I. Introduction
The Board of Education is committed to providing a safe, supportive and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

The District has developed and will amend, as appropriate, **this Code of Conduct Policy** for the Maintenance of Order on School Property, including school functions, which shall govern the conduct of students, teachers and other school personnel, as well as visitors. The Board of Education shall further provide for the enforcement of **this Code of Conduct**.

The District Code of Conduct has been developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

II. Definitions
For purposes of this code, the following definitions apply:
“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 the District’s elementary or secondary schools, or in or on a school bus.

“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.

“School function” shall mean a school-sponsored extracurricular event or activity regardless of where such event or activity takes place, including those that take place in another state.

“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.

“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.

“Sexual orientation” means actual or perceived heterosexuality, homosexuality, or bisexuality.

“Gender” means actual or perceived sex and shall include a person’s gender identity or expression.
“Harassment” or “Bullying” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying 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 and/or physical well-being; or (b) reasonably causes or would reasonably be expected to cause a student or 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 in the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying include, but are not limited to acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

“Cyberbullying” means harassment or bullying as defined above, where such harassment or bullying occurs through any form of electronic communication.

III. Students’ Rights and Responsibilities

A. Students’ Bill of Rights

1. The Right to Learn

Each student has the right to an orderly, safe and supportive environment for learning, and to enjoy the privileges of a fair and equitable education without discrimination regardless of actual or perceived sex, sexual orientation, race, weight, color, national origin, ethnic group, religion, religious practice, gender or disability.

Each student has the right to attend school from age 6 until the age of 21, unless he/she graduates first. Students must attend school to age 16. Below the age of 16, instruction must be provided for each student excluded from school.

2. The Right to Privacy of Records

Records are maintained for each student from his/her entrance into school through graduation. Access to the file is guaranteed to every parent, guardian, custodial caretaker and student over the age of 18. By law, records must be kept confidential. Special laws and regulations apply to each student’s records, consistent with School District Policy regarding confidentiality, and federal and state laws pertaining to all individuals. Information in the file will not be disclosed to any person or agency outside the school, except with permission of the parent, guardian, custodial caretaker or a minor student or by the student when age 18 is attained, or by court order.

3. The Right to Patriotic Exercise

The first amendment requires that students may not be forced to participate in patriotic exercises. However, they shall be required to refrain from interfering with the participation of others in such exercises.

4. The Right to Student Governance

Students have the right to organize and promote a form of student government that is acceptable to the majority of students in the School District. All students have the right to seek and hold office, and to vote in school elections, provided that criteria established by the student government, in accordance with school regulations, have been met.

5. Kings Park Central School District Discipline Policy

It is recognized that while students enjoy certain rights while enrolled in the Kings Park Central School District, they are also provided the opportunity to enjoy some privileges afforded by the District. These privileges can be removed for academic and disciplinary reasons. These privileges include, but are not limited to:

- Transportation to and from school
- Transportation to and from after and before school activities
- Participation in extra-curricular activities
- Participation in athletics
- Recess activities
- Non-educational field trips
- Educational field trips
- Attendance at school events, before, after school, weekends, holidays and recess periods
- Choice of seminar activities/advisory privileges
- Serving on school committees
- Participation in commencement and moving-up activities
- Attendance at dances, proms, banquets, interclass competition, etc
- Representing school, club, team, class, advisory, in community or beyond
- Serving on Superintendent’s Council, Shared Decision-Making Teams, etc.
- Holding office, running for office
- Hall passes
• Locker room use
• Locker use
• Being named an award recipient
• Receiving any school honor
• Issuance of parking permits and accompanying privileges
• Storage of bikes, instruments and personal belongings
• Cafeteria use
• Use of special areas, such as Library, Computer Center, Weight Room

*The Administration reserves the right, when necessary, for Administrators, bus drivers and teachers to assign seating on buses, in cafeterias, in classrooms, in auditoriums and in all other areas where students congregate.

6. The Right to Personal Property
Students have the right to be secure in their persons, papers and effects; however, the Principal or designee is authorized to conduct a reasonable search of the student if there is reasonable cause to believe that the student has on his/her possession an item which constitutes a criminal offense under penal law, or has on his/her possession any item which constitutes a violation of the School District Discipline Policy Section V Disruptive Behavior.

7. The Right to Free Expression
The First Amendment of the United States Constitution guarantees freedom of speech and assembly to all Americans. Students are entitled to these guarantees. However, that constitutional guarantee does not include the license to interfere with the orderly conduct of classes, to coerce others to participate in a particular mode of expression, or to violate the rights of those who disagree with a given point of view. Publications such as school newspapers should reflect the policy and judgment of the student editors. Students have the responsibility to refrain from libel and obscenity, and to observe the normal rules for responsible journalism. Within these bounds, student newspapers are as free as other newspapers to report the news and to editorialize.

The students have the right to petition within legal guidelines and proper procedures. Students shall have the right to address the Board of Education on the same terms as any other citizen.

8. The Right to Due Process
Each student shall have the right of due process, as guaranteed them under the United States Constitution and the Constitution of the State of New York, including the right to seek legal redress. Each student shall have the right to be informed regarding the infraction for which he/she is charged.

The Principal or his/her designee may question a student in regard to a possible violation of school rules.

B. STUDENTS’ RESPONSIBILITIES
For all of the preceding students’ rights there are obvious student responsibilities. It is only through meeting these responsibilities that each student guarantees these rights for himself/herself and all other students:

• Students are responsible for promoting a safe, supportive and orderly school environment that is conducive to learning.
• Students are responsible for the academic work assigned to them.
• Students are responsible to attend school and to be aware of the School District Attendance Policy and Discipline Policy.
• Students are responsible to conduct themselves in accordance with school regulations before, during, and after school hours while they are on school grounds, riding on school buses, or participating in a school-sponsored or extra-curricula activity.
• Students are responsible for all materials given by the school to them. When required, students will return the materials in the same condition as received. A fee will be imposed for materials lost or damaged.
• Students are responsible for respecting the personal and property rights of others.
• In accordance with school regulations, while in school, students are responsible for conducting themselves in a manner which does not interfere with other students’ opportunities to learn.
• The School District recognizes the students’ right to a manner of dress, which reflects their individual characters. However, all students are to attend school neatly dressed, clean and in a manner not hazardous to their safety or to the safety of others. A student’s dress shall not be the cause of disruption in the classroom, on school grounds or on school buses.
• Students are responsible for keeping themselves informed of all school rules, regulations and for all academic requirements.
• Students are responsible for maintaining behavior that is free from all forms of harassment or discrimination.
• Students are responsible for complying with all of the District’s policies.
III. ESSENTIAL PARTNERS

A. Parents, Guardians, Custodial Caretakers

Parents, guardians or other persons entrusted with the care and supervision of a person under the age of 18 have the overall responsibility for the behavior of their children as determined by law and are expected to cooperate with the school authorities and participate in conferences regarding the behavior of their children. Parents, guardians, custodial caretakers are expected to provide the foundation of respect, dignity, and self-control so that the student’s behavior will be supportive of the school’s educational program. All parents, guardians and custodial caretakers are expected to:

- Recognize that the education of their child(ren) is a joint responsibility of the parents, guardians, custodial caretakers and the school community.
- Send their children to school ready to participate and learn.
- Ensure their children attend school regularly and on time.
- Ensure absences are excused.
- Insist their children be dressed and groomed in a manner consistent with the student dress code.
- Help their children understand that in a democratic society, appropriate rules are required to maintain a safe, supportive and orderly environment.
- Know the school rules and help their children understand them.
- Convey to their children a supportive attitude toward education and the district.
- Communicate to students and parents, verbally, in writing and electronically (where available):
  - Course objectives and requirements
  - Marking/grading procedures
  - Assignment deadlines
  - Expectations for students
  - Classroom discipline plan
- Communicate regularly with students, parents and other teachers concerning growth and achievement.
- Implement behavioral intervention plans, Section 504 plans, and Individual Education Programs as they relate to discipline of students with disabilities.
- Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile school environment.
- Address personal biases that may prevent equal treatment of all students.
- Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

B. Teachers

All district teachers are expected to:

- 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 students’ self-concept and promote confidence to learn.
- Be prepared to teach.
- Demonstrate interest in teaching and concern for student achievement.
- Know school policies and rules, and enforce them in a fair and consistent manner.
- Communicate to students and parents, verbally, in writing and electronically (where available):
  - Course objectives and requirements
  - Marking/grading procedures
  - Assignment deadlines
  - Expectations for students
  - Classroom discipline plan
- Communicate regularly with students, parents and other teachers concerning growth and achievement.
- Implement behavioral intervention plans, Section 504 plans, and Individual Education Programs as they relate to discipline of students with disabilities.
- Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile school environment.
- Address personal biases that may prevent equal treatment of all students.
- Promptly make a report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

C. Guidance Counselors

Guidance counselors shall:

- 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 students’ self-concept and promote confidence to learn.
• Assist students in coping with peer pressure and emerging personal, social and emotional problems.
• Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
• Regularly review with students their educational progress and career plans.
• Provide information to assist students with career planning.
• Encourage students to benefit from the curriculum and extracurricular programs.
• Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
• Address personal biases that may prevent equal treatment of all students.
• Report incidents of discrimination and harassment that are witnessed or otherwise brought to a counselor’s attention in a timely manner.
• Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

D. Other School Personnel
Other school personnel shall:

• 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.
• Maintain confidentiality in accordance with federal and state law.
• Be familiar with the Code of Conduct.
• Help children understand the district’s expectations for maintaining a safe, orderly and supportive environment.
• Participate in school-wide efforts to provide adequate supervision in all school spaces.
• Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
• Address personal biases that may prevent equal treatment of all students.
• Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

E. Principals
Principals shall:

• Promote a safe, supportive, 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.
• Provide students and staff with an opportunity to communicate with the principal and approach the principal for redress of grievances.
• Evaluate on a regular basis all instructional programs.
• Support the development of and student participation in appropriate extra-curricular activities.
• Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
• Implement procedures to provide the building level procedural protections afforded to all students pursuant to federal and state law.
• Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
• Address personal biases that may prevent equal treatment of all students.
• Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their
attention and file a written report with the designated school official not later than two days after making the oral report.

F. The Dignity Act Coordinator(s)

- Promote a safe, supportive, 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.
- Oversee and coordinate the work of the district-wide and building-level bullying prevention committees.
- 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.
- Coordinate with the Professional Development Committee training in support of the bullying prevention committee.
- Be responsible for monitoring and reporting on the effectiveness of the district’s anti-bullying, harassment & discrimination policy/dignity for all students act policy.
- Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
- Address personal biases that may prevent equal treatment of all students.
- If not the school official designated to receive complaints, the Dignity Act Coordinator shall promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to the Dignity Act Coordinator’s attention. The report to the school official designated to receive complaints shall be made not later than one school day after the Dignity Act Coordinator witnesses the incident or the incident is brought to the attention of the Dignity Act Coordinator. The Dignity Act Coordinator shall file a written report with the designated school official not later than two days after making the oral report.

G. Superintendent
The Superintendent shall:

- Promote a safe, supportive, 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.
- Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
- Inform the Board of Education about trends relating to student discipline.
- Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
- Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
- Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
- Address personal biases that may prevent equal treatment of all students.
- Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

H. Board of Education
The Board of Education expects all certified employees to exercise sound professional judgment in employing preventive, therapeutic and punitive measures to promote acceptable student behavior.
The Board of Education shall:

- Promote a safe, supportive, orderly and stimulating 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.
- Collaborate with students, teachers, administrators, and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the
conduct of students, district personnel and visitors on school property and at school functions.

- Adopt and review at least once a year the district’s Code of Conduct to evaluate the code’s effectiveness and the fairness and consistency of its implementation.
- Address issues of bullying, discrimination and harassment, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
- Address personal biases that may prevent equal treatment of all students.
- Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

IV. STUDENT DRESS CODE

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. 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.

A student's dress, grooming and appearance, including hair/style/color, jewelry, make-up and nails, shall:

- Be safe, appropriate and not disrupt or interfere with the educational process.
- Ensure that underwear is completely covered with outer clothing.
- Include footwear at all times. Footwear that is a safety hazard will not be allowed.
- Not include the wearing of hats in the classroom except for medical or religious reasons.
- Not include items that are vulgar, obscene, libelous or denigrate others on account of race, color, weight, religion, religious practice, national origin, ethnic group, gender, sex, sexual orientation or disability.
- Not promote and/or endorse the use of alcohol, tobacco, or illegal drugs and/or encourage other illegal or violent activities.
- Be appropriate to a specific educational purpose and not inhibit full and safe participation in the school environment.

Each Building Principal 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. The administration will develop and implement regulations to enforce the student dress code. 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.

V. PROHIBITED STUDENT CONDUCT

The desired objective of the school is not to punish but to create an atmosphere that induces a child to develop positive behavior in both school and in the community. Behavior which interferes with the normal function of school or disrupts or interferes with academic process or any other conduct which endangers the health, safety, morals, welfare of self or others, constitutes a violation of the rights of others. The following conduct constitutes behavior considered unacceptable to the District. A student engaged in any conduct listed below will be subject to discipline.

Off-Campus Conduct

Students may not engage in off-campus misconduct that endangers the health and safety of students or staff within the school or interferes with or can reasonably be expected to substantially disrupt the educational process in the school or at a school function. Examples of such misconduct include, but are not limited to:

1. Cyber bullying
2. Threatening, hazing or harassing students or school personnel over the phone or the internet.
3. Using message boards, internet, social media, or electronic devices to convey threats, derogatory comments or post pornographic or inappropriate pictures or videos of students or school personnel.

VI. VISITORS TO THE SCHOOLS

The Board of Education and school district staff welcome and encourage members of the community and other interested persons to visit the schools. However, because schools are a place of work and learning,
certain limits must be set for such visits. The building principal or his/her designee is responsible for all
persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the
schools:

- Anyone who is not a regular staff member, student of the school, or a member of the Board of
  Education, shall be considered a visitor.
- All visitors to the school must report to the sign-in station upon arrival at the school, sign the visitor’s
  register and indicate the purpose of the visit and the visitor’s destination.
- Visitors attending school functions that are open to the public, such as parent-teacher organization
  meetings or public gatherings will be required to conform to the specific registration procedures for that
  event.
- Any unauthorized person on school property will be reported to the principal or his/her
  designee. Unauthorized persons will be asked to leave. The police may be called if the situation
  warrants.
- All visitors are expected to abide by the rules for public conduct on school property contained in this
  Code of Conduct.

VII. PARTICIPATION IN EXTRA-CURRICULAR/ATHLETIC ACTIVITIES

Participation on or in any athletic team, music group, club or extracurricular activity is a privilege which
should elicit great pride in both the student and his/her family. It is also an acceptance of responsibility which
requires an extra commitment from students who represent their school and community. Willingness to meet
these standards is a condition for being a member of one of the School District's co-curricular/extra-curricular
activities.

Our staff members are responsible for providing leadership, encouragement and direction to assist the
student in meeting his/her personal commitment to their co-curricular/extra-curricular activity. They are also
responsible for providing the student with an opportunity to participate in an environment that fosters
respect, courtesy and social responsibility. Staff members strive to enhance the academic pursuit of the
student through participation in any of the district’s extra-curricular and athletic activities.

Coaches/Advisors/Staff will:

1. Strive to enlarge their technical knowledge and develop wisdom and competency in the activity in
   which they participate.
2. Enhance and protect the physical and mental wellbeing of their students.
3. Promote a safe, supportive, orderly and stimulating environment for all students regardless of actual or
   perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual
   orientation, gender or sex.
4. Teach students to respect self and all other individuals who are participating in any part or portion of
   the activity.
5. Strive to instill in students a desire to know and live by the spirit of the rules of the school district.
6. Help create an atmosphere of friendly participation wherein mutual respect and courtesy to all involved
   is the major focus.
7. Cooperate with administrators, faculty and other staff in maintaining and improving the quality of our
   schools.
8. Encourage the highest standards of academic and social achievement among our students.
9. Address issues of bullying, discrimination and harassment, or any situation that threatens the
    emotional or physical health or safety of any student, school employee, or any person who is lawfully
    on school property or at a school function or which create a hostile environment.
10. Address personal biases that may prevent equal treatment of all students.
11. Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed
    or otherwise brought to their attention to the school official designated to receive complaints not later
    than one school day after witnessing the incident or the incident being brought to their attention and
    file a written report with the designated school official not later than two days after making the oral
    report.

A. Application of the Code

At the beginning of each year, as co-curricular/extra-curricular activities are approaching their respective
starting dates, each student and their parent/guardian will be provided a copy of the School District’s "Code
of Conduct." Attached to the Code of Conduct will be an acknowledgement and consent form which must be
signed by both the student-participant and the parent/guardian prior to participation in any meeting, practice
or activity of any district sponsored extra-curricular or athletic activity.
All violations of the Code shall be considered cumulative for the school year. This does not prohibit the district, building principals or program administrators from reviewing a student’s discipline history when determining a student's eligibility to participate in any extra-curricular or athletic activity.

**B. Conditions for Student Participation**

1. **Eligibility**

   The Board of Education has the authority to establish reasonable standards as prerequisites for eligibility in extra-curricular or athletic activities. These standards apply to entry qualifications as well as continued participation in such activities.

   Eligibility requirements will include academic standards, behavioral standards, and training standards. These standards will be applied equally to all student participants. All student participants, including athletes, will be informed that they have the obligation to act in a reasonable manner because of the leadership roles they play in the school environment.

   Eligibility for extra-curricular or athletic activities is limited to children who are enrolled as students of the School District.

   All students who participate in any extra-curricular or athletic activity will be expected to be academically eligible. Academic Eligibility will be determined by the official grades posted on a student’s report card. Advisors/coaches must specify minimum school attendance requirements, and the minimum grade point average (GPA) they expect student participants to maintain. All such standards must be reasonable. The relationship between a student’s GPA and his/her eligibility must be clearly explained to all student participants. Any student who fails 2 or more classes at the end of the marking period shall be placed on academic probation for the next 5 weeks. During the period of academic probation, the student will be permitted to continue his/her extra-curricular or athletic participation if the student demonstrates both of the following actions:

   1. The student, in conjunction with the failed subject teacher, develops an action plan for academic improvement.
   2. The student must demonstrate that he/she is no longer failing in more than one course by the time interim reports are submitted.

   Any student who fails to demonstrate they have successfully completed both of the actions above shall be declared ineligible for participation in any extra-curricular or athletic activity for the duration of the marking period in which he/she was placed on probation.

2. **Attendance**

   Students who commit themselves to an activity membership are expected to be in attendance at meetings/practice/contests for the duration of the activity calendar. When this commitment is not fulfilled, the student’s position in the activity will be reviewed by the supervising staff member and a recommendation of consequences will be forwarded by the supervising staff member, or coach to the Building Principal, program administrator (or both) for review.

   Students are expected to attend all practices, meetings and contests unless excused by the staff supervisor. It is the student's responsibility to notify the staff supervisor, in advance, of any circumstances which would prevent the student’s participation at practice(s), contest(s), or meeting(s) other than absence from school. Failure to comply may result in a dismissal from the activity, dependent upon the nature and/or seriousness of the offense.

   A student who is absent from school will not be eligible for participation in any extra-curricular or athletic activity on the day he or she is absent. The Building Principal or program administrator may permit participation when, in his/her judgment, the absence is unavoidable and supporting documentation signed by a parent/guardian is provided. Students are, therefore, advised to make requests for absence(s) in advance. Students who are members of extra-curricular or athletic activities are expected to be in school on a regular basis. Students will be ineligible for practice or contest participation that day if they do not sign in at the attendance office prior to the end of period 4 with a legitimate written excuse signed by a parent or guardian in order to be eligible for participation.

   The supervisor will establish rules appropriate for the nature of the activity regarding attendance and participation. All student members shall be given a written copy of the team rules and the supervisor will review the rules with student members. Student members are expected to comply with and abide by the rules established for their respective activity.

   A student's absence(s) from practice(s), meeting(s), and or contest(s) due to mandatory participation in school sponsored session extra-help will not jeopardize the student's membership status.

3. **Misconduct**

   As a member of any extra-curricular or athletic activity, students should be mindful that they represent their school and community. Student members are expected to and have an obligation to conduct themselves as productive citizens both in and out of school and the community. Students are expected to refrain from
negative behavior(s), which violate the principles of good citizenship, and may bring embarrassment or unfavorable view to the student, his/her classmates, teachers or community.

In addition to conduct prohibited pursuant to the Code of Conduct, students will not be eligible to participate in extra-curricular or athletic activities if they:

1. host, organize, or attend any gathering that involves, tobacco, alcohol, drugs, drug paraphernalia, marijuana or illegal substances as defined by New York Penal Law;
2. engage in any type of “initiation ceremony” or hazing for any extra-curricular or athletic activity, at any level; and/or
3. exhibit poor sportsmanship, whether participants or spectators, during all extra-curricular or athletic events, including but not limited to, booing, whistling, name calling, obscene gestures or arguing with the referee.

4. Code of Conduct for Spectators

Attendance at extra-curricular or athletic events is an essential component of fostering the relationship between the School District and the community. It also presents an opportunity for individuals to illustrate to students examples of good manners. As such, individuals who attend school sponsored extra-curricular or athletic activities are expected to conduct themselves in an appropriate and sportsmanlike manner. Spectators are expected to conform to the following rules when in attendance at extra-curricular or athletic activities:

1. Spectators shall conform to accepted standards of good sportsmanship and behavior.
2. Spectators shall respect and be courteous to officials, coaches, players, and other spectators.
3. Spectators shall respect and obey all school officials, supervisors, and security personnel.
4. Wholesome, positive cheering is encouraged.
5. Foot stomping, taunting, foul and abusive language, inflammatory remarks, and disrespectful signs are prohibited.
6. Spectators shall refrain from shouting disapproval of calls made by officials.
7. Spectators shall refrain from noise or disruptions that interfere with individual player’s concentration.
8. Spectator noise makers and sound devices are prohibited.
9. Smoking on school grounds is prohibited.
10. Alcoholic beverages of any kind are not permitted on school grounds.
11. Any person under the influence of alcohol is not permitted on school grounds.
12. Pets are not permitted on school grounds.

Spectators who do not adhere to these rules while in attendance at an extra-curricular or athletic event will be removed from the event immediately.

VIII. TRANSPORTATION PRIVILEGES

Transportation provided to students by the School District is a privilege. When present on a bus, students shall adhere to the following:

- Students are to use their assigned bus and bus stop only. Only in the case of an emergency or with written parent notification to the school the student attends, will a student be transported to a stop other than his or her assigned stop.
- Parents must complete the request for Child Care Transportation Form prior to any change in a student’s transportation. These forms can be picked up at your home school, Transportation Office or the Kings Park District website. Students will have one AM stop and one PM stop only, five days a week.
- Students are to be at the bus stop 10 minutes before the scheduled time. The bus driver is not expected to wait for students nor will the driver return for students who miss their bus. Students are encouraged to use seat belts when available.
- If bused students must cross a street, they must wait until the bus driver signals that all is clear. Students must cross at least fifteen feet in front of the bus and never at the rear of the bus.
- Conversation with the bus driver is not to be carried on while the bus is in motion. Students are to be reasonably quiet and orderly on the bus and carry out all instructions of the driver.
- Students are to line up before entering the bus; wait for the bus to stop before boarding or leaving the bus; remain seated while the bus is in motion.
- Students must keep heads, arms, and hands inside the bus.
- Use of vulgar language and loud or indecent talk is prohibited.
- Students are to leave and enter bus only at entrance door except in case of emergency. Emergency exit drills will be conducted during the school year, in order to acquaint children with the possible exit
in case of emergency.

- No unauthorized person is to board or ride the school bus.
- Children are not to throw objects on, out of or into the bus.
- Students are not allowed to bring toys, or anything that might be harmful to other persons or interfere with the driver’s safe operation of the school bus.
- Administration reserves the right, when necessary, for Administrators, bus drivers and teachers to assign seating on buses.

PLEASE NOTE: According to New York State Law, smoking by students is prohibited. Transportation privileges may be suspended for any violation.

IX. REPORTING VIOLATIONS
Any teacher, administrator, staff member, board member, parent, guardian, custodial caretaker, student or other person may report a violation of the Code of Conduct to the Building Principal. The administrator shall make such investigation of the charges as deemed appropriate, and institute an informal or formal disciplinary proceeding, and/or make a referral to the committee on the handicapped, as deemed necessary. 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 if warranted, which may include permanent suspension and referral for prosecution.

The Building Principal or his/her designee will notify, when appropriate, the 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. The notification to law enforcement may be made by telephone, followed by a letter, when appropriate, and mailed on the same day as the telephone call is made. The notification shall identify the student and explain the conduct that violated the Code of Conduct and constituted a crime, if known.

Reporting Incidents of Discrimination, Harassment and Bullying
Students who have been bullied, harassed or discriminated against, parents whose children have been bullied, harassed or discriminated against, or other students or staff who observe bullying, harassing or discriminating behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with this policy and training and guidelines provided, as well as any applicable district policies. (Refer to BOE Policy, Anti-Bullying, Harassment and Discrimination/Dignity for All Students Act. BOE Policy 6120, Equal Employment Opportunity; and BOE Policies 6121, Sexual Harassment and 7551, Sexual Harassment of Students.

Staff members must promptly make an oral report of all complaints of bullying, harassment, and discrimination that they receive from students or others, whether oral or written, as well as any instances of bullying, harassment or discrimination that they are aware of, to the Principal of the school where the incident occurred/Superintendent or THEIR DESIGNEE not later than one school day after receipt of a report or witnessing an incident and shall file a written report with the Principal of the school where the incident occurred/Superintendent THEIR DESIGNEE not later than two school days after making the oral report.

Reports of bullying, harassment and discrimination will be promptly investigated.

Retaliation by any school employee or student against any individual who, in good faith, reports or assists in the investigation of harassment, bullying and/or discrimination is prohibited under law.

Dignity Act Coordinator Contact Information
The Name and contact information for each school building’s Dignity Act Coordinator is provided below:

<table>
<thead>
<tr>
<th>Name</th>
<th>School Building</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lino Bracco, Principal</td>
<td>Kings Park High School</td>
<td>269-3347</td>
</tr>
<tr>
<td>Lauren Moreno, Principal</td>
<td>William T. Rogers Middle School</td>
<td>269-3369</td>
</tr>
<tr>
<td>Rudy Massimo, Principal</td>
<td>RJO Intermediate School</td>
<td>269-3798</td>
</tr>
<tr>
<td>Kevin Storch, Principal</td>
<td>Park View Elementary School</td>
<td>269-3770</td>
</tr>
<tr>
<td>Stephanie Montecalvo, Principal</td>
<td>Fort Salonga Elementary School</td>
<td>269-3364</td>
</tr>
</tbody>
</table>

This information shall also be posted on the District’s web site and included in the plain language summaries of the code of conduct provided to parents and students and shall be further disseminated in accordance with law and regulations.

X. DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS

https://www.boarddocs.com/ny/kpcs/Board.nsf/Public#
Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students’ ability to grow in self-discipline.

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

1. The student’s age;
2. The nature of the offense and the circumstances which led to the offense;
3. The student's proper disciplinary record;
4. The effectiveness of other forms of discipline;
5. Information from parents, teachers and/or others, as appropriate; and
6. Other extenuating circumstances.

As a general rule, disciplinary action will be progressive. In addition, the District reserves the right to suspend any and all privileges in the event a student engages in the prohibited conduct set forth in this Code of Conduct.

**Disciplinary and Remedial Consequences for Bullying, Harassment and Discrimination**

The district supports the development of measured, balanced and age-appropriate responses to the bullying, harassment and discrimination of students by students and/or employees on school property, including school functions, with remedies and procedures focusing on intervention and education. Remedies will be measured, balanced, progressive and age-appropriate and will take into consideration the nature and severity of the offending student’s behavior, the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the offending student’s behaviors had on the individual who was physically injured or emotionally harmed. Responses will be reasonably calculated to end the harassment, bullying and/or discrimination, prevent recurrence, and eliminate the hostile environment. Successful intervention may involve remediation.

Remedial responses to bullying, harassment and discrimination include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target of the act. Appropriate remedial measures may include, but are not limited to:

- Restitution and restoration
- Peer support groups
- Corrective instruction or other relevant learning or service experience
- Changes in class schedule
- Supportive intervention
- Behavioral assessment or evaluation
- Behavioral management plans, with benchmarks that are closely monitored
- Student counseling
- Parent conferences
- Student treatment or therapy

Environmental remediation may include, but is not limited to:

- School and community surveys or other strategies for determining the conditions contributing to the relevant behavior
- Modification of schedules
- Adjustment in hallway traffic and other student routes of travel
- Targeted use of monitors
- Staff professional development
- Parent education seminars/workshops
- Peer support groups

If appropriate, disciplinary action will be taken by the administration in accordance with this policy, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this policy.

**Discipline Procedures for Special Education Students**

A student with a disability may be suspended from school for serious misconduct. However, a disabled student may not be suspended for more than ten days during a school year without a referral to the Committee on Special Education.
In addition, a student with a disability is entitled to a disciplinary hearing and referral to the Committee on Special Education for suspensions beyond five days. The Committee on Special Education must determine if the misconduct is related to the handicapping condition and recommend the appropriate program changes and modifications.

**B. Procedures**
The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

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

1. **Detention**
   Teachers, principals and the Superintendent may use after-school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. The Board of Education believes that detention is an effective method of discipline for students. A student who violates the student disciplinary code may be assigned detention by a school administrator or teacher. A teacher or staff member is responsible for making his/her arrangements for his/her assigned detentions. When a student is assigned detention, the District must confirm there is no parental objection and that the student has appropriate transportation home.

2. **Suspension from transportation**
   If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the Building Principal’s attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the Building Principal or the Superintendent or their designees. In such cases, the student’s parent will become responsible for seeing that his or her child gets to and from school safely. Should the family not be able to provide alternate transportation the District will provide alternate education for the period of suspension.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student’s parent will be provided with a reasonable opportunity for an informal conference with the Building Principal or the principal’s designee to discuss the conduct and the penalty involved.

3. **Suspension from athletic participation, extra-curricular activities and other privileges**
   A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student’s parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the suspension to discuss the conduct and the penalty involved.

4. **In-school suspension**
   The Board of Education recognizes the importance of school attendance. Therefore, suspension or expulsion from school must be viewed as a last resort in dealing with student disciplinary infractions. The Board also recognizes the need to remove unruly or disruptive students from the regular class so that learning can take place in the classrooms.

The Board directs the Superintendent of Schools to develop an in-school suspension program. The program should provide appropriate supervision in the in-school suspension rooms and guidelines for the imposition of an in-school suspension. The student shall be considered present for attendance purposes. The program is used to keep each student current with his/her class work while attempting to reinforce acceptable behavior, attitudes and personal interaction.

5. **Teacher disciplinary removal of disruptive students**
   A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most cases the classroom teacher can control a student’s behavior and maintain or restore control over the classroom by using good classroom management techniques. 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 out” in an elementary classroom or in an administrator’s office; (2) sending a student to the principal’s office for the remainder of the class time only; or (3) sending a student to a guidance counselor or other District staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

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

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

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24 hours.

The teacher must complete a district-established disciplinary form as soon as possible prior to the end of that class period if at all possible. The teacher must meet with the Principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal. If the Principal or designee is not available the teacher must leave the form with the secretary and meet with the Principal or designee prior to the beginning of classes on the next school day. 

Within 24 hours after the student’s removal, the Principal or another district administrator designated by the Principal must notify the student’s parents in writing that the student has been removed from class and why. 

The notice must also inform the parent that he or she has the right, upon request, to meet informally with the Principal or the principal’s designee to discuss the reasons for the removal. 

The written notice may be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student’s removal at the last known address for the parents. Where possible, notice will also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents. 

The Principal may require the teacher who ordered the removal to attend the informal conference, when scheduled during the teacher’s normal workday. 

If at the informal meeting the student denies the charges, the Principal or the principal’s designee must explain why the student was removed and give the student and the student’s parents a chance to present the student’s version of the relevant events. The informal meeting must be held within 48 hours of the student’s removal. The timing of the informal meeting may be extended by mutual agreement of the parent and Principal. 

The Principal or the principal’s designee may overturn the removal of the student from class if the Principal finds any one of the following: 

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

The Principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the Principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered alternative continued educational programming and activities until he or she is permitted to return to the classroom. A removed student may not be temporarily placed in a regular teacher’s classroom. Appropriate class work must be provided for the removed student by the removing teacher.

Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his or her class. The Principal or his/her designee must keep a log of all removals of students from class. Removal of a student with a disability, under certain circumstances, may constitute a change of placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the Principal or the chairperson of the Committee on Special Education that the removal will not violate the student’s rights under state or federal law or regulation.

6. Suspension from school

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the building principals.
Any staff member may recommend to the Superintendent or the Principal that a student be suspended. All staff members must immediately report and refer a violent student to the Principal or the Superintendent for a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The Superintendent or Principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

**Five (5) School Days or Less**

The Superintendent and/or the Principal of the school where the student attends shall have the power to suspend a student for a period not to exceed five (5) school days. In the absence of the Principal, the designated “Acting Principal” may then suspend a student for a period of five (5) school days or less. When the Superintendent or the Principal (the “suspending authority”) proposes to suspend a student for five (5) school days or less, the suspending authority shall provide the student with notice of the charged misconduct. If the student denies the misconduct, the suspending authority shall provide an explanation of the basis for the suspension.

When suspension of a student for a period of five (5) school days or less is proposed, administration shall also immediately notify the parent/person 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 twenty-four (24) hours of the decision to propose suspension at the last known address or addresses of the parents/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/persons in parental relation.

The notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the student and the parent/person 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). Both the notice and the informal conference shall be in the dominant language or mode of communication used by the parents/persons in parental relation. At the informal conference, the student and/or parent/person in parental relation shall be authorized to present the student’s version of the event and to ask questions of the complaining witnesses.

The notice and opportunity for informal conference shall take place prior to 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 practical.

Teachers shall immediately report or refer a violent student to the Principal or Superintendent for a violation of the District’s Code of Conduct and a minimum suspension period.

**More Than Five (5) School Days**

In situations where the Superintendent determines that a suspension in excess of five (5) school days may be warranted, the student and parent/person in parental relation, upon reasonable notice, shall have had an opportunity for a fair hearing. At the hearing, the student shall have the right of representation by counsel, with the right to question witnesses against him/her, and the right to present witnesses and other evidence on his/her behalf.

Where the basis for the suspension is, in whole or in part, the possession on school grounds or school property by the student of any firearm, rifle, shotgun, dagger, dangerous knife, dirk, razor, stiletto or any of the weapons, instruments or appliances specified in Penal Law Section 265.01, the hearing officer or Superintendent shall not be barred from considering the admissibility of such weapon, instrument or appliance as evidence, notwithstanding a determination by a court in a criminal or juvenile delinquency proceeding that the recovery of such weapon, instrument or appliance was the result of an unlawful search or seizure.

The Superintendent shall hear and determine the proceeding or may, in his/her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no steno-graphic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof. An appeal of the decision of the Superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of the Superintendent’s decision, unless the parents can show that extraordinary circumstances precluded them...
from doing so. The board may adopt in whole or in part the decision of the Superintendent. Final decisions of
the board may be appealed to the Commissioner within 30 days of the decision.

**Suspension from BOCES**
The BOCES Principal may suspend School District students from BOCES classes for a period not to exceed
five (5) school days when student behavior warrants such action.

**BOCES Activities**
BOCES activities, such as field trips and other activities outside the building itself, are considered an
extension of the school program. Therefore, an infraction handled at BOCES is to be considered as an act
within the School District itself.

A student who is ineligible to attend a District school on a given day may also be ineligible to attend BOCES
classes. The decision rests with the Superintendent or his/her designee.

**Suspension of Students with Disabilities**
Generally, should a student with a disability infringe upon the established rules of the schools, disciplinary
action shall be in accordance with procedures set forth in this Code of Conduct and in conjunction with
applicable law and the determination of the Committee on Special Education (CSE).

For suspensions or removals up to ten (10) school days in a school year that do constitute a disciplinary
change in placement, students with disabilities must be provided with alternative instruction or services on
the same basis as non-disabled students of the same age.

If suspension or removal from the current educational placement constitutes a disciplinary change in
placement because it is for more than ten (10) consecutive school days or constitutes a pattern, a
manifestation determination must be made. The District determines on a case-by-case basis whether a
pattern of removals constitutes a change of placement. This determination is subject to review through due
process and judicial proceedings.

**A. Manifestation Determinations**

A review of the relationship between the student’s disability and the behavior subject to disciplinary action to
determine if the conduct is a manifestation of the disability must be made by a manifestation team
immediately, if possible, but in no case later than ten (10) school days after a decision is made:

a. By the Superintendent to change the placement to an interim alternative educational setting (IAES);
b. By an Impartial Hearing Officer (IHO) to place the student in an IAES; or
c. By the Board, District Superintendent, Superintendent or Building Principal to impose a suspension that
   constitutes a disciplinary change of placement.

The manifestation team shall include a representative of the District knowledgeable about the student and
the interpretation of information about child behavior, the parent and relevant members of the CSE as
determined by the parent and the District. The parent must receive written notice prior to the meeting to
ensure that the parent has an opportunity to attend. This notice must include the purpose of the meeting, the
names of those expected to attend and notice of the parent’s right to have relevant members of the CSE
participate at the parent’s request.

The manifestation team shall review all relevant information in the student’s file including the student’s
individualized education program (IEP), any teacher observations, and any relevant information provided by
the parents to determine if: the conduct in question was caused by or had a direct and substantial
relationship to the student's disability; or the conduct in question was the direct result of the District’s failure
to implement the IEP. If the team determines the conduct in question was the direct result of failure to
implement the IEP, the District must take immediate steps to remedy those deficiencies.

**B. Finding of Manifestation**

If it is determined, as a result of this review, that the student’s behavior is a manifestation of his/her
disability, the CSE shall conduct a functional behavioral assessment, if one has not yet been conducted, and
implement or modify a behavioral intervention plan.

Functional behavioral assessment (FBA) means the process of determining why the student engages in
behaviors that impede learning and how the student’s behavior relates to the environment. FBA must be
developed consistent with the requirements of Commissioner's Regulations Section 200.22(a) and shall
include, but not be limited to, the identification of the problem behavior, the definition of the behavior in
concrete terms, the identification of the contextual factors that contribute to the behavior (including cognitive
and affective factors) and the formulation of a hypothesis regarding the general conditions under which a
behavior usually occurs and probable consequences that serve to maintain it.

Behavioral intervention plan (BIP) means a plan that is based on the results of a functional behavioral
assessment and, at a minimum, includes a description of the problem behavior, global and specific
hypotheses as to why the problem behavior occurs and intervention strategies that include positive
behavioral supports and services to address the behavior.

Unless the change in placement was due to behavior involving serious bodily injury, weapons, illegal drugs or
controlled substances, the student must be returned to the placement from which the student was removed.
unless the parent and the District agree to a change of placement as part of the modification of the behavioral intervention plan.

C. **No Finding of Manifestation**

If it is determined that the student's behavior is not a manifestation of his/her disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner and for the same duration for which they would be applied to students without disabilities, subject to the right of the parent/person in parental relation to request a hearing objecting to the manifestation determination and the District's obligation to provide a free, appropriate public education to such student.

D. **Provision of Services Regardless of the Manifestation Determination**

Regardless of the manifestation determination, students with a disability shall be provided the services necessary for them to continue to participate in the general education curriculum and progress toward meeting the goals set out in their IEP. They must also receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications designed to address the behavior violation so it does not recur:

a. For subsequent suspensions or removals for ten (10) consecutive school days or less that in the aggregate total more than ten (10) school days in a school year but do not constitute a disciplinary change of placement, school personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed;

b. For suspensions or other disciplinary removals in excess of ten (10) school days in a school year which do constitute a disciplinary change in placement, the IAES and services will be determined by the CSE.

E. **Interim Alternative Educational Setting (IAES)**

Students with disabilities who have been suspended or removed from their current placement for more than ten (10) school days may be placed in an IAES which is a temporary educational setting other than the student’s current placement at the time the behavior precipitating the IAES placement occurred. Additionally, an Impartial Hearing Officer in an expedited due process hearing may order a change in placement of a student with a disability to an appropriate IAES for up to forty-five (45) school days if the Hearing Officer determines that maintaining the current placement is substantially likely to result in injury to the student or others.

There are three (3) specific instances when a student with a disability may be placed in an IAES for up to forty-five (45) school days without regard to a manifestation determination:

a. Where the student carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the District; or

b. Where a student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the District; or

c. Where a student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the District. Serious bodily harm has been defined in law to refer to one of the following:

   1. Substantial risk of death;
   2. Extreme physical pain;
   3. Protracted and obvious disfigurement; or
   4. Protracted loss or impairment of the function of a bodily member, organ or mental faculty.

A school function shall mean a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with a disability who violates a code of student conduct.

In all cases, the student placed in an IAES shall:

a. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress towards the goals set out in the student’s IEP, and

b. Receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

The period of suspension or removal may not exceed the amount of time a non-disabled student would be suspended for the same behavior.

**Students Presumed to Have A Disability for Discipline Purposes**

The parent of a student who has violated any rule or Code of Conduct of the School District and who was not identified as a student with a disability at the time of such behavior may assert several protections provided for under the Individuals with Disabilities Education Act (IDEA) and State regulations if the School District is deemed to have had knowledge (as determined in accordance with law and/or regulations and referenced...
below) that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred.

A. **Basis of Knowledge**
The School District shall be deemed to have knowledge that the student had a disability if prior to the time the behavior occurred:

a. The parent of the student has expressed concern in writing to supervisory or administrative personnel, or to a teacher of the student, that the student is in need of special education and related services. However, expressions of concern may be oral if the parent does not know how to write or has a disability that prevents a written statement;

b. The parent of the student has requested an evaluation of the student in writing; or

c. A teacher of the student, or other District personnel, has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the Director of Special Education or to other supervisory personnel.

B. **Exception**
A student is not a student presumed to have a disability for discipline purposes if, as a result of receiving the information specified above (i.e., subheading "Basis of Knowledge"):

a. The parent of the student has not allowed an evaluation of the student pursuant to law and/or regulations;

b. The parent of the student has refused services; or

c. The student has been evaluated and it was determined that the student is not a student with a disability.

C. **Responsibility for Determining Whether a Student is a Student Presumed to Have a Disability**
If it is claimed by the parent of the student or by School District personnel that the District had a basis, for knowledge, in accordance with law and/or regulation, that the student was a student with a disability prior to the time the behavior subject to disciplinary action occurred, it shall be the responsibility of the Superintendent of Schools, Building Principal or other school official imposing the suspension or removal to determine whether the student is a student presumed to have a disability.

D. **Conditions That Apply if There is No Basis of Knowledge**
If it is determined that there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made during the time period in which such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted in accordance with law and/or regulations. Pending the results of the evaluation, the student shall remain in the educational placement determined by school authorities.

If the student is determined to be a student with a disability, taking into consideration information from the evaluation and information provided by the parents, the District shall provide special education and related services in accordance with law and/or regulations.

E. **Referral to law enforcement and judicial authorities**
In accordance with the provisions of IDEA and its implementing regulations:

1. The District may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student’s placement.

2. The Superintendent shall ensure that copies of the special education and disciplinary record of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

**Minimum Periods of Suspension**
Pursuant to law, Commissioner’s Regulations and the District’s Code of Conduct, minimum periods of suspension shall be provided for the following prohibited conduct, subject to the requirements of federal and state law and regulations:

a. Consistent with the federal Gun-Free Schools Act, any student who is determined to have brought a firearm to school or possessed a firearm on school premises shall be suspended for a period of not less than one (1) calendar year. However, the Superintendent has the authority to modify this suspension requirement on a case-by-case basis.

b. A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher’s authority over the classroom, provided that the Superintendent may reduce such period on a case-by case basis. The definition of “repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher’s authority” shall be determined in accordance with the Regulations of the Commissioner. Students who are repeatedly substantially disruptive of the educational process or substantially interfere with the teacher’s authority over the classroom shall be suspended for a period of no less than six (6) months.

c. A minimum suspension period for acts that would qualify the student to be defined as a violent student pursuant to Education Law Section 3214(2-a)(a), provided that the Superintendent may reduce such period
on a case-by-case basis. A student who is determined to have committed a violent act, other than bringing a weapon on to school property, shall be suspended for no less than one (1) year.

d. A minimum suspension period of one (1) year.

shall be imposed for the following infractions:

- Use, possession or sale of drugs or drug paraphernalia
- Possession or use of alcohol
- Attending school or a school sponsored event under the influence of alcohol or drugs

The Superintendent may reduce such suspension period on a case-by-case basis.

Referrals

1. Counseling
The Guidance Office and the Office of Pupil Personnel Services shall handle all referrals of students for counseling.

2. PINS Petitions
The District may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.

b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.

c. Knowingly and unlawfully possesses marijuana in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.

3. Juvenile Delinquents and Juvenile Offenders
The Superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

a. Any student under the age of 16 who is found to have brought a weapon to school, or

b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).

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

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

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

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

Alternative Instruction

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the District will take immediate steps to provide alternative means of instruction for the student.

Exhaustion of Administrative Remedies

If a parent/person in parental relation wishes to appeal the decision of the Building Principal and/or Superintendent to suspend a student from school, regardless of the length of the student’s suspension, the parent/person in parental relation must appeal to the Board of Education prior to commencing an appeal to the Commissioner of Education.

Corporal Punishment
The administration of corporal punishment, i.e., the deliberate striking of a student to discourage future acts of misbehavior is not an authorized disciplinary measure. No teacher, administrator, officer, employee, or agent of a school district or a board of cooperative education services shall use corporal punishment against a pupil.

When alternative procedures cannot be reasonably employed, reasonable force may be used to: protect oneself and others from physical injury; protect school property or property of others; restrain or remove a pupil whose behavior is interfering with school district functions, powers and duties if the pupil has refused to comply with a request to refrain from further disruptive acts.

The trustee or trustees, Board of Education or Board of Cooperative Educational Services must submit a semi-annual report to the Commissioner (by January 15 and July 15) which sets forth the substance of each complaint about the use of corporal punishment during the reporting period, the results of each investigation of such complaints, and for each case the action, if any, taken by the school authorities.

Complaints about the alleged use of corporal punishment, regardless of the source, shall be immediately investigated by the school building administrator. The Superintendent of Schools shall further direct the preparation of reports detailing the use of corporal punishment and the action taken by the school authorities.

**Privacy Rights**

As part of any investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

**PUBLIC CONDUCT ON SCHOOL PROPERTY**

The Board recognizes that the primary purpose of the school district is to provide a safe, supportive and orderly 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 school 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.

A. **Prohibited Conduct**

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

   - willfully cause physical injury to any other person, or attempt 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;
   - intimidate, harass, bully or discriminate against any person on the basis of actual or perceived race, creed, color, weight, national origin, religion, religious practice, ethnic group, gender, age, marital status, sex, sexual orientation, disability, military status, predisposing genetic characteristics or domestic violence victim status;
   - physically restrain or detain any other person, or remove such person from any place where s/he is authorized to remain;
   - willfully damage or destroy property of the district or under its jurisdiction, or remove or use such property without authorization, or threaten to do so;
   - without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty or staff member;
   - 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;
   - without authorization, remain in any building or facility after it is normally closed;
   - 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;
   - obstruct the free movement of persons and vehicles in any place to which these rules apply;
• 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;
• knowingly have in his/her possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon without written authorization of the chief administrative officer, whether or not licensed to possess the same has been issued to such person;
• Possess, consume, sell, distribute or exchange alcoholic beverages or drugs, drug paraphernalia or synthetic cannabinoids;
• Smoke a cigarette, cigar, pipe, electronic cigarette or use chewing or smokeless tobacco.
• Violate any federal or state statute, local ordinance or Board policy; and/or
• willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so.

B. Enforcement Program

1. The Superintendent 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 such officer shall warn such persons of the consequences or persistence in the prohibited conduct, including their ejection from any school properties where their continued presence and conduct is in violation of these rules.
3. In any case where violation of these rules does not cease after such warning and in other cases of willful violation of such rules, the Superintendent or his/her designee shall cause the ejection of the violator from any premises which s/he occupies in such violation and shall initiate disciplinary action hereinbefore 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 exhaustive 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.

Dissemination and Review

A. Dissemination of Code of Conduct

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

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

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of school policy on school conduct and discipline, including but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, bullying, discrimination or harassment against students by students and/or school employees; and including safe and supportive school climate concepts in the curriculum and classroom management. 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. On-going professional development will be included in the district’s professional development plan, as needed.

B. Review

The District’s Code of Conduct shall be reviewed on an annual basis, and updated as necessary in accordance with law. The School Board shall re-approve any updated Code of Conduct or adopt revisions only after at least one (1) public hearing that provides for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties. The Superintendent shall file a copy of the District’s Code of Conduct and all amendments to the Code with the Commissioner of Education no later than thirty (30) days after their respective adoptions.

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