parent Contact	ISR/RSS/Zero on Assignment	ISR/ISS/RSS/ Zero on Assignment	ISR/ISS/RSS/ Zero on Assignment
Computer Policy Violations	Warning	Detention/ISR	ISR	OSS
Cutting Class/Skipping Class/ Truancy	PC/Detention	ISR/Detention	ISR/ISS	ISS/PINS
Disrespectful language/or action toward staff or student	RSS/ISR/ISS/OSS	RSS/ISR/ISS/OSS	RSS/ISS/OSS	OSS/Supt. Hearing
Disorderly Conduct	OSS/Supt. Hearing/Police	OSS/ Supt. Hearing/Police	OSS/ Supt. Hearing/Police	OSS/ Supt. Hearing/Police
Disruptive behavior(Incl. Bus)	warning/detention/ ISR	Detention/ISR	ISR/ISS	ISS/OSS
Drugs or Alcohol: Possession or Use	OSS/PINS/RSS Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Drugs: Sale or Distribution	OSS/PINS/RSS/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Unauthorized Possession or Use of Electronic Devices: Use of Cell Phone/iPOD, etc.	Warning/Confiscation/ Parental pick up/ISR/ISS	Confiscation/ ISS/Parent Pick up/OSS	Confiscation/ ISS/OSS/Parent Pick up	Confiscation/ ISS/OSS/Parent Pick up/ Superintendent Hearing
Excessive Misconduct	ISR during non-instructional time; Referral for FBA/BIP;	OSS	Alternative Educational Placement	Superintendent Hearing for Long-term Suspension

	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Extortion				

	OSS/Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
False Alarms				
	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Felony				
Fighting (per VADIR definition)	ISR/ISS/OSS	OSS/Supt. Hearing	OSS/Supt. Hearing	OSS/Supt. Hearing
Fireworks	OSS/Supt.Hearing/ Police	OSS/Supt.Hearing/ Police	OSS/Supt.Hearing/ Police	OSS/Supt.Hearing/ Police
Food: Eating or Drinking outside of lunch periods	Warning	Detention/ISR	ISR	ISR
	PC/ISR/ISS/Clean up	ISS/OSS/Clean up	OSS/clean up//Supt. Hearing	OSS/Supt. Hearing
Food: Throwing Food				
	ISR/ISS/OSS	ISS/OSS	ISS/OSS	OSS/Supt. Hearing
Forgery/Fraud				
	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Gambling				
	ISS/OSS	ISS/OSS	ISS/OSS	OSS/Supt. Hearing
Harassment: Sexual or Racial				
	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Hazing				
	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Homicide				
	PC/change clothing	PC/change clothing/Detention/ISR	PC/change clothing/ISR/ ISS	PC/change clothing/OSS
Inappropriate Attire/ Violating Dress Code				
	ISR/ISS/OSS	ISS/OSS	ISS/OSS	OSS/Supt. Hearing
Instigation/Intimidation or Coercion				
	PC/RSS/ISR	PC/ISS	ISS/OSS	OSS/Supt. Hearing
Insubordination / failure to follow school rules				
	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Kidnapping				
	ISR/ISS/RSS	ISR/ISS/RSS	ISR/ISS/RSS	ISR/ISS/RSS
Leaving School Grounds w/o Permission/ Leaving Class without permission				
	ISR/ISS/OSS	ISS/OSS	OSS/Supt. Hearing	OSS/Supt. Hearing
Lewd Behavior				
	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Misdemeanors				
	Warning	Suspension of Parking Lot of 5-10 days	Suspension of Parking Lot for up to 30 days	Suspension of Parking Lot up to discretion of administration
Parking Violation				
	warning/RSS/Zero on Assignment	ISR/RSS/Zero on Assignment	ISR/ISS/RSS/Zero on Assignment	ISR/ISS/RSS/Zero on Assignment
Plagiarism				
	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Possession of Stolen Property				

Possessing or Sharing obscene materials	Warning/PC/RSS	PC/Detention/ISR	ISR/ISS	ISS/OSS/ Supt. Hearing
Profanity/ Gestures	Warning/detention/ ISR	Detention/ISR	ISR/ISS	ISS/OSS
Public Display of Affection	Warning/PC	PC/RSS/Detention/ISR	RSS/ISR/OSS	ISS/OSS
Reckless Endangerment	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Riot	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Robbery	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Sexual Offenses: Forcible or Other	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police
Smoking/or other tobacco use	ISR//RSS/ Bd. Of Health	OSS/RSS /Bd. Of Health	OSS/RSS/ Bd. Of Health	OSS/RSS/ Bd. Of Health
Tardiness to School/ Class	Warning/RSS	RSS/Detention	ISR/RSS	ISR/RSS
Theft / Larceny	ISR/ISS/OSS/ Restitution/ Police	ISS/OSS Restitution/ Supt. Hearing/Police	OSS/Restitution/Supt. Hearing/Police	OSS/Restitution/Supt. Hearing/Police
Threatening Staff (Physical or Verbal)	OSS/Supt. Hearing	OSS/Supt. Hearing	OSS/Supt. Hearing	OSS/Supt. Hearing
Trespassing	ISR/ISS/OSS	ISS/OSS	OSS/Supt. Hearing	OSS/Supt. Hearing
Truancy	RSS/Detention/ ISR/ISS	RSS/ISR/ISS	RSS/ISR/ISS	ISR/ISS/RSS
Vandalism/ destruction of school property(incl. bus)	ISR/ISS/OSS/ Restitution/ Police	ISS/OSS/ Restitution/ Police	OSS/Restitution/Supt. Hearing/Police	OSS/Restitution/Supt. Hearing/Police
Weapons possession or use	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police	OSS/Supt. Hearing/ Police

Key

ISR= In-school restriction (less than full day)

ISS = In-school suspension (full day)

OSS = Out of school suspension

PINS = Probation/Social Services

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



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

