

**CODE OF CONDUCT FOR THE MAINTENANCE
OF PUBLIC ORDER ON SCHOOL PROPERTY
AND AT SCHOOL FUNCTIONS**

**Vernon – Verona – Sherrill School District
Policy #1025**

POLICY

COMMUNITY RELATIONS

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I. Introduction

A. The District establishes this Code of Conduct for the Maintenance of Public Order on School Property and at School Functions to govern the conduct of students, teachers and other school personnel, and visitors. This Code of Conduct has been developed consistent with Article 2-A of the Education Law, the Safe Schools Against Violence in Education Act (Chapter 181 of the Laws of 2000) and Section 100.2 of the implementing Commissioners Regulations, in collaboration with student, teacher, administrators, parent organizations, school safety personnel and other school personnel.

B. Definitions:

“Cyberbullying” means harassment or bullying that occurs through any form of electronic communication.

“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.

“Gender” means a person’s actual or perceived sex and includes a person’s gender identity or expression. “Gender Identity” means a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.

“Harassment or bullying” means the creation of a hostile environment by conduct or by threats, intimidation, or abuse, including cyberbullying as defined in Education Law section 11(8), that either:

1. has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or with the student’s mental, emotional and/or physical well-being, including

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- conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or
2. reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety.

This Code applies to all acts of harassment or bullying that occur on school property or at a school function, as well as to acts occurring off school property when (i) those acts create or would foreseeably create a risk of substantial disruption within the school environment, and (ii) it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

"Parent" means parent, guardian or person in parental relation to a student.

"School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or on a school bus, as defined in Vehicle and Traffic Law §142.

For the purposes of this policy, a "school function" is defined as any event, occurring on or off school property, sanctioned or approved by the school, including but not limited to offsite athletic events, school dances, plays, musical productions, field trips or other school-sponsored trips.

"Sexual Orientation" means a person's actual or perceived heterosexuality, homosexuality, or bisexuality.

For purposes of this policy, "hazing" is defined to mean committing an act against a student, or coercing a student into committing an act, that creates a risk of emotional, physical or psychological harm to the student, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term "hazing" includes, but is not limited to: humiliating, degrading or dangerous activities; substance abuse of alcohol, tobacco or illegal drugs; any activity that intimidates or threatens the student with ostracism, or adversely affect the health or safety of the student; or any activity that causes or requires the student to perform a task or act that is a violation of state or federal law or district policies/regulations.

The terms "drugs or any controlled or illegal substances" shall be construed throughout this Policy and related Policies and Regulations to refer to the use of

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(natural or synthetic or cannabinoids) substances including, but not limited to, alcohol, tobacco, electronic cigarettes, nicotine, inhalants, marijuana, cocaine, LSD, PCP, THC, amphetamines, heroin, steroids, look-alikes, and any of those substances commonly referred to as “designer drugs”.

The term “designer drugs” shall refer to (natural or synthetic) substances that are created (or marketed, if they had already existed) so as to avoid the provisions of existing drug laws, by preparing analogs or derivatives of existing drugs by modifying their chemical structure to varying degrees, or by findings drugs with entirely different chemical structures that produce similar subjective effects to illegal recreational or prescription drugs, including but not limited to items labeled incense, herbal mixtures or potpourri.

II. Essential Partners

A. Teachers and Staff

1. In recognition of their charge in educating the children of our community, it shall be the responsibility of the teachers and staff to:
 - a. 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 (including gender identity or expression) or sex, with the intent of strengthening students’ self- concept and promote confidence to learn.
 - b. Reflect a personal enthusiasm for teaching and learning and a genuine concern for the individual student.
 - c. Guide learning activities so students learn to think and reason, to assume responsibility for their actions and to respect the rights of others.
 - d. Participate in the establishment of school rules and regulations regarding student behavior; explain these rules to students and require observance of them.
 - e. Enable students to discuss their problems by listening to students, remaining open-minded, and consulting and acting on student recommendations in the decision-making process.

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- f. Be fair, firm and consistent in enforcing school rules in buildings, school buses, on the school campus and at school functions as defined by Section I (B).
- g. Give positive reinforcement for acceptable behavior.
- h. Demonstrate, by word and personal example, respect for law and order and self-discipline.
- i. Refer to a counselor or administrator any student whose behavior requires special attention.
- j. Seek to develop close cooperative relationships with parents for the educational benefit of the student by keeping open communication with parents and by sending communications home promptly.
- k. Report orally to their principal, the Superintendent, or designee any incident of harassment, bullying and/or discrimination that they witness or that is reported to them, not more than one school day later; and file a written report not later than two (2) school days after the initial oral report.

B. Administrators

- 1. As the educational leaders of the school, administrators set the disciplinary climate. It shall be their responsibility to:
 - a. 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 (including gender identity or expression) or sex, with the intent of strengthening students' confidence and promote learning
 - b. Create the best teaching/learning situation possible, exercising all authority assigned by the Superintendent and School Board.

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- c. Evaluate the program of instruction in the schools to achieve a meaningful education program.
- d. Help the staff evaluate their own procedures and attitudes in relation to the interactions within their classrooms.
- e. Receive teacher or counselor referrals of students with behavior problems; confer with these students; communicate with parents; and set up cooperative procedures for bringing about modification of the student's behavior.
- f. Utilize all appropriate auxiliary staff and outside agencies to help parents and students identify problems and seek solutions.
- g. Provide the opportunity for students and staff to approach the administrator directly for redress of grievances.
- h. Be fair, firm and consistent in all decisions affecting students, parents and staff.
- i. Maintain open lines of communication between the school and the home.
- j. Assume responsibility for the dissemination and enforcement of the District's discipline policy and ensure that all cases are resolved promptly.
- k. Comply with pertinent laws and regulations governing hearings, suspensions and students' rights.
- l. Enable students to discuss their problems by listening to students; remaining open-minded; and consulting and acting on student recommendations in the decision-making process.
- m. Facilitate the professional development of staff members and support inservice programs.
- n. Establish the line of administrative authority in the building in the absence of the administrator.

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- o. Report to the Superintendent or designee or acting as DASA Coordinator, complete a report of any incident of harassment, bullying and/or discrimination that they witness or that is reported to them, not more than one school day later.

C. Parents

- 1. To achieve a cooperative, wholesome relationship between home and school that is essential to each student's successful development and achievement, it shall be the responsibility of parents to:
 - a. Send their child to school as required by the New York State Education Law.
 - b. Insist on prompt and regular attendance.
 - c. Make certain that all absences are properly excused.
 - d. Provide for their child's health, personal cleanliness and suitable grooming and dress.
 - e. Guide their child from the earliest years to develop acceptable behavior, to exercise self-control and to be accountable for their actions.
 - f. Teach their child respect for law, for the authority of the school and for the rights and property of others.
 - g. Know, understand and support the rules their child is expected to observe at school; to be aware of the consequences for any violation of these rules; and to accept legal responsibility for their child's action.
 - h. Instill in their child a desire to learn by providing a place conducive for study and ensuring completion of homework assignments.
 - i. Demonstrate an enthusiastic and supportive attitude toward school and education by becoming acquainted with their child's school, its

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staff, curriculum and activities and by attending parent-teacher conferences and school functions.

- j. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
- k. Send their child(ren) to school ready to participate and learn.
- l. Insist their child(ren) be dressed and groomed in a manner consistent with the student dress code.
- m. Convey to their child(ren) a supportive attitude toward education and the district.
- n. Build good relationships with teachers, other parents and their child(ren)'s friends.
- o. Help their children deal effectively with peer pressure.
- p. Inform school officials of changes in the home situation that may affect student conduct or performance.
- q. Maintain a climate of mutual respect when dealing with school personnel.
- r. Immediately notify the Building Principal of any bullying or harassment concerns.

D. Board of Education

- 1. A primary task of the Board of Education is to establish District policy. It shall be the responsibility of the Board to:
 - a. Adopt and support a clearly defined code of conduct.
 - b. Provide adequate numbers and kinds of personnel and sufficient building space, so that the conditions within the school are conducive to a positive learning environment.
 - c. Listen and react to the views of the total community.

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- d. Employ qualified personnel who are understanding, sensitive to and genuinely interested in, young people.
- e. Provide time for regularly scheduled inservice training for all school employees.
- f. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.

E. Guidance Counselors

- 1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
- 2. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function
- 3. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- 4. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's or staff member's attention in a timely manner.
- 5. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
- 6. Regularly review with students their educational progress and career plans (Secondary only).
- 7. Provide information to assist students with career planning (Secondary Only).
- 8. Encourage students to benefit from the curriculum and extracurricular programs.

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9. Report orally to their principal, the Superintendent, or designee any incident of harassment, bullying and/or discrimination that they witness or that is reported to them, not more than one school day later; and file a written report not later than (2) school days after the initial oral report.

F. Social Workers

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
3. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
4. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's or staff member's attention in a timely manner.
5. Report orally to their principal, the Superintendent, or designee any incident of harassment, bullying and/or discrimination that they witness or that is reported to them, not more than one school day later; and file a written report not later than (2) school days after the initial oral report.

G. Superintendent

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national ethnic group, religion, religious practice disability sexual orientation, gender (including gender identity or expression) or sex, with the intent of strengthening students' confidence and promote learning.
3. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.

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4. Inform the Board about educational trends relating to student discipline.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
7. Review in a timely manner all reports prepared by the Compliance Coordinator or a DASA Coordinator concerning an incident of alleged harassment, bullying and/or discrimination, and ensure that appropriate reports are made to law enforcement and appropriate corrective actions have been taken in school.

III. Strategies and Procedures for the Maintenance and Enforcement of Public Order on School Property

A. Purpose

1. The following rules and regulations are adopted for the maintenance of public order on district property. These rules shall apply to any individual on school property and/or at school functions (as defined by Section I (B)) including students, teachers and other school personnel, and visitors.

B. Prohibited conduct

1. No person, either singly or in concert with others, shall:
 - a. 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 he has a lawful right to do, or to do any act which he has a lawful right not to do.
 - b. Willfully damage or destroy property of the district, or remove or use such property without authorization.
 - c. Without permission, express or implied, enter into any private office of an administrative officer, faculty member or staff member. This prohibition does not apply to law enforcement

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officers or individuals designated by the Superintendent to conduct lawful investigations of alleged misconduct.

- d. Other than a student or employee, enter a classroom or the building beyond the administrative office without written permission of the superintendent or his designee. Parents of students (who are not prohibited by being in their child's classroom by court order) need not obtain written permission from the Superintendent or designee. However, such individuals must be invited by the classroom teacher and must check in with the building principal's office upon arrival and departure.
- e. Enter upon and remain in any building or facility for any purpose other than for authorized uses, or in such manner as to obstruct its authorized use by others.
- f. Without authorization, remain in any building or facility after it is normally closed.
- g. Refuse to leave any building or facility after being requested to do so by an authorized administrator.
- h. Obstruct the free movement of persons and vehicles in any place to which these rules apply.
- i. Deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings, or deliberately interfere with any person who desires to express his views, including invited speakers.
- j. Have in his possession upon any premises to which these rules apply, any knife, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the superintendent, whether or not a license to possess the same has been issued to such person.
- k. The use, possession, sale, gift or purchase or the attempt to sell, use, possess, buy or procure alcohol, drugs or any controlled or illegal substances: any paraphernalia associated with the use of controlled or illegal substance or any other substance which anyone represents or believes to be any of the controlled or illegal

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substances. Excepted are any substance(s) taken in accord with a current prescription issued by a licensed physician or dentist.

- l. Distribute or post any written material, pamphlet or poster without the prior written approval of the superintendent. This should not be construed as conflicting with any rights conferred on staff members by contract or law.
- m. Use in either words, clothing or signs profane, lewd, vulgar or abusive language or words which may incite or offend another person; or constitute a health or safety hazard (including clothing that promotes the sale or use of alcohol, tobacco, nicotine and/or controlled substances) or a substantial disruption or material interference with the mission, work or discipline of the school community.
- n. Urge or incite, guard, protect, aid or abet others in the commission of any of the acts herein prohibited.
- o. Plan, direct, encourage, aid or engage in hazing, harassment or bullying.
- p. Violate any law or Board Policy.
- q. In addition to the preceding standards of conduct, the District prohibits discrimination and harassment against any student by employees or students that creates a hostile environment by conduct (with or without physical conduct) or verbal statements, intimidation, or abuse. We consider a hostile environment to be created when actions or statements directed at a student either (1) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities, or benefits, or with the student's mental, emotional, or physical well-being including conduct that reasonably causes or would reasonably be expected to cause emotional harm, or (2) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for their physical safety.

This prohibition applies to all acts of harassment or bullying that occur on school property or at a school function, as well as to acts

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occurring off school property when (i) those acts create or would foreseeably create a risk of substantial disruption within the school environment, and (ii) it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

The prohibition of discrimination includes, but is not limited to, threats, intimidation, or abuse based on the student's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex.

C. Age Appropriate Restatement of Policy

You should never feel that it is not safe for you to come to school and participate in all school activities. You should never be prevented from concentrating on your schoolwork because another student or a school staff member is teasing you, making fun of you, pushing you around, or threatening you in some way, because of your race, color, weight, national origin (where your family comes from), ethnic group, religion, religious practices, disability, sexual orientation, gender (including gender identity or expression), or sex.

You may not act toward another student in a way that reasonably might make them feel threatened or unsafe, or that might reasonably make them unable to concentrate on their school work, because of what you think about their race, color, weight, national origin (where their family comes from), ethnic group, religion, religious practices, disability, sexual orientation, gender (including gender identity or expression), or sex. It is against school rules for you to do this by your physical actions or by your verbal statements, including electronic messages.

D. Reporting and Responding to Violations

1. Reporting Possible Violations

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal or social worker. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the Principal, the Principal's designee or the Superintendent of Schools.

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

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

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

2. Responding to Reports of Possible Harassment or Discrimination
 - a. In addition to the procedures described below for removal of disruptive students and possible suspension from attendance, the District provides a procedure for responding to reports of possible discrimination or harassment against students by another student, an employee, or any other person on school property or at a school function. The process is described in Policies 0015, 6010, 7100 and 7101.
 - b. The District has also designated a Dignity Act Coordinator for each school.
Those coordinators are:

Erin Sanchez, High School, 315-829-7440
Brandy Lee Lappin, High School, 315-829-7432
Carrie Hodkinson, Middle School, 315-829-7444
Christina Ballard, Middle School, 315-829-7449

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Vince Pompo, W.A. Wetzel Elementary, 315-829-7300
Kathie Whipple, W.A. Wetzel Elementary, 315-829-7307
Gary Bissailon, J.D. George Elementary, 315-829-7361
Maria Tschaar, J.D. George Elementary, 315-829-7372
Jim Rozwod, E.A. McAllister Elementary, 315-829-7330
Chris Bolton, E.A. McAllister Elementary, 315-829-7340

Those coordinators are appointed annually by the Board of Education. Students, faculty, staff, administrators, and parents are notified of the names of the Dignity Act Coordinators for each building annually.

The Dignity Act Coordinators are trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender (including gender identity or expression), and sex. They are available to speak with any person who has witnessed possible discrimination or harassment, or if that person has experienced treatment that may be prohibited discrimination or harassment.

3. No Retaliation for Reporting

No act of retaliation may be directed at any person who makes a good faith report of conduct by another person that may reasonably be a violation of this Code, or who assists in, or is part of, the investigation of such a report. To engage in such retaliation is considered a violation of this Code.

E. Penalties and Procedures

1. In the case of a violation of this section or any other provision of this code of conduct:
 - a. Any individual authorized to be on school premises or at a school function (other than students or staff) that violates the rules of this code will be directed to leave the premises or function. In the event of his/her failure or refusal to do so, the Superintendent or designee shall cause his/her ejection from such property.

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- b. In the case of any unauthorized individual who is on school property or at a school function, the superintendent or designee shall inform the individual that he/she is not authorized to remain and direct him/her to leave such premises. In the event of his/her failure to do so, the Superintendent or designee shall cause his/her ejection from such property. Nothing in this section should be construed as authorizing the presence of any such person at any time, nor affect his/her liability for prosecution for trespassing, loitering, etc., as prescribed in the Penal Law.
- c. In the case of a student, charges for violation of any of these rules shall be presented and shall be heard and determined in the manner provided in the applicable sections of this code of conduct or Section 3214(3) of the Education Law.
- d. In the case of a faculty member having tenure, charges for misconduct and violation of these rules shall be made, heard and determined in accordance with Section 3020-a of the Education Law.
- e. In the case of the faculty member not having tenure, the superintendent shall conduct a hearing after written notice to the teacher of the charges and shall determine the punishment of the teacher if found guilty.
- f. In the case of any staff member who holds a position in the classified Civil Service which is covered by Section 75 of the Civil Service Law, charges of misconduct for violation of any of these rules shall be made, heard and determined as prescribed in that section.
- g. In the case of any staff member who does not hold a position in the classified Civil Service and is not covered by the provisions of Section 75 of the Civil Service Law, the superintendent shall conduct a hearing after written notice to such staff member of the charges, and shall determine the punishment if such staff member is found guilty.

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F. Procedures to Inform Law Enforcement Officials of a Crime and Filing Criminal/Juvenile Delinquency Complaints

1. In the case of a violation of this section or any other provision of this Code of Conduct which constitutes a crime, the Superintendent has established the following procedures to report such an incident to the appropriate law enforcement agency and to follow through with filing a criminal/juvenile delinquency complaint:
 - a. Any individual who believes that he/she has witnessed a crime either on school premises or at a school function should report it to the appropriate building principal or his/her designee. The principal/designee will gather the necessary information to determine whether he/she believes that a crime has been committed. If so, the appropriate local law enforcement agency will be contacted immediately. If not, the principal/designee will take whatever disciplinary steps may be necessary, consistent with this Code of Conduct. These procedures should be followed in all circumstances except for reporting “child abuse in an educational setting” where the procedures for reporting such incidents are set forth in the statute.
 - b. If, in consultation with the local law enforcement agency, the school district is deemed the appropriate entity to file a criminal/juvenile delinquency complaint against the code violator, the appropriate school official (e.g., building principal) will be expected to file such a complaint. Where the victim of the crime is an individual, whether a student, teacher, staff member, visitor, etc., the crime victim will be strongly encouraged to file such a complaint.

IV. Student Conduct and Discipline

A. Student Rights and Responsibilities

1. Students Rights
 - a. Students of this district shall have the rights afforded to students under the provisions of the Federal and State constitutions and the laws of the State of New York.

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- b. Each student has the right to learn in a safe and orderly environment most suitable to the student.
- c. Students have the right to participate in any and all student organizations that have been recognized by the school district in accordance with established criteria.
- d. Learn in an environment free of discrimination and harassment based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression) or sex;
- e. Participate equally in all school activities regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender (including gender identity or expression) or sex;
- f. Have complaints about school-related incidents investigated and responded to.

2. Student Responsibilities

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

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- f. Accept responsibility for their own actions.
- g. Respect the rights of others, including the right to secure an education in an environment that is orderly and disciplined.
- h. Take advantage of the academic opportunities offered at school.
- i. Support and participate in school activities.
- j. Maintain habits of personal cleanliness.
- k. Respect school property.
- l. Strive for mutually respectful relationships with teachers and administrators recognizing their role as surrogate parent in matters of behavior and discipline.
- m. Be honest in all situations.
- n. Contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all.
- o. Reports threats of violence, observed or overheard, made towards staff, students, or the District. Reports may be made anonymously and confidentiality will be respected.
- p. Be informed regarding student rights and responsibilities and comply with all rules and regulations of this policy.
- q. Seek help in solving problems that might lead to discipline.
- r. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
- s. Respect and treat others with tolerance and dignity regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression) or sex.

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- t. Immediately report acts of bullying, discrimination, harassment and other inappropriate actions that hurt others.
3. The above bill of rights and responsibilities shall be publicized and explained to all students on an annual basis. The manner and extent of the publication shall be determined by the Superintendent or his/her designee.

B. Student Conduct

1. Acceptable and appropriate conduct by students shall be consistent with the student responsibilities outlined in this code of conduct.

Whenever possible, teachers and staff members are encouraged to use realistic, positive discipline techniques which reward and enforce positive behavior. The District shall formally recognize responsible student behavior in forums such as the National Honor Society induction ceremony, academic awards assemblies and certificates for perfect attendance. The District encourages the development of additional methods of recognition.

2. The Vernon-Verona-Sherrill School District staff and faculty have high expectations for student behavior. Each student will be expected to be respectful and responsible. Students will:

Treat all school personnel, visitors and their peers with courtesy and respect.

Respect all school and personal property.

Be on time and prepared for school and class.

Wear appropriate school clothing.

Keep their hands, feet and objects to themselves.

Use appropriate school language.

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THESE EXPECTATIONS EXTEND TO ALL SCHOOL PROPERTY AND OFF CAMPUS ACTIVITIES INCLUDING SCHOOL BUSES, ATHLETIC EVENTS, FIELD TRIPS, ETC.

3. Unacceptable and Inappropriate Behavior
 - a. Any violation of law
 - b. Being under the influence of alcohol on school premises or at school functions; selling, consuming or being in possession of alcohol on school premises (including buildings or grounds) or on a bus going to or from a school function or at a school function as defined by Section I (B).
 - c. Being under the influence of, the use, possession, sale or gift of any drug or controlled substance, including marijuana or any instruments for the use of such drugs, controlled substance or marijuana such as pipe, syringe or other paraphernalia, while on school premises (including buildings or grounds) or on a bus going to or from a school function or at a school function as defined by Section I (B). Excepted is any drug taken in accordance with a current prescription signed by a physician which is to be taken by that particular student at the time in question.
 - d. Stealing, lying, cheating, plagiarism or other acts of dishonesty.
 - e. Verbal or physical intimidation including specific and non-specific threats of violence.
 - f. Fighting or causing physical harm to another.
 - g. Disrespect toward an administrator, faculty or other staff member.
 - h. Possession or use of a weapon, which constitutes a firearm or dangerous and/or explosive device including firearms (device), on school premises or at any school functions. School premises include school grounds, school buildings, or a school bus.

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- i. Possession or use of knives or other weapons not included in subsection (i) on school premises. School premises include school grounds, school buildings, or a school bus.
- j. Failure to comply with the directions of a teacher, administrator or other school employee.
- k. Engaging in acts of harassment or bullying or sexual harassment as defined in the district's policies.
- l. Using in either words, clothing, or signs, profane, lewd, vulgar, abusive language or words which may incite or offend another person; or constitute a health and safety hazard (including clothing that promotes the sale or use of alcohol, tobacco and/or controlled substances) or a substantial disruption or material interference with the mission, work or discipline of the school community.
- m. Selling, using or possessing obscene material.
- n. Lateness for, missing or leaving school or class without permission or an excuse given by a faculty member.
- o. Being in possession of or smoking a cigarette, (including electronic and water vapor cigarettes) cigar or pipe, or using chewing or smokeless tobacco, or associated paraphernalia, on school premises (including buildings or grounds) or on a bus going to or from a school function or a school-sponsored function.
- p. Any willful act which disrupts the normal operation of the school community.
- q. Unacceptable classroom behavior including being disrespectful to a teacher or staff member, student or visitor or inappropriate talking in class.
- r. Unacceptable bus behavior including not staying seated, throwing objects, excessive loudness or other activities that distract the driver of the bus.

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- s. Outward displays of affection may be embarrassing, disruptive and even offensive to some people. Please keep in mind that such displays are therefore not appropriate in school or at school functions.
- t. Gambling.
- u. Vandalism of school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on district property.
- v. Hazing, harassment, bullying, discrimination

4. Student Dress

- a. All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Students may be required to wear appropriate protective gear in applicable classes (e.g. home economics, physical education).

Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

- b. A student's dress, grooming and appearance, including hair style/color, jewelry, make-up and nails, shall:
 - 1. Be safe, appropriate and not disrupt or interfere with the educational process.
 - 2. Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate.
 - 3. Ensure that underwear is completely covered with outer clothing.

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4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
 5. Not include the wearing of hats in the educational setting except for a medical or religious purpose.
 6. Not include items that are vulgar, obscene, libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
 7. Not promote and/or encourage other illegal or violent activities.
 8. Not constitute a health or safety hazard (including clothing that promotes the sale or use of alcohol, tobacco and/or controlled substances).
- c. Each building principal or his designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.
 - d. Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out-of-school suspension.

C. Disciplinary Responses to Student Misconduct

The purpose of all discipline is to teach students appropriate and constructive behaviors. Disciplinary measures shall be appropriate to the seriousness of the offense, balanced against the District's objective to provide a safe and orderly school environment, and where applicable, to the previous discipline record of the student.

This code divides types of misbehaviors into four levels of increasing seriousness, with more stringent disciplinary measures provided for at each level. If an

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infraction appears to fall between two levels, it should be categorized and dealt with at the level most appropriate to the seriousness of the offense and the circumstances related to the offense. At each level there are examples of infractions to be treated at that level. The list is intended to be descriptive rather than exhaustive. Each level also has a description of procedures which school officials should follow in administering discipline, and a menu of disciplinary choices. The procedures which follow each level should be used as a guide, understanding that the disciplinary measures imposed require a certain degree of flexibility in responding to the unique circumstances of each situation. Because each child and each misbehavior is different, school officials should tailor the discipline for each infraction to best encourage the child to make better choices in the future.

A goal of the Vernon-Verona-Sherrill School District is the continued improvement of student behavior. In order to further achieve this goal, we have adopted a district-wide discipline plan.

It is our objective to provide a safe and orderly atmosphere on school property and at all school events. Through the firm and consistent use of this discipline plan, including strong support and communication between the home and school, we are confident that this plan will enhance the educational success of your son/daughter.

In conjunction with the rules and consequences, students will receive positive reinforcement (verbal praise, certificates, individual/group activities) for their success and achievements.

Responses to acts of harassment, bullying and/or discrimination against students by students shall use measured, balanced, and age-appropriate remedies and procedures, with the goals of prevention and education, as well as intervention and discipline. We will consider the nature and severity of the conduct, the developmental age of the student engaging in the conduct, the actor's prior disciplinary record, and the impact of the conduct on the student at whom it was directed.

EXAMPLES of consequences for inappropriate behavior (alphabetically):

- Additional instruction regarding appropriate behavior
- After school detention
- Change of seat
- In-school suspension

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- Loss of privileges
- Out-of-school suspension
- Parent contact
- Principal's Hearing
- Restitution
- Restricted lunch
- Special written assignments
- Superintendent's Hearing
- Verbal warning/counseled warning
- Work detail

General School Rules:

Students will treat all school personnel, visitors, and their peers with courtesy and respect.

Students will respect all school and personal property.

Students will be on time and prepared for school and classes.

Students will obey requests of school personnel.

Students will participate fully in class with their best effort.

Students will wear appropriate school clothing.

Students will use appropriate school language.

Students will keep their hands, feet and objects to themselves.

Level I

These misbehaviors constitute infractions of school rules that cause disruption. They are best handled quickly and informally. If the behaviors continue, however, their very persistence may make them disruptive enough to cause them to be treated as more serious infractions with more stringent consequences. These continued behaviors may also result in a disciplinary referral.

Examples of Infractions/Misconduct

Level I:

Abuse of privileges

Aggressive horseplay

Cutting class

Cutting detention

Disruptive behavior

Graffiti

Inappropriate language

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Insubordination
Leaving class without permission
Neglect of safety rules
Repeated tardiness to class
Taunting & teasing
Violation of the District Acceptable Use Policy

Procedures

1. The supervision staff or observer intervenes and applies the most appropriate discipline.
2. The staff member maintains a record of offenses and actions taken. A copy of such record shall be shared with the appropriate personnel.
3. If misbehavior persists, the staff member confers with the Principal or the Principal's designee and arranges for parental contact.

Optional Responses to Student Misconduct

- Additional instruction regarding appropriate behavior
- After school detention
- Change of seat
- In-school suspension
- Parent contact
- Recommend, refer for counseling
- Restitution
- Restricted lunch
- Restricted supervised study hall
- Special written assignment
- Verbal warning/counseled warning
- Work detail

Level II

Misbehaviors included at this level are frequent and/or serious enough to disrupt the learning climate of the school and affect the student's own ability to learn or may threaten the health and safety of oneself or others. Some of these infractions may be a result of misbehaviors, which continue even after disciplinary measures are taken under Level I. Because of the frequency and/or seriousness of these misbehaviors a written disciplinary referral will result. The administrator assumes the major responsibility for corrective action.

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Examples of Infractions/Misconduct

Level II:

Repeated Level I Infractions
Destruction of property
Fighting
Forgery
Gambling
Harassment
Leaving School Without Prior Permission
Possession / Distribution of Pornographic Material
Profanity Directed at Staff
Theft / Possession of Stolen Property
Truancy
Use / Possession of Tobacco Products / Paraphernalia

Procedures

1. The teacher observer reports the infraction or refers the student to the administrator. A written referral will be submitted to the appropriate personnel.
2. The administrator meets with the student and/or the teacher and determines the most appropriate disciplinary response, and then informs the teacher of the action taken.
3. The parent or person responsible for the parental control shall be notified.
4. The administrator maintains a record of the offense and the disciplinary action taken.

Optional Responses to Student Misconduct

- Continuation of the more stringent Level I options
- Out-of-school suspension
- Parent contact and/or conference
- Principal's Hearing
- Recommend or refer for sustained counseling
- Suspension of school bus transportation
- Teacher removal of a student from classroom*
- Temporary withdrawal of certain privileges or participation in school activities

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* Such removal shall be consistent with Section IV (D) of this code.

Level III

The behaviors occurring at Level III are those which may cause lasting harm to the misbehaving student or which may threaten the health, safety, or emotional well being of others in the school. If the misbehaviors at this level violate criminal laws, administrators may, if they consider it appropriate, contact law enforcement officials.

Examples of Infractions/Misconduct

Level III

Unmodified Level II misbehavior

Extortion

Fighting (physical harm)

Interference in the execution of duties of school personnel

Leaving school grounds without permission

Physically threatening other students

Possessing or using a pellet or BB gun on school property or at school-related events

Possessing, using, or being under the influence of drugs or alcohol on school property or at school sponsored activities

Repeated truancy

Serious acts of defiance or threatening a teacher or support staff

Serious disruptive behavior

Stealing and/or possession and/or sale of stolen property

Use of tobacco products on school property or a school bus

Vandalism

Written or verbal electronic communication which demeans, threatens, or ridicules on the basis of race, gender, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, or sex.

Written, verbal or implied threat of violence.

Procedures

1. The infraction is reported or the administrator investigates further and confers with staff members on the circumstances and immediate needs.
2. The administrator confers with the student and parent or person responsible for parental control about the documented misbehavior, its extent and consequences, and subsequent disciplinary action. If

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suspension is part of the action, the administrator follows appropriate procedures.

3. If appropriate, the administrator contacts law enforcement officials.
4. Administrator makes an accurate record of the infraction.
5. Written statements are taken as needed.

Optional Responses to (Level III) Misconduct

- Continuation of appropriate Level II options
- Full withdrawal from participation in school activities
- In-school suspension
- Out-of-school suspension (except for truants)
- Referral to judicial system
- Referral to outside agency
- Referral to Superintendent for possible hearing
- Restitution for damages
- Any combination of above

Level IV

Except for unmodified Level III behavior, the acts listed at this level, may represent a direct and immediate threat to the welfare of others or may result in serious injury to the student, other people, or property. In most cases, they require administrative action which immediately removes the student from school and calls for the intervention of appropriate authorities.

Examples of Infractions/Misconduct

Level IV

Unmodified Level III Misbehavior

Arson

Assault and battery

Extortion from other students

Grand theft

Hate crimes (incidents targeting individuals or groups with threats, ridicule, or violence, including written and electronically displayed ridicule)

Indecent exposure

Making a bomb threat

Malicious mischief

Possession and/or sale of stolen property

Possession and/or use of explosives

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Possession, use, and/or transfer of lethal weapons on school property or at school-related activities

Providing, selling, and use of illegal chemical substances and/or alcohol on school property and/or at school-sponsored activities

Pulling a false alarm

Starting a fire on school property

Tampering with a fire alarm

Procedures (Level IV)

1. Having verified the offense, the administrator meets with all of those involved.
2. The Principal initiates procedures according to established policy for excluding the student from school and notifies the parents or persons in parental control immediately.
3. The Principal informs the Superintendent.
4. School officials contact the proper authorities and assist in prosecuting the offender.
5. The principal submits a complete and accurate record to the Superintendent for possible Board action.

Optional Responses to Misconduct

- Continuation of appropriate Level III options
- Alternative school
- Full restitution of damages
- In-school suspension
- Out-of-school suspension
- Referral to appropriate agencies
- Superintendent's Hearing
- Any combination of above

D. Removal of disruptive students from the classroom and school property.

1. Teacher Removal of a Disruptive Student from the Classroom
 - a. Teachers have a limited authority to remove disruptive pupils from the classroom. Such removal shall be consistent with this code of

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conduct and the V.V.S.T.A. Contract Article Student Discipline and Disturbed Children (see page 21a.). Disruptive students are defined as elementary or secondary pupils, under the age of 21, who are “substantially disruptive of the educational process or substantially interfere with the teacher’s authority over the classroom.”

- b. A disruptive pupil may be removed from a teacher’s classroom by the teacher for no more than two (2) days of instruction for each incident of substantial disruption of the educational process or substantial interference with a teacher’s authority.
- c. In order to initiate the removal of a student from the classroom, the teacher must first determine that a student is disruptive. The behaviors identified as Level II behaviors under Section IV(C) Disciplinary Responses to Student Misconduct are illustrative of disruptive behavior warranting teacher removal from class. Behaviors which do not rise to the level defined as disruptive shall be subject to traditional disciplinary strategies, in accordance with this policy.

These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term “time away” in an elementary classroom or in administrator’s office; (2) sending (with supervision) a student to the principal’s office for the remainder of the class time only; (3) sending (with supervision) a student to a guidance counselor or other district staff member for counseling; or (4) assignment to “resolution and recovery”. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

In addition, teacher removal of a pupil from the classroom for behavior which warrants a more significant penalty, such as out-of-school suspension, does not preclude the greater discipline.

- d. If the pupil’s behavior is merely disruptive (not presenting a continuing danger or an ongoing threat of disruption to the

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academic process) the teacher shall notify the student of the reasons for the removal prior to the removal and allow the student to present his/her version of the events. If the pupil's behavior does present a continuing danger or ongoing threat as stated above, the teacher may immediately remove the pupil from the classroom; and explain the basis of the removal and allow the student to present his/her version of the events within twenty-four (24) hours of the removal. If the twenty-four (24) hour period does not end on a school day, it shall be extended to the corresponding time on the next school day.

- e. A teacher initiating removal of a student from the classroom pursuant to the provisions of this code of conduct shall inform the principal of the basis of the removal and complete a written disciplinary referral form detailing the basis of the removal.
- f. The principal or his/her designee (another administrator) must inform the parent of the reasons for the removal from class within 24 hours of the removal, provided that if such twenty-four period does not end on a school day, it shall be extended to the corresponding time on the next school day. On request, the student/parent must be given an opportunity to discuss reasons with principal or his/her designee. The teacher shall be involved in the conference, unless the principal decides based upon extenuating circumstances that it is not beneficial to have the teacher involved in such conference.
 - 1. If the student denies the charges, the student/parent must be given explanation of basis for removal and an opportunity to represent his/her version. This must take place within 48 hours of the removal. If the forty-eight (48) 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.
 - 2. The Principal or his/her designee must decide, by the close of business on the school day next succeeding the end of the 48 hour period for an informal hearing, whether the discipline will be set aside. The principal or his/her designee may only set aside discipline if:

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- a. The charges against the student are not supported by substantial evidence.
- b. The student's removal is in violation of law.
- c. The conduct warrants an out-of-school suspension and a suspension will be imposed.
- g. The District shall provide continued educational programming to students who are removed from class by a teacher. Such programming shall include placement in an alternative educational setting appropriate to individual student needs.

E. Student Suspension from School

1. Parental notice concerning student suspensions. When suspension of a student from attendance for a period of five days or less pursuant to section 3214(3) of the Education Law is proposed, school district officials shall immediately notify the parents or the persons in parental relation in writing that the student may be suspended from school. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within 24 hours of the decision to propose suspension at the last known address or addresses of the parents or persons in parental relation. Where possible, notification shall also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents or persons in parental relation. Such notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the parents or persons in parental relation of their right to request an immediate informal conference with the principal in accordance with the provisions of Education Law, section 3214(3)(b). Such notice and informal conference shall be in the dominant language or mode of communication used by the parents or persons in parental relation to the pupil. Such notice and opportunity for an informal conference shall take place prior to the suspension of the student unless 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, in which case the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

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2. The suspension of pupils for a period in excess of five (5) school days shall be conducted in accordance with the regulations of Section 3214 of the Education Law.
3. Minimum Periods of Suspension

- a. Pupils Who Repeatedly are Substantially Disruptive

Pupils who repeatedly are substantially disruptive to the educational process or who substantially interfere with the teacher's authority in the classroom shall be subject to a minimum out-of-school suspension of two (2) days. A student who is "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority in the classroom" is defined as one who is removed from the classroom by a teacher more than four (4) times in a semester. Such suspension period may be reduced on a case by case basis consistent with law.

- b. Students Who Bring to or Possess a Firearm or Weapon at School

1. In accordance with the Gun-Free Schools Law (20 U.S.C.A. Section 3351), the Gun-Free Schools Act of 1994 (20 U.S.C.A. Section 8921), New York State Education Law Section 3214(3), and this Board policy, the punishment for violation of Section IV subsection B (2) (h) shall be a suspension from attendance upon instruction for a period of not less than one calendar year

The Superintendent has the authority to modify the one year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the student's age, grade in school, prior disciplinary record, Superintendent's belief that other forms of discipline may be effective, input from parents, teachers and/or others; and other extenuating circumstances.

2. The term "firearm" as used in Section IV subsection (B) (2) h) is defined in 18 U.S.C.A. Section 921(3) and shall

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include any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device. Such term does not include an antique firearm. The term “destructive device” means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge or more than one-quarter ounce, mine or any device similar to any of those devices already described in this paragraph. Except that “destructive device” shall not mean any device not designed or redesigned for use as a weapon. Nothing above should be construed as allowing the use or possession of unauthorized firearms, explosives, or antique firearms.

3. The superintendent shall refer a pupil who has been determined to have violated Section IV subsection (B) (2) (h) as follows:

If the pupil is under 16 years of age, to a presentment agency for a juvenile delinquency proceeding; except a pupil 14 or 15 years of age who qualifies for juvenile offender status in accordance with the Family Court Act, Article 3.

If the pupil is 16 years of age or older, or 14 or 15 years of age who qualifies for juvenile offender status, to the appropriate law enforcement agency.

- c. **Minimum Suspension for Violent Pupils, other than Students Who Bring or Possess a Firearm or Weapon to School**
 1. Teachers shall immediately report and refer a violent pupil to the principal or Superintendent for a violation of this code of conduct.
 2. Students who are deemed to be “violent pupils” as defined by Education Law Section 3214 (2-a) (a), other than those

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who bring or possess a firearm or weapon to school in violation of the Gun-free School Act and are subject to the provisions of subsection (b), above, shall be subject to a minimum out-of-school suspension of at least five (5) days. Such suspension may be modified or reduced on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent and/or Principal may consider factors such as the student's age, grade in school, prior disciplinary record, belief that other forms of discipline may be more effective, input from parents, teachers and others, and other extenuating circumstances. A violent pupil is an elementary or secondary student under twenty (21) includes one who:

- a. commits an act of violence upon a teacher, administrator or other school employee;
- b. commits, while on school district property an act of violence upon another student or any other person lawfully upon said property;
- c. possesses, while on school district property, a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death;
- d. displays, while on school district property, what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument, capable of causing death or physical injury.
- e. threatens, while on school district property, to use any instrument that appears able to cause physical injury or death;
- f. knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other school district employee or any person lawfully upon school district property; or

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- g. knowingly and intentionally damages or destroys school district property.

F. PINS Petition/Referral to Human Services Agencies

The Superintendent has established the following procedures for filing PINS petitions or for the referral of pupils to the appropriate human services agency:

1. Where a student does not attend school in accordance with the Education Law or is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent or other lawful authority or who violates provisions of Section 221.05 of the Penal Law (unlawful possession of marijuana), the building principal having authority over the student will be responsible for filing a PINS proceeding against that student. Not attending school “as required by the Education Law” is defined as having twenty (20) illegal absences within a single semester. Being “incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent or other lawful authority” has the same definition as that provided in Article 7 of the Family Court Act. These petitions may also be filed by guidance counselors, or other certificated staff members but must be done in consultation with the building principal. Prior to commencing any such proceedings, the building principal should review the matter with the school district’s attorney.
2. The Superintendent will make available to all building principals a list of appropriate human services agencies located in or near the district. When in the discretion of the building principal referral to such an agency is appropriate, such referrals shall be made. This does not, however, effect the mandatory reporting requirements of all school district employees to make referrals for suspected child abuse.

V. Procedure in the Prevention, Early Identification and Resolution of Discipline Difficulties

- A. Pupil service personnel, administrators, teachers and others shall report students who are having difficulty or appear to be having difficulty regarding matters covered in the code of conduct to the building principal. Parents also are invited to advise the building principal of concerns the parents may have regarding their children pertaining to the code.

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- B. Students are expected to report to teachers or to the building administrator any student who appears to have difficulty adhering to the code of conduct. Students are expected to cooperate in any conference regarding the discipline of that student.
- C. When the building principal is aware of, or has received a report from pupil service personnel, administrators, teachers, students or parents, the building principal shall conduct whatever inquiry the principal considers appropriate.
- D. If the building principal, after such inquiry, considers there is a basis for concern, the principal shall arrange to have a meeting with the parents and/or guardians and appropriate staff members to review the matter and create a plan to assist the student in adhering to the code of conduct.
- E. The purpose of the procedure is the early prevention, identification, and resolution to these disciplinary issues. The district shall assign such support personnel to assist the parties, considering the resources available at any given time.

VI. Students with Disabilities

- A. The Board of Education recognizes that the need to address disruptive or violations of the code of conduct within its schools may result in the suspension, removal or other discipline of students with disabilities, *i.e.* students who are eligible for services under the Individuals with Disabilities Education Act (IDEA) and Article 89 of the Education Law (Article 89) and their implementing regulations. It also recognizes that these students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them.
 - 1. Pupil services personnel, teachers, and principals shall review student IEPs at least annually to ensure consideration of student disabilities in implementing the code of conduct.
 - 2. A student with a disability may not be removed pursuant to Section 201.7 of the Regulations of the Commissioner of Education if the imposition of the 5 school day or 10 school day suspension or removal would result in a disciplinary change in placement based on a pattern of suspensions or removals as determined by school personnel in accordance with the criteria set forth in section 201.2 (3)(ii) except where the CSE has determined in accordance with section 201.4 that the behavior was not a

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manifestation of such students' disability, or the student is placed in an IAES as authorized under Commissioner's Regulations.

3. "Disciplinary change in placement" means a suspension or removal from a student's current educational placement that is either:
 - a. for more than ten (10) consecutive school days; or
 - b. for a period of ten (10) consecutive days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than ten (10) school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
- B. Accordingly, it shall be the Board's policy that the procedures followed for suspending, removing or otherwise disciplining students with disabilities eligible for services under IDEA and Article 89 will conform with the procedural safeguards required by applicable laws and regulations.
- C. This policy incorporates by reference the Procedural Safeguards for Students with Disabilities Subject to Discipline set forth in Part 201 of the Regulations of the Commissioner of Education, which implement the procedural protections provided under New York's Education Law and which coordinate the state's general procedures or suspension of students with disabilities with the requirements of IDEA and its implementing regulations.
 1. The procedures relating to the discipline of students with disabilities require school personnel who recommend the suspension or removal of students to work closely with the Committee on Special Education, to establish clear guidelines for communication and decision making on disciplinary matters. The following provides a framework for the actions that schools must take when determining that a student with a disability will be suspended or removed for behaviors that violate the school code of conduct.

In order to initiate the removal of a student with a disability from the classroom, school personnel must first determine if the suspension will result in removing a student for more than ten (10) school days in a school

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year or impose a suspension or removal that constitutes a disciplinary change or placement.

- a. If no, the following procedure(s) must be followed in conjunction with the teacher's principal:
 1. Suspensions shall be administered in accordance with Section 3214 of Education Law and application to Part 201 of the Regulations of the Commissioner of Education.
 2. Referral to the CSE may be made for either/or:
 - a. Addition and/or modification of the IEP for supplementary aids and services
 - b. Review or modification of an existing behavior intervention plan
 - c. Functional behavioral assessment
 - d. Change in placement
- b. If yes, the following procedure must be followed in conjunction with the teacher's principal:
 1. A referral to the CSE for a Manifestation Hearing
 - a. If the behavior is related to the student's disability, unless the parent and district otherwise reach an agreement, immediately return the student to his or her current educational placement.
 - b. If the behavior is not related to the student's disability, the student may be suspended or removed for the behavior.

D. Moreover, consistent with the IDEA and New York Education Law, pupil service personnel, teachers and/or administrators who identify a student with a disability (as defined in section VI A.) whose behavior is repeatedly interfering with his/her own or other's learning shall refer such individual to the CSE for a functional behavioral assessment and behavior intervention plan or, if one exists, for review of same.

VII. Conduct by School Employees

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A. Acceptable conduct by school employees shall be consistent with the role of teachers and staff outlined in this code of conduct.

B. Unacceptable conduct by school employees

Unacceptable conduct by school employees shall be evaluated consistent with the strategies and procedures for the maintenance and enforcement of public order on school property, other provisions of this code of conduct and other applicable laws, rules and collective bargaining agreements.

C. Prohibition of Corporal Punishment

1. The District recognizes the responsibility of all school personnel, including administrators, faculty and other employees, to see that proper standards of school behavior are maintained. All school personnel are expected to help in maintaining proper levels of supervision.
2. No teacher, administrator, officer, employee or agent of the District shall use corporal punishment against a pupil.
3. As used in this section, corporal punishment means any act of physical force upon a pupil for the purpose of punishing that pupil, except as otherwise provided in subdivision 4 of this section.
4. In situations in which alternative procedures and methods not involving the use of physical force cannot reasonably be employed, nothing contained in this section shall be construed to prohibit the use of reasonable physical force for the following purposes:
 - a. To protect oneself from physical injury;
 - b. To protect another pupil or teacher or any other person from physical injury;
 - c. To protect the property of the school or others; or
 - d. To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of School District functions, powers and duties, if that pupil has refused to comply with a request to refrain from further disruptive acts.

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5. The Superintendent of Schools is hereby directed to develop and implement a reporting procedure which will enable the District to summarize complaints relative to the alleged administration of corporal punishment. Such summaries will include references to the substance of each/all complaints, the result(s) of the investigation of each/all complaints, and whatever action(s), if any, was/were taken by the administration of the District. The summary of each/all complaints shall be available for submission to the Commissioner of Education in accordance with Commissioner's Regulations (semi-annually, by January 15th and July 15th of each year.

D. Acceptable Attire

Appropriate professional attire is expected to be worn by all staff members. Clothing shall be neat and clean, shall not be profane, lewd or offensive; not constitute a health or safety hazard (including clothing that promotes the use or sale of alcohol, tobacco and/or controlled substances) or a substantial disruption or material interference with the work or discipline of the school.

- E. Communication with Parents, Students, Other School Employees, Administrators or other Persons on School Property

Employees of the district shall refrain from the use of profane, lewd, vulgar or abusive language or words which may incite or offend another person.

VIII. Standards and Procedures to Assure the Security and Safety of Students and School Personnel.

- A. The district has an established emergency management/school safety plan, which has been developed in accordance with applicable law and regulation to assure the security and safety of students and school personnel.

IX. Maintenance and Enforcement of Code of Conduct

A. Annual Review

This code of conduct shall be reviewed annually and updated as necessary, taking into consideration the effectiveness of code provisions and the fairness and consistency of its administration.

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B. Modifications to the Code of Conduct

A board of education or board of cooperative educational services may adopt any revision to the code of conduct only after at least one public hearing that provides for the participation of school personnel, parents, students and any other interested party.

C. Review Committee

A school district may establish a committee pursuant to Education Law Section 2801(3) to facilitate the review of this code of conduct and the district's response to code of conduct violations.

D. Filing

Each district shall file a copy of its code of conduct any amendments with the Commissioner of Education no later than thirty days after their respective adoptions.

E. Dissemination and Review

1. Dissemination of Code of Conduct

The Board of Education shall ensure community awareness of these provisions and of the Code of Conduct by:

- a. Posting the complete Code of Conduct, respectively, on the District's Internet Web site, including any annual updates or amendments thereto.
- b. Provide copies of a summary of the Code of Conduct to all students, in an age-appropriate version, written in plain language, at a school assembly to be held at the beginning of each school year.
- c. Provide by mail a plain language summary of the Code of Conduct to all persons in a parental relation to the students before the beginning of each school year and making the summary available thereafter upon request.

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- d. Provide each existing teacher with a copy of the complete Code of Conduct and a copy of any amendments to the Code as soon as practicable following initial adoption or amendment of the Code of Conduct, and providing new teachers with a complete copy of the current Code of Conduct upon their employment.
- e. Make complete copies of the Code of Conduct available for review by students, parents or persons in parental relation to students, other school staff, and community members.
- f. Provide training to teachers, administrators, and staff designed to address the concepts and issues incorporated in the Dignity Act, including, but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, discrimination or harassment against students and/or school employees.
- g. Provide “safe and supportive school climate concepts” in the District curriculum.

The District shall develop and implement a program of instruction in grades Kindergarten through Grade 12 that supports development of a school environment free of harassment, bullying and/or discrimination, that raises student and staff awareness and sensitivity to harassment, bullying and /or discrimination, that instructs in the safe and responsible use of the internet and electronic communications and that includes a component on civility, citizenship and character education in accordance with Education Law. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community.

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

2. Review of Code of Conduct

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

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

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

F. Programs for Inservice Education for District Employees

In-Service Education Programs

At the start of each school year, the District shall provide all staff with in-service education regarding District policy for conduct on school grounds and at school functions, methods for promoting a safe and supportive school climate, and ways of discouraging discrimination and/or harassment against students by other students or school employees.

Vernon-Verona-Sherrill School District

Adopted: 10/94, 09/96

Readopted: 10/15/01, 07/05/06, 07/02/07, 11/13/07, 07/08/08

Revised: 06/11/01, 06/10/02, 11/08/04, 07/05/05, 07/01/09, 4/9/12, 07/02/12, 07/01/13,
07/02/14, 01/22/18