



**Groversville Enlarged  
School District  
Code of Conduct**

2023-2024

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## **I. INTRODUCTION**

The Board of Education of the Gloversville Enlarged School District, believes that the behavior of students attending the public schools should reflect acceptable standards of responsibility and the degree of good citizenship demanded of members of a democratic society. The Board of Education's objective is to provide all students with an equal opportunity to grow intellectually, socially, emotionally and physically.

Parents/guardians, students and school personnel must work together to ensure the maintenance of the proper atmosphere to achieve this goal.

All members of the school community and visitors must act responsibly. School personnel will use restorative (mediation, counseling, and education) and/or punitive (detention, suspension) measures to address violations of the Code of Conduct, as appropriate under the circumstances.

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

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

## **II. Why Do We Have A Code of Conduct?**

1. Students need to be supported and engaged in school in order to promote strong character and appropriate conduct. It is also essential that students are able to take age-appropriate responsibility for their own behavior. Student engagement is developed when students are provided with multiple opportunities to participate in a wide range of positive social activities while interacting with caring, supportive adults. This helps to ensure that students are better able to recognize and manage emotions, develop caring and concern for others, establish positive relationships, make responsible decisions; and handle challenging situations constructively and ethically.
2. Effective and engaging instruction and positive behavioral supports are the foundations of a positive school climate. School teachers, administrators, and other staff are encouraged to set high expectations for student success, build positive relationships with students as well as teach and model appropriate behaviors for success. Modeling respectful, positive behavior is especially critical during disciplinary interventions.

3. All adults, teachers, principals, administrators, school staff, parents, and the larger community have an obligation to help students become good citizens and lead productive lives by modeling desired behaviors and cultivating those behaviors in students.

4. Appropriate conduct and strong character are reflected in a civil, respectful, healthy and caring environment. Student discipline and support policies and practices will be implemented in a manner which is caring and equitable, respectful and based on trust among administration, staff, students, and families and holds all individuals accountable.

This will help students:

- learn from their mistakes;
- understand why their behavior was unacceptable;
- acknowledge the harm they caused or the negative impact of their actions;
- understand what they could have done differently;
- take responsibility for their actions;
- learn pro-social strategies and skills to use in the future; and
- understand that further consequences and/or interventions will be implemented if their unacceptable behavior persists.

5. The District will continuously monitor results in an effort to determine strategies for improvement.

### **III. Definitions**

#### **A. Bullying**

- i. The creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying (as defined below), that (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or school property and creates physical well-being; or (b) reasonably causes or would reasonably be expected to cause a student to fear for their physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off 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, or impact, or reasonably be expected to impact the student's attendance and/or participation in school activities. Acts of harassment and bullying may include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender or sex. For

the purposes of this definition the term “threats, intimidation or abuse” shall include verbal and non- verbal actions.

**B. Cyberbullying**

1. Harassment or bullying (of students and/or staff) as defined above, where such harassment or bullying occurs through any form of electronic communication.

**C. Disability**

1. A physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques; or
2. A record of such an impairment; or
3. A condition regarded by others as such impairment.

**D. Discrimination**

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

**E. Emotional Harm**

1. Harm to a student’s emotional well-being through the creation of a hostile school environment.

**F. Employee**

1. Any person receiving compensation from a District or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such District, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

**G. Gender Related Definitions**

1. Gender: Actual or perceived sex and shall include a person’s gender identity or expression.
2. Gender Identity: A person’s gender-related identity, appearance or behavior, whether or not that gender- related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.
3. Transgender: An adjective describing persons whose gender identity, expression or behavior does not correspond to their assigned sex at birth.

## **H. Harassment**

1. 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; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for their physical safety. Includes, but is not limited to, conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

## **I. Hazing**

1. Committing an act against a student or group of students, or encouraging, or coercing a student into committing an act that creates a risk of harm to a person in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:
  - a) Any humiliating or dangerous activity expected of a student to join a group, regardless of the student's willingness to participate (conduct has the potential to endanger the mental or physical health or safety of a student).
  - b) Any hurtful, aggressive, destructive or disruptive behavior such as, but not limited to, striking, stripping, sleep deprivation, confinement in a restricted area, calisthenics or other activity that subjects the student to a risk of harm or that adversely affects the mental or physical health or safety of the student.
  - c) Any use or abuse of Tobacco/Nicotine, alcohol, drugs or other substances that subjects the student to a risk of harm or that adversely affects the mental or physical health or safety of that student.
  - d) Any activity that intimidates or threatens the student with ostracism; subjects a student to mental stress, embarrassment, shame or humiliation; or adversely affects the mental health or dignity of the student or group of students.
  - e) Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school District policies and regulations.

## **J. Hostile School Environment**

1. An environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's access to their education.

## **K. Material Incident of Harassment, Bullying, and/or Discrimination**

1. Is a single verified incident or a series of related verified incidents where a student is subject to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function.

Such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, meets the definition of set forth above for harassment, bullying and/or discrimination and is the subject of a written or oral complaint to the superintendent, principal or their designee, or other school employee.

**L. Off-Campus Misconduct**

1. Misconduct occurring in locations other than the School District's facilities, properties and school buses that nevertheless endangers the health and safety of students or staff within the school or can reasonably be forecast to substantially disrupt the educational process is prohibited. (Examples of off campus misconduct include, but are not limited to: cyberbullying, the use of electronic devices to threaten, harass, or bully.)

**M. Parent**

1. A parent, guardian, or person in parental relation to a student.

**N. Restorative Practices**

1. A response to student actions that violate the dignity, safety, or well-being of others by connecting the person responsible for the harm with those who have been harmed, in order to reach a resolution that guides, and assists the person responsible for the harm in accepting responsibility, apologizing for the harm, making meaningful reparation and improving the relationship between parties.

**O. School Bus**

1. This means every motor vehicle owned or contracted by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

**P. School Function**

1. This means a school-sponsored or school-authorized extra-curricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state or country.

**Q. School Property**

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

**R. Sexual Orientation**

1. Actual or perceived heterosexuality, homosexuality or bisexuality.

**S. Student (Disruptive)**

1. This means an elementary or secondary student who is substantially disruptive of the educational process or substantially interferes with the normal operating procedures of a teacher's authority over the classroom, building or anywhere on school property or during an extra-curricular event.

**T. Student (Violent): means a student who:**

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

**U. Student Organization**

1. Group, club or organization having students as its primary members or participants. It includes grade levels, classes, team activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

**V. Tobacco/Nicotine and/or Smoking Related Products**

1. Tobacco/nicotine or tobacco/nicotine-related products are defined as any cigarette, cigar, pipe, bidi, clove cigarette, E-cigarettes, personal vaporizers, cartridges, pods, or any other smoking product and related paraphernalia as well as spit tobacco, dip, chew, and snuff, and any other spit tobacco product in any form.

**W. Violent Act**

1. A term that includes, but is not limited to, kicking, hitting, biting, punching, scratching or other aggression toward another person.

**X. Weapons Possession Only**



1. Possession of one or more of the weapons as defined in section VII. PROHIBITED STUDENT CONDUCT, D. School Safety and Educational Climate (SSEC), except possession in a classroom or laboratory as part of an instructional program or in a school-related activity under the supervision of a teacher or other school personnel as authorized by school officials. Possession includes bringing a weapon to school or a school function or possessing a weapon on school property.

#### **IV. Student Rights and Responsibilities**

The primary goal of public education is to give students equitable opportunities to become worthwhile, contributing members of society. Included in this goal are:

1. To educate students to know their rights of citizenship granted by the Constitution of the United States and by the State of New York.
2. To live within the rules and limits of society.
3. To develop good habits of self-discipline.

##### **A. Student Rights**

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, creed, national origin, religion, gender, sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary consequence in connection with the imposition of the consequence.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
4. Freedom of expression, that is:
  - a) Students are entitled to express their opinions verbally. The expression of such opinions, however, should not interfere with the freedom of others to express themselves or to impede the educational process. The use of obscenities and personal attacks is prohibited.
  - b) All student meetings in the school buildings or on school grounds must function only as part of the formal educational process or as authorized by the school principal.

- c) Students are entitled to express, in writing, their personal opinions. Such written opinions must be signed by the author(s). Libel, racism, sexism, obscenity and personal attacks are prohibited in all publications.
  - d) Student participation and opinions are encouraged through the publication of student newspapers, yearbooks and literary magazines. These publications have qualified faculty advisors.
- 5. An education provided they do not interfere with or threaten the education of others. Students have the right to seek changes in school policies and regulations in an orderly manner by using those channels provided for this purpose.
  - 6. Privacy. It is the responsibility of the school to protect a student's privacy. The school will not disclose any information from the student's permanent records except when such disclosures are authorized by law, or with permission of a parent, guardian, or when directed by legal authorities. To that end, the school will comply with the provisions of the Family Educational Rights and Privacy Act.
  - 7. Contact their parents/guardians in the event that they find themselves subject to school discipline.
  - 8. To be protected from intimidation, harassment or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender, including gender identity, sexual orientation or disability, by employees or students on school property or at a school sponsored event, function or activity.

## **B. Student Responsibilities**

Students attend and participate in the schools' programs so that they may develop to their fullest potential. It shall be the responsibility of students to:

- 1. Be familiar with and abide by all District policies, rules and regulations dealing with student conduct.
- 2. Attend school every day; be in class on time and prepared to learn, unless they are legally excused.
- 3. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest possible level of achievement.
- 4. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
- 5. Ask questions when they do not understand.

6. Seek help in solving problems that might lead to discipline.
7. Dress appropriately for school and school functions.
8. Accept responsibility for their actions.
9. 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.
10. Promptly report all concerns for any school person's health and safety, such as potential violence or self-inflicted injury, to a responsible school employee.
11. To respect one another and treat each other fairly and civilly in accordance with the District's Code of Conduct and provisions of the Dignity for All Students Act, including the responsibility to conduct themselves in a manner that fosters an environment free from intimidation, harassment, or discrimination
12. Be open to active participation in resolving conflicts through a restorative process.

## **V. Essential Community Partners**

### **A. Parents/Guardians**

To achieve a cooperative, wholesome relationship between home and school that is essential to each student's successful development and achievement, parents/guardians are encouraged to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents/guardians and the school community.
2. Become acquainted with their child's school, its staff, curriculum, and activities by attending parent-teacher conferences and school functions.
3. Promote prompt and regular school attendance and make certain that all absences and tardiness are properly excused in writing.
4. Promote in their child a desire to learn and encourage good study habits.
5. Help their child to give proper attention to health, safety, personal cleanliness, acceptable dress and grooming in a manner consistent with the student dress code.

6. Support their child's participation in school activities.
7. Bring concerns regarding educational or social-emotional issues to school authorities.
8. Convey to their child a supportive attitude toward education and the District.
9. Help their child understand that appropriate rules are required to maintain a safe, orderly environment.
10. Know and understand the rules their child is expected to observe at school, on school property or at a school function, be aware of the consequences for any violation of these rules and accept legal responsibility for their child's actions.
11. Recognize that school personnel deserve the same consideration and respect that parents/guardians expect from their child in order to build good relationships.
12. Help their child deal effectively with peer pressure.
13. Inform school officials of changes in the home situation that may affect student conduct or performance.
14. Provide a place for study and ensure homework assignments are completed.
15. Support school goals to maintain a safe, non-violent atmosphere.
16. Obey school rules and procedures when visiting school or attending school functions.
17. Whenever possible, utilize technology provided by the school District to stay informed about their child (i.e., voice mail, web site, Schooltool).
18. Educate and supervise children in the misuse of electronic devices that may be used to bully, harass, and/or sexually offend others.
19. Teach their children respect and dignity for themselves and for other students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, gender or gender identity or sex, which will strengthen

their child's confidence and help promote learning in accordance with the Dignity for All Students Act.

20. Be open to active participation in resolving conflicts through a restorative process.

## **B. Teachers and Support Personnel**

In recognition of their charge in educating children, it shall be the responsibility of the teachers and support personnel to:

1. Reflect a personal enthusiasm for teaching, learning, and a genuine concern for each student and colleague.
2. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
3. Know school policies and rules and enforce them in a fair and consistent manner.
4. Enable students to discuss their problems by listening, remaining open-minded, consulting and acting on student recommendations in the decision-making process.
5. Establish and maintain positive, effective and consistent classroom management techniques that result in involving and motivating students.
6. Demonstrate, by work and personal example, respectful, responsible and caring behaviors.
7. Refer to a parent/guardian, counselor or administrator any student whose behavior requires special attention.
8. Be prepared to carry out your professional responsibilities.
9. Communicate to students and parents/guardians:
  - a) Class objectives and requirements.
  - b) Marking/grading procedures.
  - c) Assignment deadlines.
  - d) Expectations for students.
  - e) Classroom discipline plan.
10. Communicate regularly with students, parents/guardians and other teachers concerning growth and achievement.
11. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
12. Encourage students to benefit from the curriculum and extracurricular programs.
13. Initiate and participate in teacher/student/counselor conferences and parent/teacher/student/ counselor conferences, as necessary.
14. Educate and supervise students in the misuse of electronic devices that may be used to bully, harass or sexually offend other students.
15. Educate students to help create a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability,

sexual orientation, gender (including gender identity or expression, actual or perceived) or sex which will help strengthen student's confidence and promote learning.

16. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
17. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
18. Report incidents of discrimination, bullying, and/or harassment that are witnessed or otherwise brought to a teacher's attention. Such reports shall be made orally within one (1) school day to the building administrator, Dignity for All Students Act Coordinator (DASA), and/or the Superintendent of Schools or their designee. In addition, a written report regarding such incident(s) must be filed within two (2) school days after making the oral report to the appropriate individual.
19. Be open to active participation in resolving conflicts through a restorative process.

### **C. Building Administrators**

As the schools' educational leaders who set the educational climate, principals are responsible to:

1. Promote a sound and healthy atmosphere of mutual trust and respect within their schools.
2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
3. Evaluate the staff and program of instruction to achieve a meaningful educational program.
4. Assist the staff in evaluating their own procedures in relation to the interactions within their classrooms.
5. Address student referrals.
6. Promote communication with students, staff and parents/guardians.
7. Maintain a wholesome relationship between home and school.
8. Ensure fairness, reasonableness and consistency in all decisions affecting students, parents/guardians and staff.
9. Utilize all appropriate auxiliary staff and outside agencies when necessary.

10. Coordinate pupil personnel staff and/or other agencies and services on behalf of the student.
11. Assume responsibility for the dissemination and enforcement of the District's Code of Conduct and ensuring that all cases are resolved promptly and fairly.
12. Comply with pertinent state laws governing hearings, suspension and student's rights.
13. Assist in developing in-service programs for staff members.
14. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
15. Support the development of and student participation in appropriate extracurricular activities.
16. Educate and supervise students in the misuse of electronic devices that may be used to bully, harass or sexually offend other students.
17. Educate students and staff to help create a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, gender (including gender identity or expression, actual or perceived) or sex which will help strengthen student's confidence and promote learning.
18. Follow up on any incidents of discrimination, bullying and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity for All Students Act Coordinator (DASA).
19. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion and religious practice, disability, sexual orientation, gender and gender identity or sex, with an understanding of appropriate appearance, language and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
20. Promptly lead or supervise and complete a thorough investigation of all written reports of discrimination, bullying and/or harassment that are witnessed or otherwise brought to the principal's or their designee's

attention. Such investigation may be performed in collaboration with the Dignity Act Coordinator (DAC).

21. When an investigation verifies a material incident of harassment, bullying and/or discrimination, the principal and/or their designee shall take prompt action, consistent with the District's Code of Conduct, including but not limited to the provisions of 100.2(l)(2)(ii)(h), reasonably calculated to end the harassment, bullying and/or discrimination, eliminate any hostile environment and create a more positive school culture and climate.
22. Ensure the safety of the student or students against whom harassment, bullying or discrimination was directed.
23. Promptly notify the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct.
24. Provide a regular report on data and trends related to harassment, bullying and/or discrimination to the superintendent. A "regular report" shall mean at least once during each school year in a manner prescribed by the District.
25. Be open to active participation in resolving conflicts through a restorative process.

#### **D. Superintendent and District Administration**

As the chief executive officer, the superintendent fulfills the key role in the maintenance of discipline. It shall be the responsibility of the superintendent to:

1. Promote a safe, orderly and stimulating school environment, by supporting active teaching and learning, and ensuring that it is free from intimidation, harassment and discrimination.
2. Take such steps as necessary to develop, publicize and carry out the rules and regulations of the district..
3. Be well informed about all school programs.
4. Keep the Board of Education informed about matters related to discipline.
5. Inform the Board of Education about educational trends relating to student discipline.
6. Listen and be responsive to the views of the total community.



7. Encourage and provide for the development of innovative, educational programs.
8. Review with the administrators the policies of the Board of Education and state and federal laws relating to discipline.
9. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
10. Work with District administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
11. Educate and supervise students in the misuse of electronic devices that may be used to bully, harass or sexually offend other students.
12. Educate students and staff to help create a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, gender (including gender identity or expression, actual or perceived) or sex which will help strengthen student's confidence and promote learning.

#### **E. Board of Education**

A primary task of the Board of Education is to establish District policy. It shall be the responsibility of the Board of Education to:

1. Collaborate with student, teacher, administrator and parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, District personnel and visitors on school property and at school functions.
2. Adopt and review, at least annually, the District's Code of Conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Approve a procedure for hearing grievances related to disciplinary action.
4. Listen and be responsive to the views of the total community.
5. Employ and retain high quality, qualified personnel.
6. Support high quality in-service programs for all school employees.
7. Lead by example by conducting Board of Education meetings in a professional, respectful and courteous manner.

8. Appoint Dignity for All Students Act Coordinator (DASA) in each school building. The Dignity Act Coordinator will be trained to handle human relations in areas of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practices, disability, sexual orientation, gender and gender identity and sex. The Dignity Act Coordinator must be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.

## **VI. Student Dress Code/Grooming**

- A. All students are expected to give proper attention to personal cleanliness and dress appropriately for school and school functions. Students and their parents/guardians have the primary responsibility for acceptable student dress and appearance, provided such dress and grooming does not disrupt the educational process of the school or endanger the health or safety of the individual student or others. Teachers and all other District personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.
- B. A student's dress, grooming and appearance, including hair style/color, jewelry, make-up and nails shall:
  1. Be safe and appropriate and not disrupt or interfere with the educational process.
  2. Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate. As a rule, all shorts and skirts should be long enough to reach the tips of the student's longest finger when the student's arms are held to their sides. Slight variations in this rule may be allowed to accommodate various body types.
  3. Include footwear at all times. Footwear that is deemed "unsafe" by the building principal or designee will not be permitted.
  4. Ensure that undergarments are completely covered with outer clothing.
  5. Recognize that garments that expose excessive skin, and see-through garments are not appropriate.
  6. Not include the wearing of hats, hoods or bandanas in any of the District School Buildings except for a medical or religious purpose. Approved, building-wide activities are exempt.
  7. Not include wearing garments, jewelry or other forms of symbolism associated with gangs or gang membership.

8. Not include items that are vulgar, obscene and libelous or denigrate others on account of actual or perceived race, color, weight, religion or religious practice, creed, national origin, gender and gender identity, sexual orientation, sex or disability.
  9. Not promote and/or endorse the use of alcohol, tobacco/nicotine or illegal drugs and/or encourage other illegal or violent activities.
  10. Not include spike jewelry, belts, bands, or collars; and chains longer than 12 inches (except fine jewelry).
  11. Not cause injury to themselves or others.
- C. The building administration is tasked with the interpretation and enforcement of the dress code.
  - D. Each building principal and/or their designee shall be responsible for informing all students and their parents/guardians of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.
  - E. Students who violate the student dress code may be required to modify their appearance. Any student who fails to comply with the dress code may be subject to discipline, up to and including out-of-school suspension.

## **VII. Prohibited Student Conduct**

The Board of Education expects all students to conduct themselves in an appropriate and civil manner with 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. Students must practice self-discipline by assuming responsibility for their own behavior and accepting the consequences of their misbehavior. District personnel are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

The Board of Education 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 focus on safety and respect for the rights and property of others. Students who violate these school rules will be issued consequences for their conduct.

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

- A. Engage in conduct that is disorderly or not conducive to a learning environment.**

Examples of conduct that is disorderly or not conducive to a learning environment include, but are not limited to, the following:

1. Unsafe Behavior (including, but not limited to, running in hallways, trespassing, obstructing vehicular or pedestrian traffic).
2. Disrespectful Behavior (including, but not limited to; using language or gestures that are profane, lewd, vulgar or abusive including epithets or slurs involving actual or perceived race, ethnicity, national origin, religion, religious practices, gender, gender identity and expression, sexual orientation, age or disability).
3. Disruptive Behavior (including, but not limited to, making unreasonable noise, overtly displaying affection, willfully disrupting the normal operation of the school community).
4. Bullying, harassment, and/or discrimination, which includes the creation of a hostile environment by conduct, intimidation through verbal, non-verbal, and/or electronic threats 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; or fear for their physical safety. Harassing behavior may be based on any characteristic including but not limited to actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender and gender identity.

**B. Engage in computer/electronic communications misuse.**

Examples of conduct that constitutes misuse of computer/electronic communications include, but are not limited to, the following:

1. Using the Internet, telephones, cell phones or other technological means to bully, discriminate, threaten, harass or denigrate other students or school personnel is prohibited at all times.
2. Video/audio recordings and pictures are not allowed to be taken by students during the school day without permission of teacher or designee.
3. Unauthorized (not pre-approved by teachers or principals for academic purposes) use of a personal electronic device\* during the school day is strictly prohibited.
  - a) Elementary: Unauthorized electronic devices are to remain in backpacks and must be turned off, and not visible during school hours.
  - b) Middle School: Unauthorized electronic devices must be stored in student lockers throughout the school day.

4. Devices being used without specific permission may be confiscated.
5. The use of electronic devices is not permitted during emergency situations or drills unless authorized by building principal or emergency personnel.
6. Any unauthorized use of computer software or Internet/intranet account, accessing inappropriate websites, sharing of passwords, downloading of non-educational material, altering and/or tampering with the computer system and/or computer setting or any other violation of the District's Acceptable Use Policy.
7. Use of Personal Electronic Devices\* on the School Bus:
  - a) Cell phones and other electronic communication devices shall not be used to bully, discriminate, threaten, harass or denigrate other students or school personnel.
  - b) Devices may not be used while boarding/discharging or crossing, and during emergency situations or school bus safety drills unless authorized by the driver.
  - c) Video/audio recordings and pictures are not allowed to be taken by students riding District buses.
  - d) Laser pointers and other objects that can obstruct or impair the vision of the driver are not allowed to be used on school buses at any time.
  - e) Headphones must be used when listening to music, playing games or viewing content on devices. For student safety reasons, headphones must be removed when entering/exiting the bus or crossing at bus stops.
  - f) Any device being used inappropriately may be confiscated by the bus driver and returned to the student when they depart the bus. If a student continues to use their device inappropriately, a discipline referral may be submitted, and the device may be confiscated and returned only to a parent/guardian.

**\* The Gloversville Enlarged School District will not be held responsible for the loss, damage, or theft of any personal electronic device**

**C. Engage in conduct that is inconsistent with.**

Examples of insubordinate conduct include, but are not limited to, the following:

1. Failing to comply with the reasonable directions and rules established by teachers, school administrators or other school employees.
2. Demonstrating disrespect towards school personnel.
3. Repeated tardiness, truancy, or leaving school without permission.
4. Skipping detention.
5. Lying to school personnel.

#### **D. School Safety and Educational Climate (SSEC).**

As a School District in New York State, the District is required to submit to the commissioner annual reports of violent or disruptive incidents that occurred in the prior school year.

**Incident Categories** - Engaging in the following prohibited behaviors as:

Glossary of Terms Used in the Annual Reporting of Incidents Concerning School Safety and Educational Climate (SSEC)

Violent or Disruptive Incident Related Terms (1)

Violent or disruptive incident: an incident that occurs on school property of the school district, board of cooperative educational services, charter school or county vocational education and extension board, and falls under one of these categories:

1. Homicide:
  - a) any intentional violent conduct that results in the death of another person.
2. Sexual Offenses:
  - a) Forcible Sex Offenses: Sex offenses involving forcible compulsion and completed or attempted sexual intercourse, oral sexual conduct, anal sexual conduct or aggravated sexual contact, with or without a weapon including but not limited to penetration with a foreign object, rape and sodomy; or resulting from forcibly touching or grabbing another student on a part of the body that is generally regarded as private, such as buttocks, breast, genitalia.
  - b) Other Sex Offenses: Other non-consensual sex offenses involving inappropriate sexual contact, including, but not limited to, touching another student on a part of the body that is generally regarded as private, which includes, but is not limited to, the buttocks, breasts, and genitalia, removing another student's clothing to reveal underwear or private body parts, or brushing or rubbing against

another person in a sexual manner. Other sex offenses shall also include, but not limited to conduct that may be consensual or involve a child who is incapable of consent by reason of disability or because the student is under 17 years of age, provided that such term shall not include consensual sexual conduct involving only students, and/or non-students 18 years of age or under, unless at least one the individuals participating in the conduct is at least four years older than the youngest individual participating in this conduct.

3. Assault: engaging in behavior intentionally or recklessly that causes physical injury to another person with or without a weapon, in violation of school district code of conduct and falls under one of these categories:

- a) Physical Injury: means impairment of physical condition or substantial pain and includes, but is not limited to, black eyes, welts, abrasions, bruises, cuts not requiring stitches, swelling and headaches not related to a concussion.
- b) Serious Physical Injury: means physical injury which creates a substantial risk of death or which causes death or serious and protracted disfigurement or protracted impairment of health or protracted loss or impairment of the function of any bodily organ and requires hospitalization or treatment in an emergency medical care facility outside of school, including but not limited to, a bullet wound, fractured or broken bones or teeth, concussions, cuts requiring stitches and any other injury involving risk of death or disfigurement.

4. Weapons Possession:

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

§ a switchblade knife, gravity knife, pilum ballistic knife, cane sword, dagger, stiletto, dirk, razor, box cutter, metal knuckle knife, utility knife, or any other dangerous knife;

§ a billy club, blackjack, bludgeon, chukka stick, or metal knuckles;

§ a sandbag or sandclub;

§ a slingshot or slingshot;

§ a martial arts instrument, including, but not limited to, a kung fu star, ninja star, nun-chuck, or shirken;

§ an explosive, including but not limited to, a firecracker or other fireworks;

§ a deadly or dangerous chemical, including, but not limited to, a strong acid or base, mace, or pepper spray;

§ an imitation gun that cannot be easily distinguished from a real gun;

§ loaded or blank cartridges or other ammunition; or

§ any other deadly or potentially dangerous object that is used with the intent to inflict injury or death.

## 5. Material Incident of Discrimination, Harassment, and Bullying

- a) Bullying is defined as a form of unwanted, aggressive behavior that involves a real or perceived power imbalance and that is repeated, or has the potential to be repeated, over time. (4)

Please note the following “elements of bullying” do not solely determine whether an incident is material.

§ Imbalance of power: An imbalance of power involves the use of physical strength, popularity, or access to embarrassing information to hurt or control another person.

§ Repetition: Bullying typically repeated, occurring more than once or having the potential to occur more than once.

§ Intent to Harm: The person bullying has the goal to cause harm. Bullying is not accidental.

Discrimination not specifically defined in the Dignity Act. However, it would include any form of discrimination against students prohibited by state or federal law such as, for example, the denial of equal treatment, admission, and/or access to programs, facilities, and services based on the person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity), or sex. It should be noted that Educational Law §3201 and 3201-A prohibit discrimination in the form of denial of admission into or exclusion from any public school on the basis of race, creed, color, national origin, and sex.



- b) Cyberbullying: is defined as harassment or bullying that occurs through any form of electronic communication, (Ed. Law §11[8]) including, but not limited to, cell phones, computers, and tablets, or other communication tools, including social media sites, text messages, chat rooms, and websites.(See definition of harassment or bullying as defined in 5a. and Commissioner's regulation 100.2(kk)(1)(viii))
6. Bomb Threat: a telephoned, written or electronic message that a bomb, explosive, or chemical or biological weapon has been or will be placed on school property.
  7. False Alarm: causing a fire alarm or other disaster alarm to be activated knowing there is no danger, or through false reporting of a fire or disaster.
  8. Use, Possession, or Sale of Drugs: illegally using, possessing, or being under the influence of a controlled substance or marijuana, on school property or at a school function, including having such substance on a person in a locker, vehicle, or other personal space; selling or distributing a controlled substance or marijuana, on school property; finding a controlled substance or marijuana, on school property that is not in the possession of any person; provided that nothing herein shall be construed to apply to the lawful administration of a prescription drug on school property.
  9. Use, Possession, or Sale of Alcohol: illegally using, possessing, or being under the influence of alcohol on school property or at a school function. This includes possessing alcohol on a person, in a locker, a vehicle or other personal space; selling or distributing alcohol on school property or at a school function; and finding complexion tint or skin pigmentation. Color discrimination can occur within the same racial or ethnic group.
  10. School-related arrests: refers to an arrest of a student for any activity conducted on school grounds, during off-campus school activities (including while taking school transportation), or due to a referral to law enforcement by any school official. (8)
  11. Sexting: is described as the sending, receiving or forwarding of sexually suggestive nude or nearly nude photos through text messages or email. (9)
  12. Controlled substance:

**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. Accessing, viewing, using, or distributing, whether electronically or otherwise, any matter that is pornographic, obscene, or inappropriate.
2. Using vulgar or abusive language, cursing or swearing
3. A student alone or being in the company of student(s) possessing, consuming, selling, distributing or exchanging alcoholic beverages, drug paraphernalia (including vaping devices) or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, liquid THC, or other forms of THC, cocaine, LSD, PCP, synthetic cannabinoid, amphetamines, heroin, steroids, look-alike drugs, any legal drug (over the counter) or prescription that has not been prescribed to them, and any substances commonly referred to as "designer drugs," - which are substances designed and synthesized to mimic the intended effects and usages of, which are chemically substantially similar to, illegal drugs, which may or may not be labeled for human consumption.
4. Possessing any and all CBD products  
*Please note, anyone caught in possession of these items on school grounds will have this contraband confiscated and thrown away.*
5. Inappropriately using, possessing or distributing over-the-counter drugs
6. Gambling
7. Indecent exposure: that is; exposure to sight of the private parts of the body in a lewd or indecent manner
8. Initiating a false report warning of fire or other catastrophe without valid cause, misuse of an emergency call, or discharging a fire extinguisher.
9. Falsification of official school documents
10. Falsification of parent notes and excuses
11. Any conduct that would constitute a violation of section D above

**F. 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

**G. The use of Tobacco/Nicotine and/or Smoking Related Products**

Due to the health hazards associated with tobacco/nicotine, and in accordance with federal and state laws, it is prohibited for students to:

1. Use, possess, or distribute tobacco/nicotine or tobacco/nicotine related products/paraphernalia, which include but are not limited to, cigarettes, cigars, pipes, chewing tobacco, smokeless tobacco or possessing matches or lighters.  
*Please note, anyone caught in possession of these items on school grounds will have this contraband confiscated and thrown away.*
2. Use, sell, or promote tobacco/nicotine products/paraphernalia of any kind on school grounds, in school buildings, or in school owned or leased vehicles used to transport children or school personnel, or at school-sponsored events at any time
3. The District is also cognizant of the potential health hazards associated with the use of E-Cigarettes and/or vaping devices, particularly due to lack of oversight concerning the contents of vaping liquid. In accordance with State laws, the use of E-Cigarettes and/or vaping devices on District property is expressly prohibited. In addition, no student shall possess, sell, distribute or promote E-Cigarettes and/or vaping devices, or related paraphernalia, of any kind on school grounds, in school buildings, or in school owned or leased vehicles used to transport children or school personnel, or at school-sponsored events at any time.  
*Please note, anyone caught in possession of these devices and related paraphernalia on school grounds will have the items confiscated and thrown away*

**Posting of Tobacco/Nicotine Use Information**

Information related to tobacco/nicotine use shall be posted as determined by Board Policy 532.15 "The District's smoking policy shall be prominently posted in each building."

## **H. Hazing**

Hazing activities of any type are inconsistent with the educational goals of the District and are always prohibited.

1. Reprisal: The District will discipline or take appropriate action against any student, teacher, administrator, volunteer, coach or any school employee who retaliates against a person who makes a good faith report of alleged hazing or against any person who testifies, assists or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

## **I. Harassment, Discrimination and Bullying**

Dignity for All Students Act (DASA) Coordinators are assigned at the District and building levels and will be listed in all building level handbooks and posted in all district locations.

No student shall commit any act of discrimination, harassment, or bullying based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students.

## **J. Cyberbullying**

No Student shall:

1. Send or post via email, instant message, text, blog, social media, website, or other technological means, messages or images that are abusive, mean, vulgar, harassing, teasing, intimidating, threatening, obscene, sexually oriented, damaging to another's reputation, terrorizing, or illegal.
2. Post sensitive, private information/images about another person
3. Share video of students depicting classmates of fighting
4. Assume another's identity without permission (i.e. on social media sites)

**This applies to conduct both on and off school property that results in a disruption of the educational environment.** Any person taking, disseminating, transferring, or sharing obscene, sexually oriented, lewd, physical altercations or otherwise illegal images or photographs will be subject to disciplinary action, and may, in certain circumstances, be reported to local authorities.

1. Responsibilities (Bullying/Cyberbullying):

- a. This document represents the Board of Education's policy ensuring that the school environment is free from discrimination, bullying and/or harassment.
  - i. Administration shall create professional development opportunities for employees and students designed to:
    - Discourage discrimination, bullying, cyberbullying, and/or harassment
    - Raise the awareness and sensitivity of school employees to potential discrimination, bullying, cyberbullying, and/or harassment
    - Enable employees to prevent and respond to discrimination, bullying, cyberbullying, and/or harassment
    - Create guidelines relating to the development of non-discriminatory instructional and counseling methods, and requiring that at least one staff member at every school be thoroughly trained to handle human relations in the area of actual or perceived race, color, weight, national origin ethnic group, religion, religious practice, disability, sexual orientation, gender or sex

2. Protection (Bullying/Cyberbullying):

- a. Any person having reasonable cause to suspect that a student has been subject to discrimination, bullying, cyberbullying, and/or harassment by an employee or student on school grounds or during a school event who, acting reasonably and in good faith shall have immunity from any civil liability that may arise from the making of such a report to school officials, the Commissioner or law enforcement.
- b. The school District or any employee of the school District shall not take retaliatory actions against the person making the report.

## **VIII. Dignity For All Students Act (DASA)**

School employees who witness harassment, bullying, and/or discrimination or receive an oral or written report of harassment, bullying, and/or discrimination shall promptly orally notify the principal, the Dignity Act Coordinator, the superintendent, or their designee not later than one (1) school day after such employee witnesses or receives a report of harassment, bullying, and/or discrimination, and:

Such school employees shall also file a written report in a manner prescribed by the District with the principal, the Dignity Act Coordinator, the superintendent, or their designee no later than two (2) school days after making an oral report.

The superintendent, principal, Dignity Act Coordinator, or any assigned designee shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after receipt of any written reports made under Education Law section 13.

When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the superintendent, principal, Dignity Act Coordinator or designee shall take prompt action, consistent with the District's Code of Conduct including but not limited to the provisions of section 100.2(l)(2)(ii)(h), reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such behavior was directed.

Should a student or parent disagree with the determination of the Dignity Act Coordinator or their designee, they may appeal the decision as outlined in the suspension appeal section of this document.

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

The principal shall provide a regular report on data and trends related to harassment, bullying, and/or discrimination to the superintendent or the Dignity Act Coordinator. For the purpose of this subdivision, the term "regular report" shall mean at least once during each school year, and in a manner prescribed by the school district.

#### **A. Reporting of Material Incidents to the Commissioner of Education**

The District shall submit to the Commissioner of Education an annual report of material incidents of harassment, bullying, and/or discrimination, that occurred in such school year, in accordance with Education Law section 15 and this subdivision. Such a report shall be submitted in a manner prescribed by the commissioner, on or before the basic educational data system (BEDS) reporting deadline or such other date as determined by the commissioner.

Members of the school community can report Dignity for All Students Act (DASA) violations on the District website at

## **IX. Disciplinary Consequences**

The amount of due process a student is entitled to receive before a consequence is imposed depends on the conduct engaged in and/or the consequence being imposed. In all cases, regardless of the consequence imposed, the school personnel authorized to impose the consequence 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 consequence in connection with the imposition of the consequence.

Students who are to be given consequences other than an oral warning, written warning or written notification to their parents/guardians are entitled to additional rights before the consequence is imposed.

### **A. Suspension From Transportation**

1. If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the Director of Transportation's attention. The HFM Director of Transportation (or their designee) may recommend that a student who has become a disciplinary problem have their riding privileges suspended. The HFM Director of Transportation (or their designee) will work closely with the GESD building principal or superintendent, who may carry out suspension of riding privileges. In such cases, the student's parent/guardian is responsible for getting the suspended student to and from school safely. If the parent/guardian is unable to transport due to a hardship (resulting in a suspension from school), then alternative disciplinary actions may need to be considered for getting the suspended student to and from school safely.
2. 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/guardian will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the consequences involved.

### **B. Suspension From Athletic Participation, Extracurricular Activities and Other Privileges**

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

### **C. In-School Suspension**

1. The Board of Education recognizes the 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 of Education authorizes building principals 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."
2. 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/guardian will be provided with a reasonable opportunity for an informal conference and the District official imposing the in-school suspension to discuss the conduct and the consequences involved.

### **D. Suspension From School**

1. Suspension from school is a severe consequence, 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.
2. All staff members must immediately report and refer a violent student to the principal 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.
3. The suspending authority or principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

### **E. Short-Term (5 Days or Less) Suspension From School**



1. When the superintendent or principal (referred to as the “suspending authority”) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student 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/guardians in writing that the student may be suspended from school.
2. The written notice must be provided by personal delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents/guardians. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents/guardians.
3. 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/guardians of the right to request an immediate, informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents/guardians. At the conference, the parents/guardians shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.
4. The notice and opportunity for an informal conference shall take place before the student is suspended unless the student’s presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student’s presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.
5. After the conference, the principal shall promptly advise the parents/guardians in writing of their decision. The principal shall advise the parents/guardians 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.
6. The superintendent shall issue a written decision regarding the appeal within ten business days of receiving the appeal. If the parents/guardians

are not satisfied with the superintendent's decision, they must file a written appeal to the Board of Education with the District clerk within ten business days of the date of the superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Final decisions of the Board of Education may be appealed to the Commissioner within 30 days of the decision.

#### **F. Long-Term (More Than 5 Days) Suspension From School**

1. When the superintendent determines that a suspension for more than five days may be warranted, the superintendent shall give reasonable notice to the student and the student's parents/guardians 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 their behalf.
2. The superintendent shall personally hear and determine the proceeding or may, in their discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only and the superintendent may accept all or any part thereof.
3. An appeal of the decision of the superintendent may be made to the Board of Education that will make its decision based solely upon the record before it. All appeals to the Board of Education must be in writing and submitted to the District clerk within ten business days of the date of the superintendent's decision, unless the parents/guardians can show that extraordinary circumstances preclude them from doing so. The Board of Education may adopt in whole or in part the decision of the superintendent. Final decisions of the Board of Education may be appealed to the Commissioner within 30 days of the decision.

#### **G. Referrals**

1. **Counseling and/or Support Services**, as indicated by teacher, principal and/or PST.

2. **PINS Diversion/Petitions** – The District may file a PINS (Person In Need of Supervision) petition in Family Court on any student under the age of 16 who demonstrates that they require supervision and treatment by:
  - a) Being habitually truant and/or absent for 18 or more days without a valid excuse as well as, at the secondary level, failing two or more subjects as a result of the absences.
  - b) Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
  - c) Unruly and/or defiant behavior at home can, at parental request, also result in a PINS petition being filed.
3. **Juvenile Delinquents and Juvenile Offenders** –
  - a) The superintendent is required to refer the following students to the county attorney for a juvenile delinquency proceeding before the Family Court:
    - (1) Any student under the age of 16 who is found to have brought a weapon to school, or
    - (2) 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.

## **X. Alternative Instruction**

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

of instruction for the student. A plan for instruction must be provided by the teacher removing the student from class. Removal for suspension will be immediately followed by arrangements for alternative instruction.

## **XI. Discipline of Students With Disabilities**

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board of Education also recognizes that students with disabilities are entitled to certain procedural protections whenever school authorities intend to impose discipline upon them. The Board of Education 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.

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) A “suspension” means a suspension pursuant to Education Law §3214.
  - b) A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an Interim Alternative Educational Setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself/herself, herself or others.
  - c) An “IAES” means temporary educational placement for a period of up to forty-five 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 their current educational placement as follows:

- a) The Board of Education, the District (BOCES) superintendent of schools 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.
  - b) The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to ten consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (1.1) 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 student would be subject to suspension for the same behavior.
  - c) The superintendent may order additional suspensions of not more than ten 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.
  - d) Students with disabilities who have been suspended or removed from their current placement for more than ten school days may, as determined by the CSE, be placed in an IAES which is the temporary education setting other than the student's current placement at the time the behavior precipitating the IAES placement occurred.
3. Additionally, the District may seek an order from a hearing officer for a change in placement of a student with a disability to an appropriate IAES for up to forty-five school days if the District establishes, in accordance with law, that such student is substantially likely to injure himself/herself or others. There are three specific instances when a student with a disability may be placed in an IAES for up to forty-five school days without regard to a manifestation determination.
- a) Where the student carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the District; or **"Weapon"** 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.

- b) Where a student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or a school function under the jurisdiction of the District; or **“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.
  - c) Where a student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the District. Serious bodily harm has been defined in law to refer to one of the following:
    - (1) Substantial risk of death;
    - (2) Extreme physical pain; or
    - (3) Protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
  - d) School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with a disability who violates a code of student conduct.
4. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing student or others. officer may order the placement of a student with a disability in an IAES setting for up to forty-five days at a time, if maintaining the student in their current education placement poses a risk of harm to the

## **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 ten consecutive school days; or
  - b) For a period of ten 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 ten 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.
3. However, the District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

### **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 ten 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 their current educational placement for more than ten school days in a school year is subject 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 the CSE believes 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) Manifestation Determination

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

- (1) By the superintendent to change the placement to an Interim Alternative Educational Setting (IAES)
- (2) By an Impartial Hearing Officer (IHO) to place the student in an IAES
- (3) By the Board of Education, District (BOCES) superintendent, superintendent, or building principal to impose a suspension that constitutes a disciplinary change of placement.

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

The manifestation team shall review all relevant information in the student's file including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians to determine if the conduct in question was caused by or had a direct and substantial relationship to the student's disability, or the conduct in question was the direct result of the District's failure to implement the IEP.

c) Finding of Manifestation

If it is determined, as a result of this review, that the student's behavior is a manifestation of their disability, the CSE shall conduct a functional behavioral assessment and implement or modify a behavioral intervention plan. Unless the change in placement was due to behavior involving serious bodily injury,



weapons, illegal drugs or controlled substances, the student must be returned to the placement as part of the modification of the behavioral intervention plan.

d) No Finding of Manifestation

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

e) Provision of Services Regardless of the Manifestation Determination

Regardless of the manifestation determination for subsequent suspensions or removals for ten consecutive school days or less that in the aggregate total more than ten school days in a school year but do not constitute a disciplinary change of placement, and for suspensions or other disciplinary removals in excess of ten school days in a school year which do not constitute a disciplinary change.

2. The parents/guardians 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/guardians 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/guardians 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 their 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/guardians 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/guardians 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 divided into a guilt phase and a consequence 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 ten consecutive days or for a period that would result in a disciplinary change in placement, unless the Committee on Special Education 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 their 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 their current education 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/guardians 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. The school District shall arrange the expedited due process hearing according to the following time period, unless the parent and school District agree in writing to waive the resolution meeting or agree to use mediation:
  - a) A resolution meeting shall occur within seven days of receiving notice of the due process complaint.
  - b) The expedited due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of receipt of the due process complaint.
  - c) The expedited due process hearing shall occur within 20 school days of the date the complaint requesting the hearing is filed.
  - d) The impartial hearing officer shall make a determination within 10 school days after the hearing.
3. No extension to an expedited impartial hearing timeline may be granted. The impartial hearing officer shall mail a copy of the written, or at the option of the parents, electronic findings of fact and the decision to the parents, to the board of education and the Office of Special Education of the New York State Education Department within 10 school days after the hearing.

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

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

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

## **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.

### **A. Physical Intervention**

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 building crisis intervention plan will be implemented to assist

Each building in GESD has trained staff in physical interventions through the Handle with Care Training method

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

### **XIII. Transportation**

#### **A. Transportation Purpose and Objective**

Pupil transportation is a necessary service and integral part of the total educational program. The time students spend on busses exerts an important influence on their physical and mental conditions which said students bring to the classroom. The major objectives of the pupil transportation program are to:

1. Provide safe transportation
2. Operate an efficient and economical transportation system
3. Adapt transportation to the requirements of the instructional program
4. Maintain conditions on the busses which are conducive to the best interests of students including mental, moral, and physical considerations

#### **B. Rationale**

1. The school bus is considered an extension of the school; therefore, the safety and welfare of all pupils riding school buses is a major responsibility of the school District. Bus discipline, in order to be effective, must be a cooperative effort involving the transportation department, administrators, parents/guardians and pupils.

### **C. Roles and Responsibilities**

1. Transportation personnel will receive orientation on a regularly scheduled basis regarding general discipline, pupil behavior, pupil rights, bus rules and disciplinary procedures.
2. Bus drivers, teachers and administrators will be responsible for orienting pupils on a regularly scheduled basis regarding bus behavior.
3. Pupils will be under the authority and supervision of the bus driver while on the bus and will always be expected to adhere to the posted bus expectations and driver directions.
4. Bus expectations and regulations will be published and distributed to parents/guardians, pupils and bus drivers, and they will be posted on every bus.
5. Pupils who are disorderly and insubordinate will be subject to disciplinary actions.
6. Disciplinary action for misbehavior on buses will be the responsibility of building administrators, in collaboration with the Director of Transportation (or their designee).
7. Disciplinary action will be reasonable and administered in a progressive manner with pupil's rights to due process guaranteed.
8. The principal or the Director of Transportation (or their designee) will be responsible for notifying parents/guardians of disciplinary actions resulting from bus referrals in order to obtain their support and cooperation.

### **D. Bus Expectations**

1. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior in accordance with the Code of Conduct.
2. In addition, students are required to adhere to the following expectations while riding the school bus:
  - a) Follow the directions of the Driver
  - b) Stay in your seat

- c) No foul language or rude behavior
  - d) Keep all body parts and objects to yourself and inside the bus
  - e) No eating or drinking on the bus
  - f) No tobacco/nicotine products, illegal substances, vaping devices or paraphernalia, or hazardous materials on the bus
  - g) D.O.T. regulations prohibit aerosol cans, glass containers and flammable substances on the bus
  - h) Perfumes/colognes shall not be used on school buses
  - i) Cell phones and other electronic communication devices shall not be used to bully, discriminate, threaten, harass or denigrate other students or school personnel.
  - j) Devices may not be used while boarding/discharging or crossing, and during emergency situations or school bus safety drills unless authorized by the driver.
  - k) Video/audio recordings and pictures are not allowed to be taken by students riding District buses
  - l) Laser pointers and other objects that can obstruct or impair the vision of the driver are not allowed to be used on school buses at any time
  - m) Any devices that are being used inappropriately may be confiscated by bus drivers and returned to the students when they depart the bus. If a student continues to use their device inappropriately, a discipline referral may be submitted, and the device may be confiscated and returned only to a parent/guardian.
  - n) The school District will not be held responsible for the loss or theft of any personal electronic device.
  - o) Unless the bus driver has received prior authorization informing him/her of a transportation change, all students shall be picked up and discharged at their assigned bus stop
3. Upon receipt of a written referral, the principal or Director of Transportation (or their designee) will conduct a pupil conference.

4. If a pupil denies the allegations against him/her, the principal or Director of Transportation (or their designee) will conduct an investigation into the matter.
5. A conference with the building principal, the Director of Transportation (or their designee), and the parent/guardian may be scheduled for chronic bus discipline infractions to develop an intervention plan for the student.
6. The District reserves the right to assign student seating on school buses for safety, efficiency or disciplinary reasons.

### **E. Violations of the Expectations**

If a student is in violation of the expectations listed above, it may result in the following consequences:

1. Warning
2. Assigned seat
3. Parent phone call
4. Bus suspension
5. Restitution for damages

Parents may request a transportation conference if a bus suspension is assigned. Transportation conferences may also be utilized for students accumulating 10 bus referrals and 20 days of bus suspension during a school year.

Requests for long-term suspensions (more than five days) will require a transportation conference conducted by the superintendent or his designee (assistant superintendent or Director of Student Support Services).

A copy of the bus discipline referral, along with a bus disciplinary letter, will be sent home to explain the situation, outline the consequences, and ask for parent/guardian support.

### **F. Unauthorized Entry on Buses**

1. For safety and security reasons, unauthorized persons are not allowed to board or ride a school bus at any time, unless prior approval has been received from the transportation department. This includes parents/guardians, daycare providers, siblings and underage children.



## **XIV. Athletic Code of Conduct**

- A. Student athletes must adhere to the Athletic Code of Conduct which is a separate document. The Athletic Code of Conduct is in addition to and does not replace the Students Code of Conduct. Any discipline imposed under the Athletic Code of Conduct does not preclude additional discipline or consequences under the Student Code of Conduct.

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

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary consequence on a student may question a student about an alleged violation of law or the District Code of Conduct. School officials are not required to contact a student's parent/guardian before questioning the student.

In addition, the Board of Education authorizes the superintendent or their designee, building principals or their designee, the school nurse and District security officials to conduct searches of students, their vehicles 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. For students found to be in possession of drugs, drug paraphernalia, e-cigarettes or vaping devices, or vaping paraphernalia, the search may include conducting a field test to ascertain the chemical nature of the contents found. This is done, in part, due to the safety risks posed by the contents if ingested.

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

An authorized school official may search a student, their vehicle or the student's belongings based upon information received from a reliable informant. Individuals, other than the District employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, they make an admission against their own interest, they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student, their vehicle or the student's belongings, the authorized school official should allow the student an opportunity to admit that they possess physical evidence that they violated the law or the District Code of Conduct or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

#### **A. Documentation of Searches**

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search as part of the record of the investigation:

1. Name, age and grade of student search
2. Reasons for the search
3. Name of any informant(s)
4. Purpose of search (that is, what item(s) were being sought)
5. Type and scope of search
6. Person conducting search and their title and position
7. Witnesses, if any, to the search
8. Time and location of search
9. Results of search (that is, what item(s) were found)
10. Disposition of items found
11. 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 their designee shall clearly label each item taken from the student and retain control of the item(s), until the item(s) are turned over to the police. This principal or their designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

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

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials,

however, have limited authority to interview or search students in schools or at school functions or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; 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
  - a) Before police officials are permitted to question or search any student, the building principal or their 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 above requirement does not apply to a School Resource Officer acting to assist the school administration in any school investigation.*

- b) 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.
- c) Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:
  - (1) They must be informed of their legal rights
  - (2) They may remain silent if they so desire
  - (3) They may request the presence of an attorney

## **XVI. Visitors to Schools**

The Board of Education encourages parents/guardians and other District community members or District personnel to visit the District's schools and classrooms to support 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 their 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:

- A. Anyone who is not a regular staff member or student of the school will be considered a visitor.
- B. All employees in school buildings will wear their GESD ID badges.
- C. All visitors to the school must report to the main office or designated area upon arrival at the school. All visitors must present photo identification which will be screened by our visitor management system (RAPTOR). Each visitor will be issued a visitor's identification badge, if the visitor does not already have a District ID, which must be worn at all times while in the school or on school grounds. The visitor must sign out at the main office or designated area before leaving the building.
- D. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register, but are required to remain in the location of the activity.
- E. Parents/guardians or citizens who wish to visit a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s) and will be permitted at the discretion of the building principal or designee in order to keep class disruption to a minimum.
- F. Teachers are not expected to take class time to discuss individual matters with visitors.
- G. Any unauthorized person on school property will be reported to the principal or their designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
- H. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.
- I. No students will be removed from school prior to the end of the school day unless they are signed out in the office as per school procedures.
- J. Administrative permission must be granted to meet with a student during the school day or at school sponsored events.

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

The District is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, "public" shall mean all persons on school property or attending a school function including students, teachers and District personnel.

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.

There will be no re-entry without administrative authorization, for anyone who exits the gates of Husky Field, GHS Stadium, or school buildings after games, plays or concerts have begun.

No outside food items will be allowed into our venues and student backpacks are prohibited at games, concerts and plays without administrative authorization.

All scholars in Pre-K through grade 8 must be accompanied by an adult. One adult may be responsible for up to 5 children. The accountable adult need not be a parent or guardian to all, but this adult will be responsible to escort a child off campus, if the need arises.

## **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. Disrupt the orderly conduct of classes, school programs or other school activities
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others or are disruptive to the school program

5. Intimidate, harass or discriminate against any person on the basis of actual or perceived race, color, creed, national origin, religion, age, gender, sexual orientation or disability on school grounds or at a school function
6. Enter any portion of the school premises or remain in any building or facility without authorization
7. Obstruct the free movement of any person in any place to which this code applies
8. Violate the traffic laws, parking regulations or other restrictions on vehicles
9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances or be under the influence of either on school property or at a school function
10. Use of all nicotine and tobacco products, including vape pens, are prohibited on district property.
11. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or as specifically authorized by the school District
12. Loiter on school property
13. Gamble on school property or at school functions
14. Refuse to comply with any reasonable order of identifiable school district officials performing their duties
15. Willfully incite others to commit any of the acts prohibited by this code
16. Violate any federal or state statute, local ordinance or Board of Education policy while on school property or while at the school functions

## **B. Consequences**

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

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 arrest.

2. **Students:** They may be subject to counseling, or to disciplinary action as the facts may warrant.

### **C. Enforcement**

1. The building principal and all staff members are responsible for enforcing the conduct required by this code. When the building principal or any other staff member sees an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, the principal or their designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop.
2. The principal or their 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 their 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.
3. The District shall initiate disciplinary action against any student, as appropriate, with the "Consequences" section above. In addition, the District reserves the right to pursue a civil or criminal legal action against any person violating the code.

## **XVIII. Dissemination and Review**

### **A. Dissemination of Code of Conduct**

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

1. Ensuring a Code of Conduct Summary Document is made available to each student/parent of the District via a student/ParentHandbook, or electronic copy is available on the district website
2. Providing a link on the District website ([Gloversville Enlarged School District](#)) to the Code of Conduct document (Link to a translation tool is available on website).
3. Making copies of the Code of Conduct available for review by students, parents/guardians and other community members

## **B. Review of 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 of Education will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently.

The Board of Education 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, parent organization, school safety personnel and other school personnel.

Before adopting any revisions to the code, the Board of Education will hold at least one public hearing at which school personnel, parents/guardians, students and any other interested party may participate. A change in the name and/or contact information of any Dignity Act Coordinator will not constitute a revision of the Code of Conduct so as to require public hearing.