



**Explore...**

**Create...**

**Achieve...**

# **Mount Morris Central Code of Conduct**

**2018-19**

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# CODE OF CONDUCT

## I. Introduction

The Board of Education (“Board”) is committed to providing a safe and orderly school environment where students may receive quality educational services. Responsible behavior by students, teachers, district personnel, parents and visitors alike is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

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

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

## II. Definitions

For purposes of this code, the following definitions apply:

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

**b. Employee/Staff** 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.

**c. School Function** means a school-sponsored extracurricular event or activity regardless of location (Education §11[2]).

**d. “Controlled Substance”** means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy. Possession of paraphernalia for consuming (use) of alcohol, tobacco, and other substances (including vapor cigarettes and associated liquid substances; as well as cannabinoids and synthetic cathinones, as well as the consuming (use), sharing, transmitting, buying and/or selling of substances (including the misuse of prescription medication) on school property and/or at school-sponsored events.

**e. Illegal Drugs** means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

**f. School Property** means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus (Education Law §11 [1], as defined in Vehicle and Traffic Law §142. It would also include any and all property at which a school-sanctioned activity is being held. (e.g. Bellamy Park, prom site, etc.)

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

**h. Disruptive Student** means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

**i. Disorderly conduct** – endangerment or harassment (e.g. bullying, intimidation) of others or the willful disruption of the orderly conduct of classes, school program and/or school activities. This would include bomb threats and or other threats against people or property, defaming, vandalizing, disrespecting and/or destroying school or contracted property, as well as property off-campus that is visited as a result of a field trip or school-sponsored event.

**j. Gender** means actual or perceived sex and shall include a person's gender identity or expression (Education Law §11[6]).

**k. Gender Expression** is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.

**l. Gender Identity** is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.

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

**n. Disability** means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from

performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law §292[21]).

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

**p. Harassment/Bullying** means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying as defined in Education Law §11(8), that

1. has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or
2. reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
3. reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
4. occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. For purposes of this definition, the term “threats, intimidation or abuse” shall include verbal and nonverbal actions. (Education Law §11[7])

**q. Cyberbullying** means harassment/bullying, as defined above, through any form of electronic communication.

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

**s. Violent Student** means a student under the age of 21 who uses physical force to intimidate another by the exhibition of such force. The level of violence will be determined through investigative resources. Examples of violent conduct include but are not limited to:

1. Commits an act of violence upon a school employee, or attempts to do so.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

**u. Weapon** means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act and also includes:

1. a firearm, including, but not limited to, a rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, air gun, spring gun, BB gun, or paintball gun;

2. a switchblade knife, gravity knife, pilum ballistic knife, cane sword, dagger, stiletto, dirk, razor, box cutter, metal knuckle knife, utility knife, or any other dangerous knife;
3. a billy club, blackjack, bludgeon, chukka stick, or metal knuckles;
4. a sandbag or sandclub;
5. a slingshot
6. a martial arts instrument, including, but not limited to, a kung fu star, ninja star, nunchuck, or shirken;
7. an explosive, including but not limited to, a firecracker or other fireworks;
8. a deadly or dangerous chemical, including, but not limited to, a strong acid or base, mace, or pepper spray;
9. an imitation gun;
10. loaded or blank cartridges or other ammunition; or
11. any other device, instrument, material or substance that can cause physical injury or death when used with the intent to cause physical injury or death.

**w. Disruptive Material** means distribution of or wearing materials on school grounds or at school functions that are obscene, inflammatory, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program

### III. Essential Partners

**Parents:** All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.
13. Instruct their children as to appropriate bus conduct with an understanding that the behavioral expectations that apply in the classroom apply to the school bus.

**Teachers:** All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.

4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents information they need to assist in the achievement of curricular objectives.
6. Communicate to students and parents:
  - a. Course objectives and requirements
  - b. Marking / grading procedures
  - c. Assignment deadlines
  - d. Expectations for students
  - e. Classroom Discipline plan
  - f. Communicate regularly with students, parents and other teachers concerning growth and achievement

**School Counselors / Social Workers / School Psychologist / Student Service Personnel** are expected to:

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher / student / counselor / parent conferences, as necessary.
3. Regularly review with students their educational progress and college / career plans.
4. Provide information to assist students with college / career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Keep abreast of the information and services available and seek to assist students in dealing with personal problems when appropriate.

**Principal:** The Principal is expected to:

1. Promote a safe, orderly and stimulating school environment by supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of grievances.
3. Evaluate all instructional programs on a regular basis.
4. Support the development of student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the Code of Conduct and ensuring that all issues are resolved promptly and fairly.
6. Maintain open communication between parents and the school.

**Superintendent:** The Superintendent is expected to:

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the Board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

**Board of Education:** The Board of Education is expected to:

1. Collaborate with student, teacher, administrator, 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.
2. Adopt and review at least annually the district's Code of Conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.

**Dignity Act Coordinator:** The Dignity Act Coordinator is expected to:

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

For further information, contact **Danielle Dean (PreK-6)** or Jesse Hamilton (7-12), Dignity Act Coordinator at (585) 658-3331

**School Resource Officer:** The School Resource Officer is expected to:

1. Assist students, parents/guardians, teachers, and administrators as well as other staff with sustaining a safe school environment.
2. Serve as an active law enforcement official on campus and at school sponsored events to assist with emergencies or crises which require police action.
3. If necessary, the SRO has the authority to make an arrest when a crime of a serious nature is committed.

The School Resource Officer does not work for MMCS D. The School Resource Officer (SRO) is provided by the Mount Morris Police Department. School personnel do not have jurisdiction over law enforcement decisions or actions. The MMCS D and the MM Police department are collaborative partners working to ensure our school and community are a great place to live, learn, and play.

#### IV. Student Rights and Responsibilities

We believe that by accepting and fulfilling appropriate responsibilities, individuals will come to value resultant privileges. Responsibility is inherent in the exercise of every right and it must be emphasized that lack of responsibility means a weakening of rights.

| <b>IT IS THE STUDENT'S RIGHT TO:</b>   | <b>IT IS THE STUDENT'S RESPONSIBILITY TO:</b>   |
|--|---|
| Attend school in the district in which his / her parent or legal guardian resides.   | Attend school daily, except when ill, and be on time to all classes.  |
| Express his / her opinions verbally.   | Express his / her opinions and ideas in a respectful manner so as not to offend, slander, or restrict the rights and privileges of others.                                    |
| Dress in such a way as to express his / her personality.   | Dress so as not to endanger physical health and safety, be unduly distracting, or limit participation in school activities.   |
| Expect that the school will be an orderly place for all students to gain an education.   | Be aware of all rules and expectations regulating student behavior and conduct him / herself in accordance with these guidelines.   |
| Be afforded due process in the event of disciplinary action brought against him / her including suspension and / or expulsion.                       | Be willing to volunteer information in disciplinary cases if he / she has knowledge of importance in such a case.   |
| Be represented by an active student government selected by free school elections.  | Take an active part in student government by running for office, or conscientiously voting for the best candidate and making his / her problems known to the representatives. |
| Be afforded equal and appropriate educational opportunities.   | Be aware of available educational programs in order to use and develop capabilities to the maximum.   |
| Be afforded channels of communication to the Board of Education.   | Express views concerning the operation of the school systems with supporting rationale.   |
| Be afforded the opportunity to develop school publications and communications such as a school newspaper and newsletter articles.                    | Refrain from libel and obscenity, and observe the normal rules for responsible journalism.  |
| Be afforded the opportunity to participate on athletic teams, regardless of sex, except pursuant to regulations of the State Education Commissioner. | Be physically fit and have an aptitude for the athletic event(s).   |
| Be afforded the opportunity to participate in extracurricular activities.  | Be aware of all rules and expectations governing participation and conduct him / herself in accordance with these guidelines.   |

|   |  |
|---|--|
| Have access to relevant and objective information concerning drug and alcohol abuse as well as access to individual individuals or agencies capable of providing direct assistance to students with severe personal problems. | Be aware of the information and to seek assistance in dealing with personal problems when appropriate.                                   |
| Have his / her student records available for inspection by his / her parent or legal guardian upon request, or by the student him / herself, if 18 years of age or older.   | Be aware of right to access and guidelines governing such access.  |
| Be free from unreasonable intrusion upon his / her person or property by school personnel and / or police agencies.   | Be aware of actions which constitute serious and dangerous wrongdoing and refrain from such acts - possession of contraband, drugs, etc. |
| Be free from discriminatory practices.  | Refrain from participating in any discriminatory practices against others- students, teachers, staff, etc.                               |
| Be respected as an individual entitled to his/her personal dignity and integrity.   | Demonstrate appreciation for the dignity and integrity of all.   |

## V. Student Use Guidelines For Internet Access - Mt. Morris Central School District

The Mt. Morris Central School District offers Internet access as a research tool and as an aid to classroom instruction and learning. Access to information resources provided on the Internet will permit our students to gain technological proficiency and improve the quality of their educational experience.

Our goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation and communication. We believe the Internet offers a unique educational resource to both students and teachers.

### A. What is the Internet?

The Internet is an international network of “host” computers that store and relay information, connecting millions of subscribers all over the world. Subscribers have access to a wide variety of communication and retrieval systems including electronic mail, newsgroups, chat rooms, automatic mailing list services and, most notably, the World Wide Web. These systems may be used to transmit or receive text, sound, pictures and moving video images, and to obtain information on a particular topic or to exchange ideas. Among other things, the Internet serves as a means for accessing the following:

- Libraries and museums throughout the world.
- Educational, commercial and governmental data bases.
- National and international news mediums.

Software libraries.  
College and university information sites.  
Communication with teachers, authors, experts and other students around the globe.

The Internet presents a dynamic medium to the “information superhighway” of educational, economic, political and social information.

**B. How is it used in our schools?**

Internet access will be provided to the Mt. Morris Central School District students as a research tool and aid for classroom assignments, classroom instruction and learning. Students will not have an individual account. Access will be available in the school library and other designated areas in the school building. Students will not be authorized to access the Internet via the school provider from home or a location other than the designated school sites. Classroom teachers and library media specialists will provide instruction, direction and support for students’ Internet use at the school.

Student users must comply with all restrictions, limitations, prohibitions, and responsibilities of the Internet service providers. In addition, transmission of any material in violation of any United States or state regulation is strictly prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, or material protected by trade secret. Finally, student users must comply with the Generally Accepted Use Policies and Rules for the Internet, which are attached to these Guidelines.

**C. Eligibility for Access to Internet at School**

Access to the Internet will be provided to all students at school unless the district has received written notification from the student’s parent or guardian that the student may not have access to the Internet. Use of the Internet is to support the student’s classroom and instructional work.

**D. Access to Records**

The district retains the right to monitor use of the Internet by a student to assure compliance with applicable laws, rules and regulations, as well as the Accepted Use Policies and Rules. This includes accessing stored information, reviewing logs of incoming and outgoing information and messages, as well as the content of that information. There can thus be no expectation of privacy with respect to a student’s use of the Internet.

**E. Disclaimer of Responsibility**

Use of any information obtained via school district access to the Internet is at the user’s own risk. The Mt. Morris Central School district exercises no control over the content of the information available on the Internet.

Some systems may contain defamatory, inaccurate, abusive, obscene, vulgar, profane, offensive, sexually oriented, threatening, racially offensive or illegal material. Parents of minors who have access to the Internet should be aware of the existence of such material and the ability of students to access this material through the Internet (either at school or home). As a result, the district disclaims any responsibility for inappropriate or objectionable materials which a student may obtain through school

use of the Internet. Students who knowingly bring such material into the school environment will be subject to disciplinary sanctions including, but not limited to: termination of access privileges; suspension of academic and / or extracurricular privileges; and expulsion.

#### F. **Violations of Guidelines**

Students who violate these guidelines and the attached Accepted Use Policies and Rules are subject to losing eligibility to use the Internet and to discipline under student discipline rules. **All students are expected to follow the guidelines set forth by the Chromebook Policy Handbook.**

#### G. **Accepted Use Policies And Rules**

1. Internet access is expressly limited to classroom research and as an aid to classroom instruction and learning unless otherwise authorized in writing by a student's Principal.
2. Use of school computers and / or Internet access for personal and commercial advertising (including services) or for-profit purposes is prohibited.
3. Users shall use only their authorized pass-code / identification code, and may not use others' pass-codes / identification codes, or otherwise misrepresent their use of the Internet.
4. Users shall not seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, without the permission of the other user.
5. Students are not authorized or permitted to access the Internet via the school provider from home or any location other than a designated school location.
6. Users shall not use language that is vulgar, profane, obscene, offensive, abusive, sexually oriented, racial, threatening, inaccurate, and / or defamatory.
7. Users shall not reveal the home address, telephone number or other personal and / or private information of any other person, including students, parents, teachers, and administrators
8. Student Internet access is conditioned upon that student's compliance with the district's Code of Conduct.
9. The accumulation of information and email through means other than collection by the classroom teacher is prohibited.
10. All communications and information accessible via the school network and / or Internet access should be assumed to be subject to copyright, patent and trademark laws, unless otherwise stated.
11. No use of the school network or Internet access shall serve to disrupt the use of the network or Internet by others.
12. Use of the school's network or Internet access to infiltrate a computer or computing system is strictly prohibited.
13. The installation of software for use on district computers is strictly prohibited, without prior written approval of the student's Principal. Furthermore, district hardware and / or software shall not be destroyed, modified or misused in any way.
14. Use of the network to access or process pornographic, vulgar, profane, obscene, offensive, abusive, sexually oriented, racial, threatening, inaccurate, defamatory, illegal, or files dangerous to the integrity of the local area network is prohibited.

## **VI. Driving and Parking on Campus**

Student parking is available to students (seniors have priority and then juniors) on a first-come first served basis. Permits may not be sold or transferred. Students must park in the designated student parking area. Students may not park in any staff, visitor, reserved space, or in a designated “No Parking Area”. Parking is a privilege that can and will be revoked if a student is not meeting expectations. If a student is parked illegally, they will be issued a warning ticket. When the school’s records indicate a prior parking violation, the student’s vehicle will be towed away and stored at the owner’s expense. Additionally, the student will be issued a disciplinary referral. Vehicles should be locked. Although the parking lot is patrolled, parking is at the student’s own risk. Mount Morris School assumes no liability for damaged or vandalized vehicles. Parking a vehicle on campus entitles an administrator to search the vehicle upon reasonable suspicion that a school rule/regulation or law has been violated. The general rules for driving and parking are as follows:

1. Students must park in designated student areas.
2. The speed limit on campus is 15 miles per hour. Slower speeds are required as per weather conditions and parking lot congestion.
3. A complete stop must be made at all stop signs.
4. Students may not loiter in the parking lot or in vehicles.
5. Mount Morris High School reserves the right to tow vehicles on school grounds.
6. Students violating traffic law or the Code of Conduct may be subject to school imposed discipline including suspension from school. In addition, law enforcement may be contacted.

## **VII. School and Class Attendance**

This policy is intended to assure that students exercise their right and meet their responsibility to attend school. The Board believes that attendance and achievement are directly related and that student

absence from the classroom hurts both student learning and the educational program. Therefore, this policy is designed to promote high levels of attendance, and to assure district compliance with Commissioner’s Regulation 104.1 by requiring the maintenance of an accurate record of attendance, establishing procedures for addressing unexcused absences, and ensuring a process for continuing review and, where needed, improvement in district attendance procedures.

### **Attendance and Course Credit**

The district expects all parents and students to share its commitment to maximum responsible attendance and to make every effort to avoid unnecessary absence from school. District personnel will collaborate with parents and students to resolve issues that impede school attendance. Because attendance is a vital component of learning and achievement, the district, under procedures set forth in this policy and in administrative regulations, may deny course credit to students whose attendance falls below 85 percent of the scheduled class meetings. For year-long courses, this is equivalent to 26 absences from class. This provision applies only to courses that carry units of credit toward high school graduation.

All absences, excused and unexcused, will apply in the calculation of a student's eligibility for course credit. However, prior to the denial of credit, the building principal will conduct a thorough review of the student's pattern of attendance and of the reasons for the excessive absence. The review will involve dialogue with the student's parents, and will normally include fact-finding and recommendations from other school personnel as designated by the principal.

Based on the review, the principal is authorized to determine whether credit will be denied or whether the student may remain provisionally eligible for credit under specified conditions regarding future attendance. Pursuant to the regulations established by the Superintendent, parents of any student who risks losing credit for absences will be notified in a timely manner, and parents and school personnel will intervene in an effort to improve attendance and thereby to avoid denial of credit.

### **Tardies**

**The school day begins at 8:02 A.M. All students are expected to be to school on time. Students that are late to school are considered to be tardy. For every three tardies, students will receive a detention.**

### **Attendance and Extracurricular Activities and Athletic Events**

The district expects all students participating in extracurricular and athletic events to be in attendance in school by **8:02 A.M.** to participate that day (unless a verified doctor's note is provided to the attendance officer to verify the tardiness). Any student who is not in attendance at school at all, may not be eligible to participate that day unless they were in attendance at a school-related function (i.e. field trip).

### **Intervention Prior to Denial of Credit for Absence**

Attendance in class is vital to school completion. For courses that carry a unit of credit toward high school graduation, credit may be denied when a student's attendance falls below the minimum standard set forth by the Board of Education.

When a student's absences from a class reach half the number of absences that could result in denial of credit, the school will inform parents that the student's eligibility for credit is at risk. School officials will collaborate with the student's parents to improve attendance and thereby to avoid the denial of credit for absence.

### **Classification of Absences**

Each student absence, tardiness, and early departure from scheduled instruction will be classified and recorded as "excused" or "unexcused" based on the reason for the absence. Unexcused absences, signing out early from school and coming in late, will result in consequences when students develop a pattern of behavior that is disrupting their learning.

Excused absences may be for the following reasons:

- Personal illness or hospitalization
- Medical or dental appointment that cannot be scheduled outside school hours
- Death in the family

- Religious observance
- Legal obligation (e.g., required to be in court)
- Authorized school activity (e.g., field trip, music lesson, etc.)
- College visits
- Other reasons as may be approved by the principal and are consistent with the intent of the policy.

Absences for any reason other than those listed above are unexcused. Such absences include, but are not limited to:

- Family vacation
- Oversleeping
- Babysitting
- Car trouble
- Take your child to work day
- Truancy/class cut
- Other

### **VIII. 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 in the school setting.

A student's dress, grooming and appearance, including hairstyle / color, jewelry, makeup and nails, shall meet the following standards:

1. Meet the school's standards of safety, decency, and health, and must not be distracting or immodest.
2. Clothing that is revealing is not appropriate. This includes articles such as tube tops, net tops, halter tops, spaghetti straps (of less than one-inch width), plunging necklines (front or back), see-through garments, etc. Shirts must be of length that covers cleavage and the midriff. Dresses, skirts and shorts must be of a length at or below the fingertips when arms are fully extended at the side (with shoulders relaxed).
3. Ensure that undergarments are completely covered with outerwear.
4. Include footwear at all times. Footwear that is a safety hazard (such as very high heels) will not be allowed.
5. Not permit the wearing of hats, **hoods or bandanas** within the school building.
6. Not include items that are vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability (ex. rebel flag)
7. Not promote and / or endorse the use of alcohol, tobacco or illegal drugs and / or encourage other illegal or violent activities.

The Principal or his or her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

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.

## **IX. Prohibited Student Conduct**

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel and other members of the school community, and for the care of school facilities and equipment.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school, when they:

**Engage in conduct that is disorderly and / or disruptive. Examples may include, but are not limited to:**

1. Being tardy to class.
  - Students are expected to follow their schedule and have **4** minutes to travel between classes. Being Tardy to a class disrupts the learning of others and is the kind of habit that leads to unsuccessful employment. All tardy to class referrals will result in a day of lunch detention. Students who are persistently tardy will be met with progressive discipline.
2. Running in hallways.
3. Making unreasonable noise.
4. Indecent, grossly inconsiderate behavior, obscene gestures, exposing others to highly offensive conditions including obscene, suggestive or inappropriate printed material and a complete disregard for the privacy of others or yourself. NOTE: Language which may be acceptable in private may not be considered acceptable in a school situation.
5. Obstructing vehicular or pedestrian traffic or any violations of the student driving / parking policy.
6. Engaging in any act which disrupts the normal operation of the school community.
7. Trespassing: Students are not permitted in the school building or on any school property without proper authorization. In addition, students are not permitted on the property of neighboring property owners, such as walking across their property or using their property as a place to congregate, without the specific authorization of the property owner. Student trespassing on neighboring property directly impacts the District's relationships with its neighbors, who as taxpayers support the District's operations, and will thus be subject to disciplinary action under the Code of Conduct.

8. Computer / electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.
9. Electronic devices: In an effort to promote an academically focused learning environment, electronic devices such as cell phones, iPods, iPads, MP3 players, electronic gaming devices, etc. will have limited use in the school setting. Students should not utilize these devices for non-instructional, personal use during regular school hours (8:02 A.M. – 3:05 P.M.). High school students will be allowed to listen to school appropriate music, when authorized by school staff and during assigned lunches. When using earbuds, students should keep one bud out to ensure safety. Mount Morris Central School has created zones to guide students in properly using their electronic devices. Students need to follow the following usage areas:
  - **Green Zones (Open Use): Hallways/Cafeteria**
  - **Red Zones (No Cell Phone Use-Out of sight and turned off): Bathrooms/Locker Rooms/Auditorium/ Classrooms/Library**
10. All staff members are expected to enforce the electronic device expectations. Teachers have the authority to:
  - a. Maximize technology for instructional purposes
  - b. Facilitate a culture for learning by establishing guidelines for technology use
  - c. Require the student to turn off the device and put it away
  - d. **Confiscate the device.**

Students are expected to:

- a. Use technology to maximize learning
- b. Abide by teacher's established guidelines for technology use
- c. Respect all requests to put devices away

11. Engaging in bullying or harassment via e-mail, text messaging, online gaming, or comments on social networking sites is prohibited.

**Range of Consequence:** A full range of discipline approaches will be used for violations in this section--detention through Superintendent Hearing depending on the nature and context of the violation and a progressive discipline approach.

**Engage in any conduct that is disruptive:** Disruptive behaviors keep the student and those around the student from learning. Faculty and staff use strategies to redirect students back to behavioral expectations. If redirection does not work, the student is considered disruptive.

**Range of Consequence:** detention through ISS based on progressive discipline.

**Engage in any conduct that is insubordinate:** Insubordination occurs when students directly defy an adult. The adult gives the child a directive, to maintain order and safety, and the student refuses to comply.

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Actions which directly challenge a teacher's authority.

3. Skipping detention.

**Range of consequence:** More than one detention to ISS

All discipline is progressive in nature. Students with patterns of behavior will have increased discipline.

**Engage in conduct that is violent:** The use of physical force to intimidate another by the exhibition of such force. The level of violence will be determined through investigative resources. Examples of violent conduct include but are not limited to:

1. Committing or attempting to commit an act of violence upon a teacher, administrator, school employee or any other person lawfully on school property or attending a school function.
2. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
3. Displaying what appears to be a weapon.
4. Threatening to use any weapon or inflict bodily harm.
5. Intentionally damaging or destroying the personal property of a student, teacher, administrator, district employee or any person lawfully on school property, including graffiti or arson.
6. Intentionally damaging or destroying school district property.
7. Using any form of physical contact to intimidate

**Range of Consequence Jr/Sr High:** from 5 days Out of School Suspension through Superintendent Hearing

**Range of Consequence K-6:** from ISS to Superintendent Hearing

**Engage in any conduct that endangers the safety, morals, health or welfare of themselves and / or others.** Examples of such conduct include:

1. Lying to school personnel.
2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group by demeaning them.
4. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.
5. Harassment, which includes actions or statements directed at an individual or group which are intended to be or could be perceived as ridiculing or demeaning.
6. Sexual Harassment -- inappropriate visual, verbal or physical conduct directed by an adult to an adult, an adult to a student, a student to an adult or a student to a student. Elements of sexual harassment may include:
  - a. Sexual in nature or gender based
  - b. Unwanted or unwelcome
  - c. Severe, persistent or pervasive
  - d. Interferes with ability to do work, learn or study
7. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.

8. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliation with or maintaining membership in any school sponsored activity, organization, club, or team.
9. Selling, using or possessing obscene material.
10. Using vulgar or abusive language, cursing or swearing.
11. **Using** or having possession of a cigarette, e-cigarette, vape, cigar, pipe or using chewing or smokeless tobacco and possessing matches, lighters or similar materials.
12. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. Note that a student who has consumed any amount of drugs or alcohol is automatically termed “under the influence.” “Illegal substances” include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, bath salts and / or other synthetic drugs, heroin, steroids, look-alike drugs, and any substances commonly referred to as “designer drugs”.
13. Inappropriately using or sharing prescription and over-the-counter drugs.
14. Gambling.
15. Misuse of 911, discharging a fire extinguisher, etc.
16. Behavior risking injury.

**Range of Consequence:** A full range of discipline approaches will be used for violations in this section--detention through Superintendent Hearing depending on the nature and context of the violation and a progressive discipline approach.

**Engage in misconduct while on a school bus or in the cafeteria.**

Students are expected to adhere to all rules, requests, and directions from the bus driver or cafeteria personnel. Students are required to conduct themselves on the bus or in the cafeteria in a manner consistent with established standards for classroom behavior.

**Range of Consequence:** A full range of discipline approaches will be used for violations in this section--detention through Superintendent Hearing depending on the nature and context of the violation and a progressive discipline approach.

**Engage in any form of academic misconduct. Examples of academic misconduct include:**

1. Plagiarism.
2. Cheating.
3. Copying.
4. Altering records.
5. Assisting another student in any of the above actions.

**Range of Consequence:** A full range of discipline approaches will be used for violations in this section--detention through Superintendent Hearing depending on the nature and context of the violation and a progressive discipline approach.

### **Engage in public displays of affection.**

Hugging and / or kissing are not acceptable in our school environment. Handholding is the acceptable limit of such displays of affection.

## **X. Reporting Violations**

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

All District Staff 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, followed by notification of the parent / guardian of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution.

The Principal or his or her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as possible. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

## **XI. Reporting Discrimination, Harassment and Bullying**

School employees who witness harassment, bullying, and/or discrimination or receive an oral or written report of such acts shall promptly orally notify the principal, superintendent, or their designee not later than one school day after such employee witnesses or receives a report of such acts, and shall also file a written report with the principal, superintendent, or their designee no later than two school days after making an oral report.

The principal, superintendent or the principal's or superintendent's designee shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after receipt of any written reports.

When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the superintendent, principal, or designee shall take prompt action, reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive

school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such behavior was directed.

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

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

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

## **XII. Disciplinary Penalties, Procedures and Referrals to Outside Agencies**

Disciplinary action, 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 prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and / or others, as appropriate.
6. Other extenuating circumstances.

**As a general rule, discipline will be progressive. This means that both the number of violations and severity of the behavior will be considered when determining consequence. For example, a student's first violation will usually merit a lighter penalty than subsequent violations.**

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability. A student identified as having a disability shall not be disciplined for behavior related to his / her disability.

Students who are found to have violated the district's Code of Conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

**A. Penalties & Procedures**

Students who are found to have violated the district’s Code of Conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student’s right to due process.

In all cases, 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.

The following is a list of potential penalties and school personnel responsible for administering such penalties:

**Oral warning** – any member of the district staff.

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**Referral**- any member of the district staff.

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**Restitution for damaging school property** - Teachers, Principal, Superintendent.

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**Detention – Teacher, Dean of Students, Principal, Superintendent**

Detention will be imposed as a penalty only after the student’s parent has been notified. Referrals about an incident which results in detention will be mailed home. Detention is to be a quiet environment where school work can be completed. Detention will be held from 3:15 PM to 4:15 PM on Monday, Tuesday, and Thursday each week. A late bus is available for detention students. Saturday detention will run from 8:00 am to 11:00 am every Saturday. Transportation will not be provided.

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**Student Support Services -- Student Support Personnel, Dean of Students, Principal, Superintendent**

Student Support Services will be utilized when a student requires assistance in developing improved behavioral skills. Student Support Services will be held during the school day and facilitated by staff with an expertise in behavioral intervention strategies.

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**Suspension of electronic devices- Dean of Students, Principal, Superintendent**

**Any student that inappropriately uses the internet and/or chromebook will be subject to restrictions and/or suspension from electronic devices. The student and the student’s parent will be provided with a reasonable opportunity for an informal conference with the Principal or the Principal’s designee to discuss the conduct and the penalty involved.**

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**Suspension from transportation - Dean of Students, Principal, Superintendent**

If a student does not conduct himself / herself properly on the bus, the bus driver is expected to bring such misconduct to the Principal’s attention. Students who become a serious disciplinary problem may

have their riding privileges suspended by the Principal or the Superintendent or their designees. In such cases, the student's parent will become responsible for their child's transportation. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

The student and the student's parent will be provided with a reasonable opportunity for an informal conference with the Principal or the Principal's designee to discuss the conduct and the penalty involved.

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**Suspension from Athletics and Extracurricular Activities—Coaches, Activity Advisors, Dean of Students, Athletic Director, Principal, Superintendent**

The student and the student's parent will be provided with a reasonable opportunity for a conference with the district official imposing the suspension to discuss the conduct and the penalty imposed.

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**In-school suspension – Dean of Students, Principal, Superintendent**

Our "in-school suspension" program may entail an academic, as well as, counseling component.

A student subjected to an in-school suspension 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 in-school suspension to discuss the conduct and the penalty involved.

In addition, the Board recognizes the school must balance the need of the students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes Principal and the Superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension."

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**Suspension from school—Principal, Superintendent**

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 the authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the Principal.**

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.

**Short-term (five days or less) suspension from school – Principal, Superintendent**

When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student verbally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed

suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must 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 decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference. Such notice shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the Principal may establish. The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension is reasonably practicable.

After the conference, the Principal shall promptly advise the parents in writing of his or her decision. The Principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the district clerk within 10 business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

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**Long-term (more than five days) suspension from school – Principal, Superintendent, Board of Education**

When the Superintendent or Principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The Superintendent shall personally hear and determine the proceeding or may, at his or 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 stenographic 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 who 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 preclude 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.

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### **Minimum Periods of Suspension**

#### **Students who bring a weapon to school:**

Any student found guilty of bringing a weapon onto school property may be subject to suspension from school for **at least one calendar year**. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case- by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

- The student's age.
- The student's grade in school.
- The student's prior disciplinary record.
- Input from parents, teachers and / or others.
- Other extenuating circumstances.

A student with a disability may be suspended only in accordance with the requirements of state and federal law.

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#### **Students who commit violent acts other than bringing a weapon to school:**

Any student who is found to have committed a violent act, other than bringing a weapon onto school property, may be subject to suspension from school for **at least five days**. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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### **Referrals to Outside Agencies**

#### **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:

- Being habitually Truant and not attending school as required by part one of Article 65 of the Education Law.
  - 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.
  - Knowingly and unlawfully possessing marijuana in violation of Penal Law §221.05. A single violation of §221.05 will be a sufficient basis for filing a PINS petition.
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#### **Juvenile Delinquency 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.

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

**Removal of Dangerous and Disruptive Student from Classroom under SAVE Legislation– Teacher, Principal, SRO**

Defining Language:

As prescribed under New York State Education Law §3214 and Project SAVE Legislation, a teacher may remove a student from class when that student’s conduct poses a danger or threat, is substantially disruptive or substantially interferes with the teacher’s authority and ability to conduct or control the class.

Teachers are expected to use all reasonable and practical management strategies to maintain an orderly classroom climate. Documentation of interventions taken on individual students must be maintained to demonstrate that progressive, proactive measures have been taken as corrective action. Documented communication with parents must be a consistent component of each student management plan. For purposes of the Code of Conduct, a disruptive student is one who substantially interferes with the educational process or the teacher’s authority by demonstrating a persistent unwillingness to comply with the teacher’s instructions or repeatedly violating the teacher’s / school’s / district’s rules of behavior.

Procedures and Process:

Once a teacher makes a judgment that preventive or corrective action has not resulted in student compliance, the following procedures will occur:

Short-Term Removal – One Period:

- The teacher will send the student to the Principal’s Office.
- The teacher will notify the Principal and / or his designee verbally that the student has been removed and sent to the Principal’s Office.
- The teacher will be available for an informal conference so the student can be afforded the opportunity to have due process regarding the removal.
- The teacher will verbally notify the student’s parents regarding the removal from class and state the reasons for the removal to them within 24 hours of the actual infraction. Parents should be afforded the opportunity for a conference, if requested, within two days of the removal to discuss the reasons for the removal.
- Building Administration will determine if the misconduct that warranted the removal is subject to further disciplinary action beyond the one period removal and will notify the parents of that student about the action taken regarding that removal.
- Students are responsible to make up all missed work incurred during the removal period.

Long-Term Removal - More Than One Period:

- Follow steps 1-6 as stated in the above text “Short Term Removal”.

- In consultation with the teacher, the Principal and / or his designee will determine if the removal from class should be extended beyond one day, but not more than 5 consecutive days.
- The parents of the student will be notified of the removal by the Principal and / or his designee.
- Alternative academic programming arrangements will be the responsibility of the teacher and the student during the time of the designated removal period.

**Appeals and Waivers:**

**Appeals:** The student and his / her respective parent or guardian have the right to appeal any and all decisions regarding the removal from class, as afforded to them by NY State Education Law §3214 and Project SAVE Legislation.

**Waivers:** The Principal and / or his designee cannot set aside the removal imposed by the teacher unless:

The charges against the student are not supported by enough evidence.

The student’s removal is otherwise in violation of the law, including the District Code of Conduct.

The conduct warrants suspension from school pursuant to Education Law §3214. No student removed from the classroom under SAVE Legislation shall be permitted to return to class until the Principal and / or his designee makes a final determination, or the period of removal expires, whichever is less; or the teacher agrees to an alternative disciplinary arrangement.

**XIII. Alternative Instruction**

When a teacher removes a student of any age from class 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.

**XIV. Discipline of Students with Disabilities**

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

**Authorized Suspensions or Removals of Students with Disabilities**

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

1. A “suspension” means a suspension pursuant to Education Law §3214.

2. A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself / herself or others.
3. An “IAES” means a temporary educational placement for a period of up to 45 days, other than the student’s current placement, that enables the student to continue to progress in the general curriculum and continue to receive services and modifications, including those described on the student’s current Individualized Education Program (IEP), to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:

1. The Board, the district Superintendent of schools or a Principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
2. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
3. The Superintendent may order additional suspension of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
4. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student POSSESSES A WEAPON OR CARRIES A WEAPON TO SCHOOL or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
  - a) Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

### **Change of Placement Rule**

A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either:

1. For more than 10 consecutive school days; or

2. For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.

School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

### **Special Rules Regarding the Suspension or Removal of Students with Disabilities**

The district's Committee on Special Education shall:

1. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavior intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances.
2. If, subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.
3. If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.
4. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.

The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before behavior precipitating disciplinary action occurred.

If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.

1. The Superintendent, Principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
2. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student with a disability, the district either:
  - a. Conducted an individual evaluation and determined that the student is not a student with a disability, or
  - b. Determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable rules and regulations.

If there is no basis for knowledge that the student is a student with 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 while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

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

The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.

Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this Code.

The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.

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

### **Expedited Due Process Hearings**

An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this Code, if:

1. The district requests such a hearing to obtain an order of an impartial hearing officer for placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement.
2. During the pendency of due process hearings school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
3. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in and IAES.
4. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
5. If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

### **Referral to Law Enforcement and Judicial Authorities**

In accordance with the provision of IDEA and its implementing regulations:

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The Superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

## **XV. Student Searches and Interrogations**

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or

the district Code of Conduct. Students are not entitled to any sort of “Miranda”-type warning before being questioned by school officials, nor are school officials required to contact a student’s parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the Superintendent, Principal, and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district Code of Conduct.

An authorized school official may conduct a search of a student’s belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student’s belongings based upon information received from a reliable informant.

Individuals other than the district employees will be considered reliable informants if:

1. They have previously supplied information that was accurate and verified.
2. They make an admission against their own interest.
3. They provide the same information that is received independently from other sources.
4. They appear to be credible and the information they are communicating relates to an immediate threat to safety.

District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student’s belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district Code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of Administrative offices and students will be present when their possessions are being searched.

### **Student Lockers, Desks and other School Storage Places**

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

The school will not be responsible for school and / or personal belongings taken from lockers. **STUDENTS SHOULD NOT LEAVE MONEY OR VALUABLES IN THEIR LOCKERS.** In the event they must bring money or

valuables to school, they should take them to the main office for safekeeping until the end of the school day.

### **Strip Searches**

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the Superintendent or school attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others.

Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another district professional employee who is also of the same sex as the student.

In every case, the school official conducting a strip search must have probable cause - not simply reasonable cause - to believe the student is concealing evidence of a violation of law or the district Code. In addition, before conducting a strip search, the official must consider the nature of the alleged violation, the student's age, the student's record and the need for such a search.

School officials will attempt to notify the student's parent by telephone before conducting a strip search, or in writing after the fact if the parent could not be reached by telephone.

### **Police Involvement in Searches and Interrogations of Students**

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant.
2. Probable cause to believe a crime has been committed on school property or at a school function.
3. Been invited by school officials.

Before police officials are permitted to question or search any student, the Principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The Principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

## **Child Protective Services Investigations**

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 licensed officials are designated as mandated reporters per New York State Law.

All requests by child protective services to interview a student on school property shall be made directly to the 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 allegation 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.

## **XVI. Corporal Punishment**

Corporal punishment is any act of physical force upon a student for the purpose of punishing the student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternate procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties if that student has refused to refrain from further disruptive acts.

The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

## **XVII. Visitors to the Schools**

The Board of Education encourages parents and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The Principal or his or 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 school.

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must present a valid photo ID to sign in at the Main Office. They will be issued a visitor's identification badge which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the Main Office to sign out before leaving the building.
3. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s) and Principal, so that class disruption is kept to a minimum.
4. Due to the fact that teachers cannot take class time to discuss individual matters with visitors, visitors are encouraged to leave a message or set up an appointment with the classroom teacher(s) and / or Principal through the Main Office.
5. Student visitors from other schools will not be allowed during regular school hours. If such a visit has an educational purpose, it may be considered, but requires approval from the Principal.
6. Any unauthorized person on school property, or at a school-sanctioned function, will be reported to the Principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

## **XVIII. Public Conduct on School Property**

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the Code, "public" shall mean all persons on school property or attending a school function including students, teachers and district personnel. These rules and regulations shall apply to all facilities and property owned and operated by the Mount Morris Central School District.

The restrictions on public conduct on school property and at school functions contained in this Code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this Code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

Additionally, these rules and regulations shall apply to pupils of Mount Morris Central School who are in attendance at school-approved activities at other sites, including other public and private schools, and public facilities.

**Prohibited Conduct:** No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this Code.
15. Intentionally cause public inconvenience, annoyance or alarm by engaging in fighting or threatening behavior, make unreasonable noise, use abusive or obscene language, or make obscene gestures.
16. Communicate with a person, anonymously or otherwise, by telephone, email, mail, or any other form of written communication in a manner likely to cause annoyance or alarm.
17. Initiate or circulate a false report or warning of an alleged occurrence or impending occurrence of a fire, explosion, or emergency in which public alarm or inconvenience is likely to result.
18. Tamper with any safety equipment or device including but not limited to fire alarms, fire extinguishers, emergency power generators, and lighting equipment.
19. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

**Penalties:** Persons who violate this Code shall be subject to the following penalties:

1. Visitors' authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.

2. Students shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members shall be subject to disciplinary action as the facts may warrant, in accordance with Education Law §3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75 shall be subject to immediate ejection and to disciplinary action as the facts may warrant, in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and 4 shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant, in accordance with any legal rights they may have.

## **Enforcement of the Code of Conduct**

The Principal or his or her designee shall be responsible for enforcing the conduct required by this Code.

When the Principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the Principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the Principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the Code.

## **XIX. Drug And Alcohol Policy**

The Board of Education of the Mount Morris Central School District is committed to the prevention of alcohol, tobacco, and other substance use/abuse. This policy describes the philosophy of the district and the program elements the district will use to promote healthy lifestyles for its students and staff and to inhibit the use/abuse of alcohol, tobacco, and other substances.

No person may use, possess, sell, or distribute alcohol or other substances, nor may use or possess drug paraphernalia on school grounds or at school-sponsored events, except drugs as prescribed by a physician. The terms "alcohol and other substances" shall be construed throughout this policy to refer to the use of all substances including, but not limited to, alcohol, tobacco, e-cigarettes, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, synthetic drugs, look-a-likes, and any of those substances commonly referred to as "designer drugs." The inappropriate use of prescription and over-the-counter drugs shall also be prohibited.

Additionally, any person who has consumed or used any of the aforementioned substances is prohibited from entering school grounds or school-sponsored events.

Any student or employee witnessed or proven to be using, possessing, or selling unauthorized substances / alcohol / chemicals, hereafter known as “chemicals” and / or chemical paraphernalia while under school jurisdiction, will be subject to stated disciplinary procedures:

1. When a staff member has reasonable suspicion of use, possession, or distribution of drugs or drug paraphernalia, he / she is obligated to immediately report observed behaviors to the Principal or the Superintendent.
2. When a staff member has confirmed observation of use, possession or distribution of illicit substances, he / she will inform the student of observed violation and immediately bring them to the main office.
3. Staff members will confiscate chemicals and / or paraphernalia and escort the student immediately to the Principal. If necessary, the staff member will detain the student and have an administrator / nurse brought to the location.
4. The student will be under constant supervision of a faculty / staff member while either in the health office or administrator’s office.
5. When appropriate, the school nurse should record the blood pressure, pulse and respiration of the pupil upon his / her admission to the health office, and should note any significant reactions. The staff member should notify the appropriate administrator.
6. The administrator verifies the offense, confers with the Superintendent and with the staff involved, and then meets with the student.
7. The student is immediately removed from the general school population.
8. Parents/guardians are notified.
9. School officials may contact a law enforcement agency and may assist in prosecuting the offender. Any and all confiscated chemicals and/or paraphernalia will be handed over to the law enforcement agency. **If law enforcement is not needed, any and all evidence will become possession of the school district and will not be returned to the student and/or parents/guardians.**
10. A complete and accurate written report is submitted to the Superintendent by the administrator.
11. The Superintendent and the Principal will determine the course of action to be followed based on the information available. In most cases a Superintendent’s hearing will be scheduled.
12. Students must realize that the possession, use and / or distribution of drugs is illegal and the district will administer consequences. The district’s actions will not preclude involvement by law enforcement agencies.

## **XX. Dissemination and Review**

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

1. Providing copies of the Code to all students at the beginning of each school year.
2. Providing the Code to parents on the District Web site at the beginning of each school year.
3. Hard copies of the Code will be available in school offices.
4. Providing all current teachers and other staff members with a copy of the Code and copy of any amendments to the Code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current Code of Conduct.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the Code of Conduct. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students. The Board of Education will review this Code of Conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the Code's provisions have been and whether the Code has been applied fairly and consistently.

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

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

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