



Avon Central School District

Code of Conduct

(Full Text Version)

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INTRODUCTION

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

The District has 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 see to it that discipline when necessary, is administered promptly, consistently 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.

In an effort to improve the school environment, the school district has embraced PBIS or Positive Behavioral Interventions and Supports. PBIS is a framework for organizing the staff and students to create a social culture in school that encourages positive behavior and interactions, while discouraging problem behaviors among students. Developing a strong culture in the school district will lead to a safer environment where children can build their self-esteem, develop positive relationships with each other and adults, as well as improve their social and academic abilities. The foundation of this approach emphasizes teaching children the behaviors expected from them, reminding them to use these behaviors at all times, acknowledging them when they do, and correcting them when they do not. PBIS is built on the foundation of three principles: the use of effective practices, the use of data, and the use of systems of support.

As part of the PBIS effort, the Avon Central School district also endorses the use of restorative practices. Restorative practices can be used with existing school procedures and consequences for inappropriate behavior, or upon agreement, in place of those procedures. Restorative practice always requires that the offender accept responsibility and that there be a monitored agreement for the offender to make things right. Restorative practices include formal (Circles and Community Conferences) and informal processes and activities that develop relationships, build community and repair wrongdoing when it occurs. Establishing relationships is fundamental to creating a peaceable, positive and productive classroom and school environment. A basic premise of restorative practices is that human beings are happier, more cooperative and productive, and more likely to make positive changes in their behavior when those in positions of authority do things with them, rather than to them or for them.

Circles emphasize the developing of relationships and building community through getting to know one another, sharing, talking about an issue, supporting, and celebrating. Circles may also be used to solve problems, resolve conflicts and do academic work. Community Conferences are "communities of care," where victims and offenders and their families and friends participate in a collaborative process. This process emphasizes the needs of the victim and holds offenders accountable, with high support, so they can return to the community. Restorative practices reflect a philosophy that holds that all communities are based on relationships. The stronger the relationships become, the less likely that wrongdoing will occur and the more likely wrongdoing can be repaired if it does occur.

I. Definitions

For purposes of this code, the following definitions apply.

“Harassment” is the “creation of a hostile environment by conduct or by threats, intimidation or abuse, **including cyber bullying**, that 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. “Discrimination” may be based on a student’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, or gender. Per the Dignity for All Students Act, effective July 2012, harassment and/or discrimination is prohibited by employees and students on school property or at school functions or **“off school property where such acts create 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”**.

“Act of violence” is an act against a person that includes, but is not limited to, biting, hitting, kicking, punching, and scratching.

“Disruptive student” means an elementary or secondary student under the age of 22 who is substantially disruptive of the educational process or substantially interferes with the staff member’s authority over the classroom.

“A substantial disruption” of the educational process or “a substantial interference” with a staff member’s authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher’s instructions, or repeatedly violates the teacher’s classroom rules.

“Teacher removal of a student from a class” refers to when a classroom teacher removes a disruptive student from the class for up to two days. This applies to the class of the removing teacher only.

“Parent” means parent, guardian, or person in legal parental relation to a student.

“School property” means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of the Avon Elementary, Middle or High Schools, or in or on a school bus, as defined in Vehicle and Traffic Law §142.

“School function” means any school-sponsored event, extra-curricular event or activity held before, during or after school hours.

“Threat” means an expression of intention to cause harm, do violence, intimidate, or punish.

“Violent student” means a student under the age of 22 who:

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. Intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Intentionally damages or destroys school district property.

“Weapon” means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box

cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death. “Weapon” also means the same as “dangerous weapon” under 18 U.S.C. § 930(g)(w) which includes “a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 1/2 inches in length.”

“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.

“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. “Illegal substances” include, but are not limited to: inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs (such as synthetic cannabinoids) and any substances commonly referred to as “designer drugs.”

For purposes of this code, “bullying” among children is defined, in general, as, “a variety of negative acts carried out repeatedly over time. It involves a real or perceived imbalance of power, with a more powerful child or group attacking those who are less powerful.” Bullying can take multiple forms, some of which are, but are not limited to:

- (a) Physical – including, but not limited to, hitting, kicking, spitting, pushing, taking personal belongings;
- (b) Verbal – including, but not limited to, taunting, malicious teasing, name calling, making threats;
- (c) Psychological – including, but not limited to, spreading rumors, manipulating social relationships, or engaging in social exclusion, extortion, or intimidation.
- (d) Internet bullying (or cyber bullying) – including, but not limited to, use of instant messaging, e-mail, web sites, chat rooms, and text messaging when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of District students or employees.

All parties should be aware that, in general, that **any** behavior that occurs outside of school which interferes with the operation of the school; or infringes upon the general health, safety and welfare of District students or employees may be addressed by this Code.

II. Student Rights and Responsibilities

A. Student Rights

The district is committed to safeguarding the rights given to all students under state and federal law. The District’s aim is to provide an environment in which a student’s rights and freedoms are respected, and to provide opportunities, which stimulate and challenge the student’s interests and abilities to his or her highest potential. These opportunities will be available as long as the student pursues these interests and studies in an appropriate manner, and does not infringe upon the rights of others. In addition, to promote a safe, healthy, orderly, and civil school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of actual or perceived race, color, weight, creed, national origin, ethnic group, religion, religious practice, gender, disability, sexual orientation, or any other categories of individuals protected against discrimination by federal, state, or local law.
2. To have a safe, healthy, orderly, and courteous school environment.
3. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
4. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
5. To attend school and participate in school programs unless suspended from instruction and participation for a legally sufficient cause as determined in accordance with due process of law.
6. All protections afforded to students pursuant to Education Law Section 3214 before being suspended from instruction

B. Student Responsibilities

All district students have the responsibility to:

1. Accept responsibility for their actions.
2. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
3. Students are expected to walk on sidewalks. In roadways where no sidewalks exist, students are expected to walk no more than 2 abreast on the left side of the road facing traffic.
4. Students will use appropriate language at all times. Offensive, obscene, abusive, bullying, harassing, or discriminatory language and profanity are not tolerated.
5. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
6. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
7. Respond to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
8. Work to develop mechanisms to deal with their emotions.
9. Ask questions when they do not understand.
10. Seek help in solving problems that might lead to discipline.
11. Dress and groom appropriately for school and school functions.
12. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
13. Responsibly use electronic devices in accordance with school protocols. Electronic devices include, but are not limited to, cell phones, radios, video recording devices, game consoles, MP3 players, tablets, or other telecommunications, imaging or gaming devices. Taking pictures, video, or recordings of others during school, at school events, or on the school bus without explicit permission is prohibited and is subject to appropriate disciplinary action.
Acceptable use of electronic devices during school hours includes:

- Electronic devices are to be turned off and put away during all class periods. In the event that an electronic device is to be used for an educational purpose, staff will grant specific approval of how the device is to be used. At the conclusion of the approved activity, the electronic device is to be turned off and put away again.

14. Attend school daily and be in class on time and prepared to learn.

Comprehensive Student Attendance. All children in grades K – 12 are expected to attend school daily as required by New York State Education Law. Daily attendance of the child is the legal responsibility of the parent. Parents will receive written notification if their child is absent from classes for five, ten, fifteen and twenty days.

- Five-day notification requests that parents monitor their child’s attendance.
- Ten-day notification reminds parents of their responsibility to ensure their child attends daily and does not neglect their educational responsibilities as a parent. It also informs parents that if this pattern continues, the district will need to provide support to assist with this problem.
- Fifteen-day and twenty-day notification letters stress how important it is as parents or guardians to make sure their child is attending school regularly. It states the district’s position that the district cannot allow the child’s education to be neglected by extensive absenteeism. This letter informs parents that they will be contacted by an agency designated by the school district to determine the issues and seek the appropriate interventions.

EXCUSED ABSENCES: Defined by New York State Education Law are:

- Personal illness
- Illness or death in the family
- Impassable or unsafe roads
- Quarantine
- Observance of certain religious days
- Required court appearance
- Attendance at health clinics
- School supervised projects
- Approved college visits (by building administrator)
- Approved cooperative work programs (by building administrator)
- Military obligations

Students are responsible for any work missed during any absence. Teachers will not prepare assignments before a vacation but will assist in as many ways as reasonable following the return from a vacation. However, it is not reasonable to expect special tests or extra and/or special classes.

PARENT EXCUSE:

A written excuse from the parent or guardian is appreciated to be turned in to the office after a child returns from an absence. The excuse should state the date(s) of absence(s), the student’s name, and the reason for the absence(s). ***A personal telephone call or email to the school nurse from the parent or guardian may also be recorded as the excuse.***

UNEXCUSED ABSENCE: Examples of unexcused absences are: Family vacation, hunting, babysitting, haircut, obtaining a learner’s permit, road test, oversleeping, take you child to work day, and shopping.

1. **TARDINESS:**

Tardiness is defined as a student who is late for school. A student who is tardy for school must report to the office to obtain admittance to school.

2. TRUANCY:

Truancy is defined as cutting the entire school day program or cutting class. Students who are truant from class or school shall not be given an opportunity to make up any class work or tests. A zero will be given for the day for each class cut.

3. SENIOR SKIP DAY:

The district does not tolerate any kind of “skip day”. **Any one participating in a Senior Skip Day will be counted as truant from school and will not be permitted to participate in the senior class trip, as well as lose other senior privileges that could include attending the prom and participating in the graduation ceremony.**

4. EARLY DISMISSAL

Students who need early dismissal must bring in written permission to the office at the start of the school day. If students need early dismissal due to illness, they must get permission from the nurse first and parents or guardians will be notified. At the designated dismissal time, students must leave school grounds immediately. No student will be allowed to leave school without parental permission received through the school office.

III. Essential Partners

The Avon Central School District believes that appropriate student behavior is a result of cooperative efforts among students, parents, staff members, the administration and the Board of Education. The District therefore emphasizes the need for the entire school community to provide a meaningful educational experience to all District students.

A. **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 child(ren) to school every day ready to participate and learn.
3. Ensure their child(ren) attend school regularly and on time.
4. Insist their child(ren) be dressed and groomed in a manner consistent with the student dress code.
5. Help their child(ren) understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
6. Know school rules and consequences for violating them and help their child(ren) understand the rules and consequences.
7. Convey to their child(ren) a supportive attitude toward education and the district.
8. Build positive relationships with teachers, other parents and their child(ren)'s friends.
9. Help their child(ren) deal effectively with peer pressure.
10. Inform school officials of changes in the home situation that may affect student conduct or performance.
11. Provide a place for study and ensure homework assignments are completed.
12. Demonstrate respect for school rules.
13. Immediately report any health or safety issues to school staff (e.g., presence of drugs or weapons).

- B. **Teachers** are expected to:
1. Model and maintain a climate of mutual respect and dignity that will strengthen students' self-concept and promote confidence to learn.
 2. Be prepared to teach all his/her students.
 3. Demonstrate interest and enthusiasm in teaching and concern for all students' achievement.
 4. Know school policies and rules, and enforce them in a fair and consistent manner.
 5. Communicate to students and parents:
 - (a) Course objectives and requirements
 - (b) Marking/grading procedures
 - (c) Assignment deadlines
 - (d) Expectations and/or concerns for students
 - (e) Classroom discipline plan
 6. Communicate regularly with students, parents, and other teachers concerning growth and achievement.
 7. Demonstrate respect for school rules.
- C. **School Counselors** are expected to:
1. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
 2. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
 3. Regularly review with students their educational progress and career plans.
 4. Provide information to assist students with career planning.
 5. Encourage students to benefit from the curriculum and extracurricular programs.
 6. Demonstrate respect for school rules.
- D. **Administrators** are expected to:
1. Promote a safe, orderly and stimulating school environment, which supports active teaching and learning.
 2. Facilitate regular communication (including the redress of grievances) among staff, students, and parents.
 3. Evaluate on a regular basis all instructional programs.
 4. Support the development of and student participation in appropriate extracurricular activities.
 5. Each administrator shall be responsible for informing all students and their parents of the student code at the beginning of the school year and any revisions to the code made during the school year.
 6. Be responsible for enforcing the Code of Conduct and resolving all cases promptly and fairly.
 7. Demonstrate respect for school rules.
- E. **All Other Personnel** are expected to:
1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
 2. Demonstrate interest, enthusiasm and concern for student achievement.
 3. Know district policies and enforce them in a fair and consistent manner.
 4. Be familiar with and enforce all Local, State and Federal laws, rules and regulations.
 5. Communicate to students:

- Expectations for students
 - Board approved Code of Conduct
6. Communicate regularly with students, parents, and other staff members concerning safety.
 7. Demonstrate respect for school rules.
- F. **Superintendent** is expected to:
1. Promote a safe, orderly and stimulating school environment, which supports 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 school personnel in enforcing the code of conduct and resolving all cases promptly and fairly.
 6. Demonstrate respect for school rules.
- G. **Board of Education** is expected to:
1. Collaborate with student, teacher, administrator, and parent organizations, 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.
 4. Support the efforts of teachers, staff, and community to provide the highest quality education for students.
 5. Demonstrate respect for school rules.

STUDENT DISCIPLINE

IV. 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. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

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 to focus on safety and respect for the rights and property of others.

Students who violate these school rules will be required to accept the penalties for their conduct. Students are advised that school property, including lockers and computer hardware/software, shall not be deemed personal or private and may be subject to search at any time. Additionally, given “reasonable suspicion”, a student’s personal belongings may be searched, as well.

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

A. Engage in conduct that is disorderly or disruptive. Examples of disorderly or disruptive conduct include, but are not limited to:

1. Running in hallways, use of skates, Heelys® or skateboards (or similar) on school property at any time.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act that disrupts the normal operation of the school community.
6. Trespassing. Entering any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
7. 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.
8. Excessive displays of affection or sexual conduct are not appropriate while on school property or while attending school functions.

B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include, but are not limited to:

1. Failing to comply with the directions of teachers, school administrators or other school employees.
2. Missing, leaving, or lateness to school without permission.
3. Skipping detention.

C. Engage in conduct that is disrespectful.

D. Engage in conduct that is violent. Examples of violent conduct include, but are not limited to:

1. Committing an act of violence upon a teacher, administrator or other school employee, or attempting to do so.
2. Committing an act of violence upon another student or any other person lawfully on school property, or attempting to do so.
3. 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.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
7. Intentionally damaging or destroying school district property.

E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include, but are not limited to:

1. Lying to school personnel.

2. Students shall not possess lighters or matches while on school property.
 3. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
 4. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
 5. Discrimination which may be based on a student's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, or gender.
 6. Harassment which is the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that 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.
 7. Intimidation, and/or bullying which includes engaging in actions or statements that put an individual in fear of bodily or emotional harm, including cyber-bullying.
 8. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating 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. Possession of or smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco, or any other tobacco product (**including e-cigarettes**). "Possession" shall mean "the presence of and/or in close proximity to and/or actual control of".
 12. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to: inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs (such as synthetic cannabinoids), and any substances commonly referred to as "designer drugs." "Possession" shall mean "the presence of and/or in close proximity to and/or actual control of".
 13. Inappropriately using or sharing prescription and over-the-counter drugs. **Prescription drugs and over-the-counter medications are not permitted to be in the possession of the student**, unless the parent has provided the district a physician's order to carry. The parent or guardian must assume responsibility to have the medication delivered directly to the health office in a properly labeled original container. The nurse may administer the medication if the parent or guardian submits a written request accompanied by a written request from a physician indicating the diagnosis and frequency and dosage of the prescribed medication.
 14. Gambling.
 15. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
 16. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- F. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.

G. Engage in any form of academic misconduct. Examples of academic misconduct include, but are not limited to:

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

V. Reporting Violations

All students are expected to promptly report violations of the code of conduct to a teacher, school counselor, the assistant principal, the building principal or other district staff. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the Superintendent. To the extent possible, informants' identities will not be disclosed.

All district staff members who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff members who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction. Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution.

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

VI. Disciplinary Penalties, Procedures and Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary 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 that 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 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 or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

A. Penalties

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.

1. Oral warning – any member of the district staff
2. Time Out – any member of the district staff
3. Written warning – any member of the district staff
4. Written notification to parent – transportation supervisor, athletic director, coaches, School Counselors, Teachers, Principal, Superintendent
5. Detention – Teachers, Principal, Superintendent
6. Suspension from transportation – Transportation Supervisor, Principal, Superintendent
7. Suspension from athletic participation – Coaches, Athletic Director, Principal, Superintendent
8. Suspension from social or extracurricular activities – activity director, Athletic Director, Principal, Superintendent
9. Suspension of other privileges – Transportation Supervisor, Athletic Director, Principal, Superintendent
10. In-school suspension – principal (or his/her designee), Superintendent
11. Temporary removal from classroom by teacher – support staff, Teachers, Principal (or his/her designee)
12. Short-term (five days or less) suspension from school – Principal (or his/her administrative designee), Superintendent, Board of Education
13. Long-term (more than five days) suspension from school – Superintendent, Board of Education
14. Permanent suspension from school – Superintendent, Board of Education.

B. Procedures

In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

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

1. Detention

Teachers, assistant principals, principals and the Superintendent may use school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. After school detention (following the end of the school day) will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty. Students assigned to detention will be expected to work on tasks assigned by the detention supervisor during the entire term of the detention assignment. Students will not be allowed to listen to electronic devices or sleep, for example, during the detention assignment.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the transportation supervisor's, or building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the transportation supervisor, building principal or the Superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely and his/her educational program.

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

3. Suspension from athletic participation, extracurricular activities and other privileges

A student subjected to a suspension from athletic participation, extra-curricular activities (including participation in the graduation ceremony) or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.

4. In-school suspension

The Board recognizes that school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals (or his/her designee) 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."

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. Students assigned to in-school suspension will be expected to work on tasks assigned by the ISS supervisor during the entire term of the ISS assignment. Students will not be allowed to listen to electronic devices or sleep, for example, during the ISS assignment.

5. Teacher disciplinary removal of disruptive students

A student's behavior can affect a teacher's ability to teach and can interfere with the rights of other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an elementary classroom or

in an administrator's office; (2) sending a student into the hallway briefly (no longer than 15 minutes); (3) sending a student to the principal's office for the remainder of the class time only; or (4) sending a student to a school counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, **a disruptive student is a student who is substantially disruptive of the educational process of substantially interferes with the teacher's authority over the classroom.** A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

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

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

The teacher must complete a referral and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24-hours after the student's removal, the principal or his/her designee must notify the student's parents, via telephone or email, that the student has been removed from class and why. Written notice, sent within 24 hours, must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The principal may require the teacher who ordered the removal to attend the informal conference.

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

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

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

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

period of removal expires, whichever is less.

The removing classroom teacher shall provide any disruptive student removed from the classroom by the classroom teacher continued educational programming and activities until he or she is permitted to return to the classroom.

Each teacher must keep a complete log for all cases of removal of students from his or her class. Copies of such logs shall be provided upon request to the building principal or his or her designee.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

6. Suspension from school

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the building principals.

Any staff member may recommend to the Superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the Superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

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

i. Short-term (5 days or less) suspension from school

When the Superintendent or principal (or his/her designee) (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 orally. 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. 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 with the suspending authority prior to the suspension unless the student's continuing presence in the school poses a continuing danger to persons or property, or an ongoing threat of disruption. Both the notice and informal conference 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 suspending authority may establish.

If the informal conference is requested, it will be scheduled at the earliest convenience of the school official.

After the conference, the suspending authority shall promptly advise the parents in writing of his or her decision. The suspending authority 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 Superintendents' 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.

ii. Long-term (more than 5 days) suspension from school

When the Superintendent, or his/her designee, 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, in 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 recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within 10 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

iii. Permanent suspension

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

C. Disciplinary Actions and Procedures

This Code of Conduct section is a guide to possible violations and their resulting disciplinary action. *It is not all-inclusive and the administration reserves the right to interpret situations, not listed below, once a referral is submitted.* 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.

Transportation and District Vehicles: The consequences outlined in section C (Disciplinary Actions and Procedures) may be increased and/or accelerated to a higher level should misbehaviors at any level occur on District vehicles.

Level 1 Misconduct

- Unprepared for class, not having homework, books, supplies, or other items deemed necessary for instruction, or failure to complete expected work
- Inappropriate language and behavior; use of language and or behavior that is offensive, derogatory, or disrespectful to any person
- Inappropriate displays of affection (behavior that makes an observer uncomfortable)
- Violation of the District’s Acceptable Use Agreement for Technology (in addition to consequences in Section H below)
 - Violation of the Dress Code (in addition to consequences in Section E below)
 - Violation of the Use of Automobiles section (in addition to consequences in Section G below)
 - Teasing (lower level of bullying)
 - Running or “horseplay”
 - Throwing objects (e.g. rubber bands, spit balls, food items, etc.)
 - Use of laser pointers
 - Use of skateboards, roller blades, skates, Heelys®, or other such devices, on school grounds
 - Arriving late to class without a pass
 - Unexcused tardiness to school
 - Class/Cafeteria disruption
 - Out of assigned area without permission
 - Low level of threat

RANGE OF CONSEQUENCES FOR LEVEL 1 MISCONDUCTS

	<u>Elementary (Gr.K-4)</u>	<u>Middle School (Gr.5-8)</u>	<u>High School (Gr.9-12)</u>
1 st Offense:	Verbal Reprimand and counseling by staff member	Verbal Reprimand and counseling by staff member; possibly staff detention(s); parent notification by staff member	Verbal Reprimand and counseling by staff member; possibly staff detention(s); parent notification by staff member
2 nd Offense:	A. Verbal Reprimand B. Parent Notification C. Recess eliminated (1 period) and/or Time Out (less than 30 minutes)	A. Verbal Reprimand B. Parent Notification by referring staff member; discipline referral processed C. Staff Detention(s)	A. Verbal Reprimand B. Parent Notification by referring staff member; discipline referral processed C. Staff Detention(s) or Principal Detention(s)
3 rd Offense:	A. Verbal Reprimand B. Parent Conference C. Recess (1-5 periods) and/or Time Out (less than 60 minutes)	A. Verbal Reprimand and school discipline referral submitted to the office B. Parent Notification C. Principal Detention(s) and/or Parent Conference (as requested)	A. Verbal Reprimand and school discipline referral submitted to the office B. Parent Notification C. Principal Detention(s) and/or Parent Conference (as requested)

1. CLASS PREPARATION

Students are expected to be prepared for each class by possessing appropriate supplies and materials for that class. Homework is due the day of the class at the beginning of the class period unless the teacher instructs differently.

CLASS PREPARATION ENFORCEMENT – in addition to any of the above stated consequences:

- Teachers have the right to keep students after school to make up tests or homework.
- If a student is absent for one or two days, it is the student's responsibility to contact the teachers to make up all missed assignments. Parents are also invited to make contact with the individual teachers for assignments.
- If a student is legally absent for more than two days from school, parents should contact the High School Counseling Office, Middle School Office or Elementary School Office to have assignments picked up.

2. CAFETERIA

- a. Each student is responsible for keeping his or her eating area clean. Each student must dispose of his/her trash and return the tray and dishes. Throwing of food will not be tolerated at any time.
- b. Students must go to the end of the line; cutting is not permitted.
- c. Students should speak in a normal voice, no shouting, whistling or making unnecessary noise.
- d. Students should remain in their seats and stay at their table. They should only get up to dispose of trash and then return to the table. Students are not to roam about the cafeteria.
- e. Cafeteria monitors are in charge and must be seen for permission to leave the cafeteria.
- f. Students must conduct themselves courteously with cafeteria monitors and cafeteria employees.
- g. Students must refrain from inappropriate language or behavior such as horseplay in the lunchroom.
- h. Students must attend their assigned lunch periods. They may not go to the cafeteria from a class or study hall.

CAFETERIA ENFORCEMENT - in addition to any of the above stated consequences:

Students may be assigned to an assigned table in the cafeteria or be assigned lunch detention.

Level 2 Unacceptable Conduct

- Excessive and repeated Level I violations
- Insubordination, verbal or non-verbal refusal to comply with a reasonable request of any staff member
- Possession of lighters, matches or tobacco products (**including e-cigarettes, vapes and juuls**). In addition to consequences, these items will be confiscated. Smoking or Use of Tobacco Products on school property (or while attending school activities)
- Unacceptable Academic Behavior: falsifying information, repeated lying, cheating, copying, altering records, plagiarism, forgery, or withholding information from school authorities, and assisting another student in any of the above actions. Any student found to have engaged in Unacceptable Academic Behavior, in addition to the stated consequences below, may receive a grade of zero or be required to redo the assignment or task.
- In possession of or distribution of over-the-counter medications, including but not limited to, caffeine pills, aspirin, ibuprofen and Tylenol[®]
- Fighting, aggressive, physical conflict or verbal confrontation between two or more individuals
- Reckless Endangerment: actions which result in or have the potential to result in injury to others without intent to injure including, but not limited to, poppers and use of matches or lighters
- Vandalism, the destruction or serious defacing of property (applies to school or personal property valued at a maximum of \$25.00)

- Theft or possession, sale, receipt or stolen property, (applies to school or personal property valued at a maximum of \$25.00)
- Leaving school without school and parental permission (including not riding school transportation for school programs/activities)
- Truancy (defined as being absent from school, any part of class, study hall, or other assigned areas without permission, or forging passes or excuses)
- Facilitating the violation of school rules, such as serving as a “look out”
- Abusive treatment, bullying (including cyber-bullying), extortion, discriminating behaviors, stalking, or harassment, which includes vulgar language and gestures
- Gambling, Panhandling
- Possession of sexually explicit material, sexual contact and sexual or lewd behavior
- Harassment, threatening or abusive behavior that is sexual in nature and would likely cause offense, annoyance, alarm, or interference with learning (see Section X)
- Medium Level of Threat: A threat, which could be carried out, although it may not appear entirely realistic:
 - The threat is more direct and more concrete than a low level threat.
 - Wording in the threat suggests that the person threatening has given some thought to how the act will be carried out.
 - There may be a general indication of a possible place and time (though these signs still fall well short of a detailed plan).
 - There is no strong indication that the person threatening has taken preparatory steps, although there may be some veiled reference or ambiguous or inconclusive evidence pointing to that possibility - an allusion to a book or movie that shows the planning of a violent act or a vague, general statement about the availability of weapons.
 - There may be a specific statement seeking to convey that the threat is not empty: “I’m serious!” or “I really mean this!”

RANGE OF CONSEQUENCES FOR LEVEL 2 UNACCEPTABLE CONDUCT

1. Staff member will submit disciplinary referral immediately.
2. Parent/Student/Administration conference
3. **Arrangements for repairs or restitution will be agreed upon.**
4. **Suspension from all extra and co-curricular activities, student parking and driving privileges.** Privileges will not be reinstated until the day after all obligations are met.
5. Removal from immediate situation. **AND** the appropriate consequences below:

(Consequences for Level 2 continued on next page)

	<u>Elementary (Gr.K-4)</u>	<u>Middle School (Gr.5-8)</u>	<u>High School (Gr.9-12)</u>
1 st Offense:	Partial Day – 3 days Extended Time-Out/ISS or combination of both	Detention(s), Partial Day - 3 days ISS or OSS or a combination of all 3	Detention(s), Partial Day - 3 days ISS or OSS or a combination of all 3
2 nd Offense:	Partial Day up to 5 days ISS or OSS or combination of both	3 - 5 days ISS or OSS or a combination of both	3 - 5 days ISS or OSS or a combination of both
3 rd Offense (and each additional offense thereafter):	Partial Day up to 5 days OSS and possible Superintendent’s Hearing	3 - 5 days OSS and possible Superintendent’s Hearing	3 - 5 days OSS and possible Superintendent’s Hearing

Any student who is removed from class on four or more occasions during one semester will be subject to a minimum out of school suspension of one (1) day. Such removals need not be by the same teacher. The Superintendent or his/her designee, consistent with law, may reduce the suspension period on a case-by-case basis.

Level 3 Unlawful Offenses

Unlawful offenses include endangering the safety, moral, health or welfare of others, or violating federal, state, or local law and ordinance.

- Possession of unlawful sexually explicit material
- Assault, an unlawful physical attack
- Arson, any act utilizing fire, smoke, or explosives which causes alarm or danger to life and/or willful or malicious burning of school property, its contents, or the personal property of others
- Vandalism, the destruction or serious defacing of property (applies to school or personal property valued at a minimum of \$25.00)
- Illegal drug use or under the influence of, possession of, sale of or receiving, or possession of drug paraphernalia. For purposes of this policy, illegal drugs are substances controlled by law and other illegal chemical substances, including, but not limited to, mood altering drugs, which have not been prescribed by a medical doctor for use by the student and synthetic cannabinoids.
- Use or possession of any alcohol product or under the influence of alcohol
- False alarms (including false 911 calls), bomb threats, tampering with emergency or safety devices (e.g. fire extinguishers)
- Possession of a firearm or weapon
- Theft or possession, sale, receipt or stolen property, (applies to school or personal property valued at a minimum of \$25.00)
- High Level of Threat: A threat that appears to pose an imminent and serious danger to the safety of others:
 - the threat is direct, specific and plausible
 - the threat suggests concrete steps have been taken toward carrying it out, for example, statements indicating that the person threatening has acquired or practiced with a weapon or has had the victim under surveillance.

RANGE OF CONSEQUENCES FOR LEVEL 3 UNLAWFUL OFFENSES

1. Immediate removal from student population and school property (if necessary).
2. The District will immediately notify the police and the student's parents of the infraction by telephone and in writing.
3. Immediate out-of-school suspension for up to five days pending a Superintendent's hearing. (*students consuming, sharing and/or selling, using and/or possessing alcoholic beverages, illegal drugs, counterfeit and/or designer drugs, or paraphernalia for use of such drugs may be expelled from attending school on the first occasion. For subsequent violations the student(s) will be expelled from school for a period of one year.*)
4. All of these offenses will be considered infractions of law and will be referred to law enforcement officials.
5. Students who are deemed to be "violent pupils" as defined by Education Law Section 3214 (2-a) (a) will be subject to a minimum out of school suspension of at least two (2) days.

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.

D. Referrals for discipline concerns

1. Counseling - The school counselors shall handle all referrals of students for counseling and determine if further intervention(s) are necessary.
2. Preventive Services
3. 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 as a result of:
 - (a) Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
 - (b) Engaging in an ongoing or continual course of conduct that makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.
 - (c) Knowingly and unlawfully possesses marijuana or other illegal drug or drug paraphernalia in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.
4. Juvenile Delinquents and Juvenile Offenders - The Superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:
 - (a) Any student under the age of 16 who is found to have brought a weapon to school,
 - (b) Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).

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

E. Student Dress Code

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should help students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming, and appearance, including jewelry, shall:

1. Be safe, appropriate, and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments, bottoms, and tops (such as tube tops, net tops, halter-tops, half shirts that reveal midriffs, and see-through garments) are not appropriate. Straps on tops must be at least 1" wide at the shoulder. **Spandex shorts are not appropriate unless covered by other apparel.** The bottom of dresses, shirts (if worn without pants), and skirts can be no higher than 8" above the knee. The distance will be determined by having the student kneel on one knee on a chair and then measure from the chair to the bottom of the dress/skirt/shirt.
3. Shirts with slits down the sides are not permitted
4. Students should be dressed appropriate for the weather conditions. E.g., tank tops, shorts, flip-flops, and sandals are not appropriate attire in winter.
5. Ensure that underwear is completely covered with outer clothing.
6. Wear footwear at all times. Footwear that is a safety hazard will not be allowed. Clothing must not pose a safety and/or health hazard to the student or others.
7. Not include the wearing of chains, spiked jewelry or sunglasses.
8. With the exception of the high school, not include the wearing of headwear including, but not limited to, hoods, hats, and bandanas that completely cover the student's head in the school buildings except for extra-curricular activities, unless for a medical and/or religious purpose/reason. *(It is the high school's position that hats are allowed to be worn in the building during the school day. Hoods or other headgear that partially covers a student's face is considered disruptive and will not be allowed. Teachers have the discretion to develop norms regarding hats in their classroom. Students must agree to remove hats when entering the auditorium and for other formal events, which include, but are not limited to: the Pledge of Allegiance and the National Anthem.)*
9. Not include the wearing of an outdoor coat or jacket in the school buildings. Students should plan ahead and dress appropriately for colder temperatures in the building e.g., bring a sweatshirt.
10. Not include items that are, or are implied as, vulgar, obscene, libelous or denigrate others on account of race, color, religion, creed, national origin, disability, gender, or sexual orientation.
11. Not promote, advertise and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item(s) and, if necessary or practical, replacing it (them) 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.

Staff members who observe a student inappropriately attired should initially request the student to modify their appearance as described above. The staff member should then advise the administrator that the student has been addressed. Should the student fail to comply, the administrator should be notified at

once of the students' insubordination. The administrator will then address the student and contact parents, if necessary, to remove the student from the premises until such time as the student's attire is appropriate, as described above.

Exceptions to the dress code may be granted by the school administration for special occasions such as the prom, hat day or dress down day, etc.

F. Textbooks and other assigned school equipment

At times, school equipment or materials may be assigned to students for their use in school programs, including, but not limited to, textbooks, calculators, science equipment, athletic equipment, and locker. Students are expected to care for such equipment and materials and return them in reasonable condition, as they were issued to the student. Students will be expected to reimburse the district for replacement of materials or equipment that is misused. Should the damage to the material or equipment be deemed intentional, in addition to remuneration, the act will be addressed as indicated elsewhere in this code (Level 2 or Level 3, as appropriate).

G. Use of Automobiles

Students who are licensed to drive and desire to park on school property must register their automobiles with the Principal at the beginning of the year. Students will be expected to provide a copy of a valid NYS Driver's License, a copy of proof of valid NYS Vehicle Registration and a copy of proof of valid, in-force Automobile Insurance. Permission to drive will be issued with the understanding that the following regulations are observed:

1. The **speed limit** on school property and in the vicinity of the school is **10 miles per hour**.
 2. Student parking is permitted only in the High School parking lot.
 3. Parking must be within the defined spaces
 4. Students driving automobiles should drive directly to the parking lot and not be in the bus-loading zone at any time.
 5. Cars must be locked when parked.
 6. No students are to be in cars or the parking area at any time during the school day without permission from the office.
 7. All provisions of the New York State Vehicles and traffic law must be obeyed.
- **Any violation of these regulations, other evidence of poor school citizenship, not adhering to the Code of Conduct, truancy or tardiness will be sufficient cause to withdraw the privilege of driving to school and can lead to suspension from school.**

H. Student Use of Technology

Students who desire to use district technology will sign the District's Acceptable Use Policy and always exhibit a positive ethical attitude toward the use of technology. Students shall have no expectation of privacy with respect to use of District technology or any personal property, such as personal storage devices, that may be used with District technology. District officials may, without notice, monitor student computer activity and may search personal storage devices that have been used with District technology.

Students will not:

1. Access any account, directory or file to which they have not been granted permission by the instructor or the Technology Services staff
2. Use any system commands that have not been approved for their use by the instructor or the Technology Services staff
3. Use offensive or inappropriate language on the computer

4. Misuse equipment and will be held liable for any deliberate damage they cause
5. Use network programs to send messages to other stations or to change, in any way, network configurations
6. Copy, remove, or in any way, alter files unless instructed to do so by the instructor or the Technology Services staff
7. Bring in programs, files, or other forms of software to use on the network system without prior approval of the instructor or the Technology Services staff
8. Prevent access to or unreasonably slow down the system by deliberately running wasteful jobs
9. Use any system resources (storage areas, software, printers) which are not assigned to them by the instructor or the Technology Services staff
10. Access any e-mail resource without faculty approval.

Should students fail to comply with the above stated guidelines for use of district technology, the following shall occur: Immediate parent notification and the following options may be imposed:

- Suspension of computer privileges during the school day
- Restricted use of computers after school under the supervision of a teacher
- Restitution for all damages to equipment due to misuse or vandalism
- Police intervention
- Student computer use may be monitored remotely by district staff
- Student work that is saved on the server will be checked on a regular basis.

I. Dance Regulations

1. All dances except homecoming, prom and winter semi-formal are classified as closed dances.
2. Only Avon students of the respective grade levels will be admitted to closed dances, unless the building principal approves others as a guest.
3. Homecoming, prom, winter semi-formal will be classified as open dances. For an open dance, sign up of your guest must be made in advance at the office.
4. Once a student has entered a dance, the student may not leave and re-enter.
5. Loitering on school grounds during a dance is not permitted.
6. Ticket sales end 90 minutes after the dance begins. There will be no admittance after this time.
7. Students are to enter and leave the building during the dance by the main entrance.
8. All dances must be approved by the Administration.
9. Dances must be scheduled through the Student Council.
10. All rules and regulations of the school and Code of Conduct are to be followed.
11. Students will only be allowed to attend those dances designated for their grade level.

J. School Campus

Avon Central Schools maintains a closed campus. Students are required to remain on school grounds until the end of the school day, students leaving campus without permission during the regular school day will be subject to appropriate school discipline. Under no circumstances will any student leave campus without administrative and parent approval. The Principal or his/her designee will review each case individually.

K. 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.

The Board authorizes the superintendent, building principals, the school nurse, and District security officials (such as the School Resource Officer) 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. 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. Searches will be conducted in the presence of two adults whenever possible. If a student is subjected to a search, the building administrator will attempt to contact the parent as soon as is practicable after the search has been conducted.

1. 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 students’ 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.

2. Student Vehicles or other Personal Devices on School Property

Students are informed that they shall have no reasonable expectation of privacy for personal vehicles or other personal devices, such as computer diskettes or other storage devices, while these items are on school property. School officials may search these belongings at any time that there is a reasonable suspicion that the belongings may contain items which may be in violation of this Code of Conduct or a lawful violation.

3. Strip Searches

Under no circumstances will any school personnel conduct a strip search of any other person. For the purposes of this section, requiring the removal of an outer coat or jacket, or shoes and socks, shall not constitute a strip search. In the unlikely event that such a thorough search is warranted, the police should be summoned to the scene.

4. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

1. Name, age, and grade of student searched
2. Purpose of search (that is, what item(s) were being sought)
3. Scope of search
4. Person conducting search and his or her title and position
5. Witnesses, if any, to the search

6. Time and location of search
7. Results of search (that is, what items(s) were found)
8. Disposition of items found
9. Time, manner, and results of parental notification

The building principal or the principal's designee shall be responsible for the custody, control, and disposition of any illegal or dangerous item taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the item(s) is turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

5. 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, who are not the School Resource Officer agency with whom the District has a Memorandum of Understanding, 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; or
2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Been invited by school officials.

Before police officials, other than the SRO, are permitted to question or search any student, the building 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:

- a) They must be informed of their legal rights.
- b) They may remain silent if they so desire.
- c) They may request the presence of an attorney.

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

child protective services worker or school District official of the opposite sex.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if not 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.

VII. Discipline of Students with Disabilities

The Board 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 receive certain procedural protections whenever school authorities intend to impose discipline upon them. This Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the code of conduct, the following definitions

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

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 or herself or others.

An “IAES” means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student’s current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

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

Step 1: The Board, Superintendent or a building 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.

Step 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.

Step 3: The Superintendent may order additional suspensions 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.

Step 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 carries or possesses 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.

3. 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.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - a. for more than 10 consecutive school days; or
 - b. 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.
2. 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.

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.

C. Special Rules Regarding the Suspension or Removal of Students with Disabilities

1. The district's Committee on Special Education shall:
 - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral 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.

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.

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.

- b. 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.

2. 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 the 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.

- a. The Superintendent, building 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.
- b. 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 was a student with a disability, the district either:
 - 1) conducted an individual evaluation and determined that the student is not a student with a disability, or
 - 2) determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made 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.

3. 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.

4. 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.
5. 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.
6. 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
7. 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.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
 - a. The district requests such a hearing to obtain an order of an impartial hearing officer 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, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
 - b. 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 an IAES.
 - 1) 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.
 - 2) 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.
2. 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.

E. Referral to law enforcement and judicial authorities

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

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The Superintendent shall provide copies of the special education and disciplinary records of a student with disabilities for consideration to the appropriate authorities to whom a crime is reported, to the extent consistent with the Federal Educational Rights and Privacy Act.

VIII. Academic Eligibility

In order to participate in extracurricular activities, students in grades 7-12 must maintain satisfactory academic progress. Students who are academically ineligible may be placed on Study Hall or lunch room restrictions and they may not participate in any school sponsored extracurricular event, athletic contests, or advisement period open gym.

This includes:

1. Club activities, such as the Drama Club, Ski Club, or trips associated with clubs
2. Interscholastic and intramural contests, but the student may continue to practice and attend team functions. They will not be able to dress or participate in contests.

This does not include:

- Attendance at events open to the general public such as sporting events, concerts, and plays.
- The Administration may make some exceptions, after consultation with the Superintendent, for certain Senior Activities, such as the Senior Prom, the Senior Picnic and the Senior Bash.

The following regulations shall apply to academic eligibility:

I. During the School Year –

- a. **INELIGIBILITY:** Students who are failing two or more courses on any five or ten-week report will be **ACADEMICALLY INELIGIBLE**. When a student becomes ineligible the following will occur:
 - Coaches and advisors will be notified of the ineligible status.
 - The student will have two weeks to raise the number of failing grades to one or zero.
 - The student must continue to practice and attend extra-curricular activities.
 - The student will not dress for contests or extracurricular events.
 - At the end of two weeks from when the eligibility list is published, the student will be responsible for completing the reinstatement form. This form will be turned in to the Athletic Director or Advisor.
- b. **REINSTATEMENT:** An ineligible student may become eligible when the number of failing grades is reduced to one or zero after two full weeks or in any five or ten week marking period. As stated above, the student is responsible for completing the reinstatement form.

II. End of the School Year –

- a. **INELIGIBILITY:** Students, who fail two or more courses, with final course grades below **65**, will be academically ineligible at the start of the following school year.
- b. **REINSTATEMENT:** Students who attend summer school and reduce the number of failed courses to one or zero will have their eligibility reinstated at the start of the following school year. If students are not able to reduce the number of failures to one or zero by attending summer school, their eligibility may be reinstated during the school year if they are failing one or zero courses after 2 full weeks of ineligibility or on any five or ten week report.

ACADEMIC ELIGIBILITY: Will begin for all first time seventh grade students after the first five-week marking period.

IX. Athletic and Extra-Curricular Activities

Athletics and extra-curricular activities are a *privilege* and the opportunity to participate is offered to each and every student who attends Avon Central School. Along with privileges comes a certain set of responsibilities that help to establish guidelines that are used to preserve the integrity of the athletes and the educational programs, which are supported by the District. We are all committed to the idea that education, extra-curricular activities, and athletics are a partnership, and the guidelines for student athletes and those involved in extra-curricular activities are outlined in the student handbook. Violations of these guidelines can result in penalties that may have an impact on the student.

Students are expected to abide by the rules outlined below and any other additional rules that are established by their individual coaches and/or advisors.

It should be understood that these rules have been created to protect the health and safety of the students. It is in the best interest of the students to avoid those things that in any way might hinder their performance.

Coaches and advisors are to administer the rules in a firm and consistent manner. All allegations of wrongdoing by athletes should be reported to the Athletic Director, who in turn should report these violations to the High School and/or Middle School Principal. The Athletic Director and/or building principal should make all coaches and/or advisors aware of the violation and serve as a monitor to see that the consequence is carried out according to the rules.

All athletes and/or students participating in extra-curricular activities will be required to sign a contract that will signify their understanding and acceptance of these rules at the beginning of each sports season and/or activity. Failure to sign this contract does not relinquish the athlete from consequences. All contract rules will be applicable only during the sports season or activity in which they are participating. The coach and/or advisor will provide contract cards to the students and the coaches and/or advisors will be responsible for going over the rules and making sure the contracts are signed.

All athletes must be *actively participating in physical education classes*. All students choosing to participate in extra-curricular activities or athletic teams must be enrolled in at least 5 credits “worth” of classes.

In order to participate in any sport, the athletes must have received a physical examination and returned all of the appropriate forms that the nurse requires. Either the school physician or a school-approved physician must perform the physical examination.

It is highly suggested that select older student athletes be given the opportunity to talk with each of the Junior High teams at the outset of their season, giving the younger student athletes the opportunity to take advantage of their wisdom and experience.

ATHLETIC and EXTRA-CURRICULAR -- ATTENDANCE

In addition to all other school rules, all athletes and students wishing to participate in extra-curricular activities must arrive at school and have registered with the Attendance Clerk no later than **8:26 a.m.** Students must be in attendance to be able to participate in a practice, an athletic contest or an extra-curricular activity that day. *NOTE:* Any student absent from school or any class for an unexcused reason, or serving an In-School Suspension will not be able to participate in a practice, an athletic contest, or an extra-curricular activity that day. Administration or designee may make exceptions for the following reasons as approved:

- A death or serious illness in the family
- A court appearance
- A college visitation
- Medical appointment with verification (from the physician's office)
- Extraordinary circumstances at the Principal's discretion

ATHLETIC and EXTRA-CURRICULAR -- ALCOHOL, DRUGS AND/OR TOBACCO (including e-cigarettes, vapes and juuls)

In addition to all other school rules, it will be a violation for any student to: Use or possess* any tobacco product, any alcoholic beverages, illegal chemical substances, drugs not prescribed by a physician, and any steroids or look-alike drugs such as caffeine pills.

* "Possession" shall mean "the presence of and/or in close proximity to and/or actual control of".

Reporting Violations: Information on code violation will be accepted from coaches, administration, teachers, school personnel and police officers as well as other "reliable sources" as determined by administration.

ATHLETIC and EXTRA-CURRICULAR -- ALCOHOL, DRUGS OR TOBACCO ENFORCEMENT AND CONSEQUENCES

In addition to all other school procedures, the following steps will be taken:

- Parent notification – By Building Principal and Athletic Director.
- Immediate removal from the team and/or extra curricular activity (removal from practice, events and team functions) until meeting and suspension has been determined.

If a student wants to be considered for reinstatement in the sport or extra-curricular activity, the student must:

- Meet with the school administrator, parent, athletic director, coach and/or extracurricular activity advisor.
- Complete a District approved appropriate substance abuse awareness program and provide written documentation of such

After the substance abuse program has been completed, the individual may be considered for reinstatement to the team and/or extra-curricular activity. The individual must then practice with the team or activity but may not participate in competition or performance. The individual may not dress in uniform until remainder of the consequence (identified below) is completed.

The School Administration, Coach and/or Advisor shall have the authority to impose a more stringent consequence than the ones outlined below with the approval of the Superintendent and notification of the Board of Education.

CONSEQUENCES:

1st Violation

In addition to all other school consequences that may be assigned, any violation of Athletic and Extra-Curricular Alcohol, Drugs or Tobacco procedure at any time during the student's secondary career (grades 5 -12) will result in dismissal from the team or curricular-activity for 50% of that season's total contests/activities, **OR**

- **Should the student *Self-Referral*** to administration or the coach/advisor, the suspension may be reduced to dismissal from the team or extracurricular-activity for 25% of that season's total contests/activities, for 1st time violation only. Individual must report himself or herself right away.

2nd Violation

In addition to all other school consequences that may be assigned, any violation at any time during the student's secondary career (grades 5 -12) for the second time will result in dismissal from the team or extra curricular activity for 100% of that season's total contests/activities

3rd Violation

In addition to all other school consequences that may be assigned, any violation of this regulation for Athletics and Extra-Curricular participation at any time during the student's secondary career (grades 5 - 12) for the third time will result in forfeiting their eligibility to participate for the remainder of their high school career at Avon Central School.

Activity suspension can be carried over from season to season and school year to school year. Any unused percentage of a suspension will be carried over to the next season or activity in which the student participates. The percentage of the suspension will be calculated based on the number of contests or activities in the next season in which the student participates.

During the activity suspension, the student is ineligible to participate in the contest/activity throughout the duration of the activity suspension.

X. Sexual Harassment

Sexual harassment is not tolerated. All students and staff will be allowed to work in an environment free from unsolicited and unwelcomed sexual overtures. Sexual harassment is behavior that is not welcome, personally offensive, immoral, has sexual overtones and interferes with the work environment of its victims.

Examples of sexual harassment behaviors include, but are not limited to, the following:

1. Subtle pressure for sexual activity
2. Physical contact such as patting, pinching, or frequently brushing against another's body
3. Demands for sexual favors, accompanied by implied or overt promises of preferential treatment
4. Verbal contact of a sexual nature

Any person who believes he or she has been sexually harassed may file a complaint with an administrator and/or the District Title IX Officer. At that time, you may file an informal complaint or formal complaint. Based on the form of the complaint, a full investigation will be made and a report stating findings and a recommendation of disciplinary action will be filed with the superintendent. Upon review, individuals who are guilty of sexual harassment are subject to disciplinary action.

XI. Fraternization

ALL employees are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District up to and including termination of employment.

Inappropriate employee behavior includes, but is not limited to, flirting, making suggestive comments, dating, requests for sexual activity, physical displays of affection, giving inappropriate personal gifts, inappropriate personal communication with a student (via phone, e-mail, letters, notes, text messaging, social networking sites and/or other electronic communications, etc.) unrelated to course work or official school matters, providing alcohol or drugs to students, inappropriate touching, and engaging in sexual contact and/or sexual relations. ("Inappropriate personal communication with a student unrelated to course work or official school matters" means any form in which that personal communication may occur including, but not limited to, voice or text-based communication via phone, e-mail, instant messaging, text messaging or through social networking Web sites.)

Any student who believes that he/she has been subjected to inappropriate staff behavior as enumerated in Board Policy 6111, as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member or either the employee's supervisor, the student's principal, or the District's Title IX officer.

XII. Corporal Punishment

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden. However, in situations where alternative 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.

XIII. Visitors to the Schools

The Board 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 building 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 schools:

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 during school hours must report to the office of the principal upon arrival at the school and receive permission to visit.** There they will be required to sign the visitor's register and 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 to the principal's office before leaving the building to sign out of the visitor's register.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits with the classroom teacher(s) at least 24 hours in advance, so that class disruptions are kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property 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.

XIV. 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 when on school property or attending a school function including students, teachers and district personnel.

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.

A. 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. Commit an act of violence or attempt to do so upon a teacher, administrator, other school employee, student or any other person lawfully upon the school property or while attending a school function.
4. Harass, bully or coerce any other person.
5. Disrupt the orderly conduct of classes, school programs or other school activities.
6. 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.
7. Distribute or post any written material, pamphlets, or posters without the prior approval of the superintendent or principal. Written approval may be required at anytime.
8. Intimidate, harass, threaten or discriminate against any person on the basis of actual or perceived race, color, weight, creed, national origin, ethnic group, religion, religious practice, gender, disability, sexual orientation, or any other categories of individuals protected against discrimination by federal, state, or local law.
9. Enter any portion of the school premises unless such entry is made in connection with official business with the district or to attend an activity or school function. All visitors must report to the main office to receive permission, sign-in and obtain a visitors pass during scheduled school hours. Only authorized persons are to remain in any building or facility after it is normally closed.
10. Obstruct the free movement of any person in any place to which this code applies.
11. Violate the traffic laws, parking regulations or other restrictions on vehicles;
12. 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.
13. Possess, use, or threaten to use weapons (or facsimiles thereof) 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.
14. Threaten to use any instrument that appears capable of causing physical injury or death.
15. Loiter on or about school property.
16. Gamble on school property or at school functions.
17. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
18. Willfully incite others to commit any of the acts prohibited by this code.
19. **Use tobacco products of any kind in or on school property or while attending a school function.**
20. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

AUDIENCE ETIQUETTE

Students and visitors are expected to behave in a mature, respectful manner at school-sponsored public events. Behavior such as negative cheering, obscene gestures, foul language, disorderly conduct, throwing of objects, or disrupting a performance will not be tolerated. This includes any function on school property or off school property.

B. Penalties

Any violation of the above shall be reported immediately to the administrator (site supervisor) in charge. Following a thorough investigation and documentation, the following options may be imposed:

- A reprimand
- An order to leave the school property or school function
- A ban from school property or school functions for a designated period of time
- Police intervention
- Charges may be made under the proper penal code i.e.
 - Any unauthorized persons on school property can be subject to arrest for criminal trespass
 - Any person found destroying, vandalizing or defacing school property or the personal property of others may be arrested and charged with vandalism or criminal mischief and restitution will be sought
- Any penalty authorized under Section 3214 of the Education Law or Board policies.

Persons who violate this code shall be subject to the following penalties:

1. **Visitors.** Their 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 and/or arrest.
2. **Students.** They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements, as stated in this Code of Conduct.
3. **Tenured faculty members.** They shall be subject to immediate ejection and/or arrest, and disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. **District Employees in the classified service of the civil service** entitled to the protection of Civil Service Law §75. They 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. They shall be subject to immediate ejection and/or arrest, warning, reprimands, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.
6. Other(s). Their 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 and or arrest.

C. Enforcement

The building principal or his or her designee shall be responsible for enforcing the conduct required by this code.

When the building principal or his or her designee becomes aware of 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.

XV. Dissemination and Review

The Board will work to ensure that the community is aware of this code of conduct by:

- a. Providing copies of a summary of the code to all students at the beginning of each school year.
- b. Making copies of the code available to all parents at the beginning of the school year.
- c. Mailing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
- d. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
- e. Providing all new employees with a copy of the current code of conduct when they are first hired.
- f. Making copies of the code available for review by students, parents and other community members as stated above and via the district web page.

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. Principals will conduct awareness sessions with their respective staff members to ensure the effective implementation of the code of conduct.

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.

The Superintendent 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, and other school personnel.

Before adopting any revisions to the code, the Board will hold at least one public meeting 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 no later than 30 days after adoption.