

# **Owen D. Young Central School Code of Conduct**

## **I. Introduction**

The Owen D. Young Central School District Board of Education is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services. An individual's safety includes physical, social, psychological and moral. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

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

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

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

## **II. Definitions**

For purposes of this code, the following definitions apply:

"Disability" means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques, or (b) a record of such an impairment, or (c) a condition regarded by others as such an impairment.

"Employee" means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title 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.

"Gender" means actual or perceived sex and includes a person's gender identity or expression.

"Harassment" means 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 his or her physical safety; such conduct, verbal threats, intimidation or abuse 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 origin, ethnic group, religion, religious practice, disability, sexual orientation, sex, gender (including gender identity and expression) or any other legally protected status.

“School function” means any school-sponsored event or activity on or off school property.

“School property” means any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of the school district, or in or on a school vehicle.

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

### **III. Essential Partners**

The school’s Code of Conduct gives a set of responsibilities and guidelines for each of the members of our school community.

#### *A. Parents*

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules, program mandates, and graduation requirements and help their children understand them.
8. Maintain and convey to their children a supportive attitude toward education and the district.
9. Build good relationships with teachers, counselors, other parents, and their children’s friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and homework assignments are completed.
13. Participate actively in their children’s education.
14. All parents are expected to participate in meetings in a constructive, respectful and safe manner. It is expected that all parties involved with a meeting will adhere to the behaviors that will lead to an environment where this happens.

*B. Teachers and other school staff*

1. Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status, which will strengthen each student's self-concept and promote confidence to learn.
2. Are prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement
4. Know school rules, and enforce them in a fair and consistent manner
5. Communicate to students and parents:
  1. Course objectives and requirements
  2. Marking/grading procedures
  3. Assignment deadlines
  4. Expectations for students
  5. Classroom discipline plan
6. Communicate regularly with students, parents, counselors, psychologists, and other teachers concerning student growth and achievement.'
7. Initiate parent/student/teacher/counselor/psychologist conference, as necessary, as a way to resolve a problem.
8. 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.
9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention in a timely manner.

*C. Non-Instructional and other school staff*

1. Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status, which will strengthen each student's self-concept and promote confidence to learn.
2. Are prepared to perform their job duties.
3. 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.
4. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
5. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention in a timely manner.



#### *D. Counselors/Psychologists*

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor/psychologist conferences as necessary and parent/teacher/student/counselor/psychologist conferences, as necessary, as a way to resolve problems.
3. Review educational progress and career plans with each student.
4. Report information to a school administrator which might impact a safe, orderly school environment.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Participate in crisis management.
7. Refer students and/or parents to appropriate human service agencies outside the school.
8. Assess student social and emotional behaviors.
9. Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status, which will strengthen each student's self-concept and promote confidence to learn.
10. 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.
11. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
12. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a counselor's/psychologist's attention in a timely manner.

#### *E. Principals*

1. Promote a safe, orderly and stimulating school environment, supporting teaching and learning.
2. Ensure that students, staff, and parents have the opportunity to communicate regularly with the principal.
3. Evaluate all instructional programs on a regular basis.
4. Support the development of, and student participation in, appropriate extracurricular activities.
5. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
6. Ensure regular communication with law enforcement agencies.
7. Initiate parent/student/teacher/counselor/psychologist conferences, as necessary, as a way to resolve a problem.
8. Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status,



which will strengthen each student's self-concept and promote confidence to learn.

9. 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.
10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
11. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a principal's attention in a timely manner.

F. *Superintendent*

1. Promote a safe, orderly and stimulating school environment, supporting teaching and learning.
2. Review the policies of the Board and state and federal laws relating to school operations and management with district administrators.
3. Ensure that staff and parents have the opportunity to communicate with the superintendent.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators, when appropriate, in reinforcing the code of conduct to ensure that cases are resolved promptly and fairly.
6. Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status, which will strengthen each student's self-concept and promote confidence to learn.
7. 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.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the superintendent's attention in a timely manner.

G. *Board of Education*

1. Adopt, review at least once a year, and modify as appropriate, the code of conduct.
2. Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status, which will strengthen each student's self-concept and promote confidence to learn.

3. 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.
4. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
5. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a board member's attention in a timely manner.

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

The district is committed to safeguarding the rights given to all students under state and federal law. Each member of the school community should be treated fairly and equally. We also believe that each member of the community should accept and fulfill appropriate responsibilities, and, in so doing individuals will come to value resultant privileges. Responsibility is inherent in the exercise of every right and it must be emphasized that lack of responsibility means a weakening of rights.

##### **IT IS THE STUDENT'S RIGHT TO:**

- Attend school in the district in which his/her parent or legal guardian resides.
- Take part in all district activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation, or disability.
- Accept that school will be an orderly place for all students to gain an education.
- Be respected as an individual.
- Have the opportunity to formally express and resolve his/her grievances.
- Be able to communicate with the Board of Education.
- Present their version of the relevant events to school personnel.
- Have a right to reasonable privacy of that person and his/her property in school.
- Have student's records available for inspection upon request of parent, legal guardian or student if eighteen years of age or older.
- Be represented by an active school government selected by free election.
- Have access to information, individuals and agencies providing assistance to students concerning substance abuse and/or severe personal problems.
- Have individualized information regarding graduation requirements and programs to access progress toward graduation.

- Be free from discrimination and harassment on school property or school functions including but not limited to the educational program, activities, or admission policies of their school. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, gender (including gender identity and expression) or any other legally protected status.

#### **IT IS THE STUDENT'S RESPONSIBILITY TO:**

- Attend school daily, except for legal absences and be in class on time, and prepared to learn.
- Be aware of graduation requirements and programs in order to use and develop capabilities to the maximum.
- Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
- Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
- Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
- Avoid participation in any discriminatory practices.
- Abide by school rules and, when necessary, receive an explanation of those rules from school personnel.
- Accept disciplinary penalty in connection with the imposition of the penalty.
- Positively and respectfully react to directives given by teachers, administrators and other school personnel.
- Address all staff members with appropriate titles and last names (e.g., Mr. Smith, Mrs. Jones, Ms. Carter).
- Express their opinions and ideas in a respectful manner so as not to offend, slander or restrict the rights of others, and work to develop mechanisms to control their emotions.
- Pursue informal discussion to resolve any grievances before moving to a formal stage.



- Know their rights as stated in this code of conduct and accept the consequences of his/her behavior and accept responsibility for their actions.
- Be aware of actions which constitute serious and dangerous wrongdoing and refrain from such acts (e.g., possession of contraband, drugs, etc.)
- Take an active part in the student government by running for office, conscientiously voting for the best candidates, making his/her concerns known to the representatives and supporting their decisions.
- To seek information and advice on those situations where the student feels a need.
- Seek help in solving problems that might lead to discipline.
- Honestly and responsibly express his/her opinions about course materials and procedures.
- Dress appropriately for school and school functions.
- 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.
- Comply with masks regulations when required by school rules, administration, or teachers.

## V. Eligibility Policy (*Suspended - not effective for 2021-22 school year*)

A student is eligible to participate if he/she is a student of the Owen D. Young Central School District. Students will be evaluated by their academic teachers every five weeks.

- A. **Warning** – (one subject) A student who is academically deficient in one subject will be considered as being warned of potential ineligibility if their grade is not passing within five weeks. If the student is failing the same subject in five weeks they will be placed on probation.
- When failing one subject the student will meet with the guidance counselor and/or teacher to review his/her case. They will agree in writing to an academic plan. This plan will be signed and filed in the guidance office. Students will be provided a copy to take home to parents.
- B. **Partially Ineligible** – (Two Subjects) A student who is academically deficient in two or more subjects will be declared ineligible to participate in any extracurricular activities for two weeks.
- Students will have two weeks to demonstrate academic growth. They will have a brief meeting with the guidance counselor to develop a contract for academic improvement. This contract will require students to seek out the teacher(s) whose subjects they are failing. This plan will be signed by the student and a copy will be provided to the students.
  - During this time the students will be allowed to participate in practices; however, he/she will not be allowed to participate in games or performances. He/she is ineligible to participate in other activities such as school dances or club activities.
  - Ineligibility runs from the day after progress reports or reports until the same day two weeks later.

- C. **Eligibility Review:** A student who is putting their best effort forth and demonstrating academic growth (at least a 65 average over the two weeks) in the courses identified will achieve a satisfactory rating. The student will then be removed from the Partially Ineligible list. A student not doing homework, not participating in class or failing to demonstrate academic growth, should be given an unsatisfactory rating by the teacher.
- If the student receives an unsatisfactory rating in either of the identified courses the student will become fully ineligible for the remainder of the season. This will result in removal from the team and a continuation of ineligibility from extra-curricular activities until the next progress report/report card is issued.
- D. **Eligibility Communication:** The guidance department will prepare and distribute a report to faculty, administration, coaches and advisors that contains the list of students who are failing two or more courses (partially ineligible) at each of the five (5) and ten (10) week periods. They will also distribute the “fully ineligible” updates after two week periods of partial ineligibility.
- For the fall season the last report card of the previous school year will be used. Students will be held accountable for courses failed. If a student attends summer school for a failed class and passes the summer school grade will be used in this calculation. The “warning” and “partially ineligible” periods for students failing 1 or more subjects in the fall will begin on the first day of school.
  - On the day that the second week ends the teachers are expected, by 8:15 am, to email the guidance counselor, athletic director and the principal if the student is going to receive an unsatisfactory rating. An email should only be sent for students who are receiving an unsatisfactory rating. All other students will be assumed to be in good standing.
  - By 3 pm that day guidance will create a fully ineligible list that will be distributed to coaches and faculty.
  - Guidance will also contact the parents of any fully ineligible students being removed from activities.
  - Appeals, in regards to eligibility, should be addressed to the building principal.

## VI. Student Dress Code

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting. *Student Dress Code will be enforced during any and all school functions including virtual instruction.*

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

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments such as tube tops, midriff baring garments, net tops, halter tops, spaghetti straps, shirts with less than a 1” shoulder strap, short shorts, very short skirts, skirts with inappropriately high slits, plunging necklines (front and/or back), see-through garments and sunglasses (inside the building) are not appropriate. If students wear inappropriate garments to school which violate the school’s Code of

Conduct, the student will be required to change the garment in question. Refusal to change will be a violation of Student Code of Conduct and be dealt with as insubordination.

3. Ensure that underwear is completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not include the wearing of hats, bandanas, hoods or other headgear in the school except for a medical or religious purpose.
6. Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability or any other legally protected status.
7. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

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

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. In such situations the parent/guardian will be notified. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out-of-school suspension.

## **VII. Expected and Prohibited Student Conduct**

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

The best discipline is self-imposed and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

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



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

**A. Engage in conduct that is disorderly.** Examples of disorderly conduct include:

1. Running in hallways.
2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act which disrupts the normal operation of the school community.
6. Students are not permitted to be in any area of our school building without supervision and permission from an administrator or staff member.
7. Computer/electronic communications misuse and includes any unauthorized use of computers, software, or Internet/Intranet account and accessing inappropriate websites and/or any other violation of the district's acceptable use policy.
8. Electronic/ electronic musical devices or cell phones are to be used only for educational purposes when permitted by faculty/administration.

**B. Engage in conduct that is insubordinate or disruptive.** Examples of insubordinate conduct include:

1. Failing to comply with the reasonable directions of teachers, school administrators, chaperones or other school employees.
2. Lateness for classes, missing classes or leaving school without permission.
3. Skipping detention.

**C. Engage in conduct that is violent.** Examples of violent conduct include:

1. Committing an act of violence (physical, verbal or psychological) upon another student, a teacher, administrator or other school employee or any other person lawfully on school property.
2. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
3. Displaying what appears to be a weapon.

4. Threatening to use any weapon.
  5. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
  6. Intentionally damaging or destroying school district property.
- D. Engage in any conduct that endangers the safety, morals, health or welfare of students, staff or others.** Examples of such conduct include:
1. Lying to school personnel.
  2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
  3. Defamation includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
  4. Discrimination includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.
  5. Harassment means 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 his or her physical safety; such conduct, verbal threats, intimidation or abuse that includes but are 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, sex or any other legally protected status.
  6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort; for example, "play" fighting, extortion of money, overt teasing, etc.
    - a. Bullying, this includes verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. Bullying may be premeditated or a sudden activity. Bullying may be subtle or easy to identify. Bullying may be done by one person or a group. Bullying may be a single act or a series of occurrences. Bullying includes, but is not limited to, the following types:

- b. Verbal bullying includes but is not limited to name calling, insulting remarks, verbal teasing frightening phone calls, violent threats, extortion, taunting, gossip, spreading rumors, racist slurs, anonymous notes, etc.
- c. Physical bullying includes but is not limited to poking, slapping, hitting, tripping or causing a fall, choking, kicking, punching, biting, pinching, scratching, spitting, twisting arms or legs, damaging clothes and personal property, taking personal belongings without permission, or threatening gestures.
- d. Social or relational bullying includes but is not limited to excluding someone from a group, isolating, shunning, spreading rumors or gossiping, arranging public humiliation, undermining relationships, teasing about clothing, blatant or subtle offensive body language, extortion, intimidation, coercion, etc.
- e. “Internet bullying” (also referred to as “cyber bullying”) means a form of harassment/bullying which occurs via electronic communication on the Internet, on cellular phones or other electronic media. Cyber-bullying can involve, but is not limited to; sending mean, vulgar, or threatening messages or images; posting sensitive, private information about another person; pretending to be someone else in order to make that person look bad. Cyberbullying involving District students may occur both on campus and off school grounds.
- f. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
- g. “Hazing” means a form of harassment among students defined as any humiliating or dangerous activity expected of a student to join a group or be accepted by a formal or informal group, regardless of their willingness to participate. Hazing produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur. Hazing behaviors include, but are not limited to, the following general categories:
  - 7. Humiliation: socially offensive, isolating or uncooperative behaviors.
  - 8. Substance abuse: abuse of tobacco, alcohol or illegal/legal drugs.
  - 9. Dangerous hazing: hurtful, aggressive, destructive, and disruptive behaviors.
  - 10. Selling, using or possessing obscene material.



11. Using vulgar or abusive language, cursing or swearing.
12. Possessing, consuming, selling, distributing or exchanging nicotine, alcoholic beverages or illegal substances, or being under the influence of either or possessing drug paraphernalia on school property or at school functions. "Illegal substances" include, but are not limited to, inhalants (vaping), marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs (including synthetic cannabinoids), and any substances commonly referred to as "designer drugs."
13. Inappropriately using or sharing prescription and over-the-counter drugs.
14. Possessing, consuming, selling, attempting to sell, distributing, or exchanging "look-alike drugs" (including synthetic cannabinoids); or, possessing or consuming (without authorization), selling, attempting to sell, distributing or exchanging other substances such as dietary supplements, weight loss pills, etc.
15. Gambling, Gaming.
16. Indecent exposure, that is, exposure to sight of the private parts of the body (in a lewd or indecent manner.)
17. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
18. Using or possessing laser lights or laser pens.
19. Violating gender privacy when using school restroom facilities.
20. Retaliation means when any employee, student, or visitor mistreats any person because he/she reported in good faith, testified about, or otherwise assisted in an investigation, proceeding or hearing related to alleged harassment or bullying. It is possible that an alleged harasser may be found to have retaliated if the underlying complaint is not found to be a violation of this policy. Retaliation, includes, but is not limited to any form of intimidation, reprisal or harassment and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment.
21. Non-compliance with mask regulations and school rules.

**Engage in misconduct while on a school bus.** It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.

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

Plagiarism

*These guidelines have been adapted from recommendations by the English Department at Purdue University.*

Plagiarism is the unacknowledged use of somebody else's idea or words. In most schools, especially colleges and universities, students must be familiar with the school's dishonesty policy, as plagiarism may have serious consequences, including expulsion from school.

What actions might be seen as plagiarism?

- Buying, stealing, or borrowing a paper
- Hiring someone to write your paper
- Copying from a source without citing
- Use of someone's ideas without citing

Cheating

How do we define cheating or academic dishonesty?

1. Receiving or providing information during a test or for a test given in an earlier period.
2. Using material on tests when the teacher has not given permission to do so.
3. Violating the teacher's testing rules and procedures.
4. Using somebody else's writing (word for word—or almost word for word) and saying it is your own. (Plagiarism). Or using somebody else's ideas and saying they are your own and not giving credit.
5. Using or copying another student's assignment to turn in as your own work.
6. Allowing other students to use your work on assignments with the exception of specific group, lab, or collaborative projects.
7. Altering records
8. Destruction or theft of another's honest work or academic effort
9. Assisting another student in any of the above actions

## **VIII. 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. Providing a public hearing prior to approval
2. Providing copies of a summary of the Code to all students, in age-appropriate, plain language version, at a general assembly held at the beginning of each school year.
3. Making copies of the Code available to all parents at the beginning of the school year.
4. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the code as soon as practicable after adoption.

5. Providing all new employees with a copy of the current Code of Conduct when they are first hired.
6. Making copies of the Code available for review by students, parents, and other community members and provide opportunities to review and discuss this Code with the appropriate personnel.

The Board of Education will sponsor an in-service education program for all District staff members to ensure the effective implementation of the Code of Conduct. The Superintendent may solicit the recommendations of the District staff, particularly teachers and the building principal, regarding in service programs pertaining to the management and discipline of students.

The Board of Education, via a committee of representative stakeholders, will review this Code of Conduct and update it as necessary. In conducting the review, the Board will consider how effective the code's provisions have been and whether the Code has been applied fairly and consistently.

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

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

The District shall post the completed Code of Conduct (with all amendments and annual updates) on the District's website. The District shall file a copy of its Code of Conduct and any amendments with the commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.

## **IX. Reporting Violations**

All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, the superintendent or his or her designee in order to maintain a safe environment for our school community. Any student observing a student acting in an unsafe manner on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the superintendent.

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

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



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

#### **A. Reporting Harassment and Bullying**

The District will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment and bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment and bullying.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator. The staff member/administrator to whom the report is made (or the staff member/administrator who witnesses or suspects bullying/cyberbullying behavior) shall investigate the complaint, document and take appropriate action to include, as necessary, referral to a supervisory authority and/or other official designated by the District to investigate allegations of harassment and bullying within a reasonable amount of time. Referrals may be made to ANY higher level of supervisory authority. All complaints of alleged harassing, bullying and/or retaliatory conduct will be promptly investigated in accordance with the terms of District policy and shall be treated as confidential and private to the extent possible within legal constraints.

All complaints of alleged harassing, bullying and/or retaliatory conduct shall be:

- i. promptly investigated in accordance with the terms of district policy;
- ii. forwarded to the program's Dignity Act Coordinator for monitoring; and
- iii. treated as confidential and private to the extent possible within legal constraints.

The District's designated Dignity Act Coordinators are:

| Name                | Position                   | Contact Information                          |
|---------------------|----------------------------|--|
| <u>Alicia Soper</u> | <u>Guidance Counselor</u>  | <u>315-520-7062</u> <u>asoper@odycsd.org</u> |
| <u>Cory Pike</u>    | <u>Assistant Principal</u> | <u>315-858-0729</u> <u>cpike@odycsd.org</u>  |

## **X. Disciplinary Penalties, Procedures and Referrals**

### **Procedures and Referrals**

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

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

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

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

#### **A. Penalties**

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

1. Oral warning – any member of the district staff
2. Written warning and notification to parent – bus drivers, teacher aides, teacher assistants, coaches, teachers, guidance counselor, principal, superintendent
3. Detention - teacher assistants, teachers, principal, superintendent
4. When after school detention is assigned, the student will receive one day's notice.
5. Suspension from transportation – director of transportation, principal, superintendent
6. Suspension from athletic participation – coaches, principal, superintendent
7. Suspension from social or extracurricular activities – principal, superintendent
8. Suspension from other privileges – principal, superintendent
9. In-school suspension – principal, superintendent
10. In-school suspension will be assigned to a student if a student's behavior substantially disrupts the learning environment of others. Otherwise, it is understood that the student will receive either lunch detention or after school detention.
11. Removal from classroom by teacher – teachers, principal, superintendent
12. Short-term (five days or less) suspension from school – principal, superintendent
13. Long-term (more than five days) suspension from school – superintendent, board of education
14. Permanent suspension from school – superintendent, board of education

## **XI. Minimum Periods of Suspension**

1. *Any student, other than a student with a disability, found guilty of bringing a weapon onto school property* will be subject to suspension from school for at least one calendar year.
2. *Students who commit violent acts other than bringing a weapon onto school property* shall be subject to suspension from school for at least five (5) days.
3. *Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom,* will be suspended from school for at least five days. For purposes of this Code of Conduct, "repeatedly substantially disruptive" means engaging in conduct that results in the students being removed from the classroom by the teacher(s), pursuant to Education Law §3214 and this code on multiple occasions.
4. *Students who are possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or is under the influence of either,* will be suspended from school for at least five days unless otherwise determined by the superintendent.

## **XII. Referrals**

### **1. Counseling**

The Guidance Office shall handle all referrals of students to counseling.

### **2. PINS Petition**

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

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.
- c. Knowingly and unlawfully possessing marijuana in violation of Penal Law §221.05. A single violation of §221.05 will be a sufficient basis for filing a PINS petition.

### **PINS Diversion/ Intake Program**

This is a voluntary program designed to divert students out of the family court system. It is for sixty days or with permission of the judge may be extended an additional sixty days. The goal is to correct/ resolve the inappropriate behavior/ problems within the four months.

### **3. Juvenile Delinquents and Juvenile Offenders**

The superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:



- a. Any student under the age of 16 who is found to have brought a weapon to school, or
  - b. Any student 14 or 15 years old who qualifies for juvenile offender status
- The superintendent is required to refer student's age 16 or older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

### **XIII. Remedial Responses to Violations of the Code of Conduct**

Students who violate this Code may also be subject to remedial action as the facts may warrant, including any of the measures listed below:

- a. peer support groups; corrective instruction or other relevant learning or service experience;
- b. supportive intervention;
- c. behavioral assessment or evaluation;
- d. behavioral management plans, with benchmarks that are closely monitored; and/or
- e. student counseling and parent conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation may also be utilized. These strategies may include:

- a. school and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- b. adoption of research-based prevention programs;
- c. modification of schedules;
- d. adjustment in hallway traffic and other student routes of travel;
- e. targeted use of monitors;
- f. staff professional development;
- g. parent conferences;
- h. involvement of parent-teacher organizations; and/or
- i. peer support groups.

### **XIV. Corporal Punishment**

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

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

- 1. Protect oneself, another student, teacher or any person from physical injury.
- 2. Protect the property of the school and others.

3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts.

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

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

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of "Miranda" type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

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

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

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or 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 or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

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

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

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

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

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

### **A. Prohibited Conduct**

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of class, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation, disability, or any other reason.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange nicotine products, alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

### **B. Penalties**



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

- Visitors will have their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
- Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
- Employees may be subject to disciplinary measures as detailed by law and as dictated by the facts.

## **XVII. CLASS SKIPS**

Each time a student skips a class, he will be called to the office. The total number of skips accumulated is based on all classes rather than on any single class. For example, a student's first skip may be in English, a second in Math, and a third in Social Studies.

ALL SKIPS: One (1) detention for the first cut. One (1) day of in-school suspension for subsequent offenses.

1. A zero will be given for any test or class work missed as the result of a class skip. Students should be given the opportunity to get homework assignments and
2. Parents will be notified of a class skip.
3. The student will be responsible for all material covered in the class skipped and any assignment that may have been given.

## **XVIII. USE OR POSSESSION OF ALCOHOL, NICOTINE, E-CIGARETTES AND/OR DRUGS**

### **Procedure:**

If a teacher suspects that a student is under the influence of or in possession of alcohol, nicotine, e-cigarettes and/or drugs, the following procedure shall be followed:

1. Immediately contact an administrator and request that he come to the classroom.
2. The administrator will escort the student to the office.
3. The nurse will be called to evaluate the possible danger to the student's health.
4. The student and student's possessions will be searched.
5. The student's parents will be called to apprise them of the situation.
6. The police will be called to notify them of the situation.
7. If the student is guilty of an infraction, the discipline code will be followed.
8. If it cannot be determined that the student is guilty of an infraction, the situation will be discussed with the student and the student's parents to prevent similar situations from occurring in the future.

### **Consequences:**

Students found under the influence of alcohol and/or drugs will be subject to the following consequences:

- a. Involvement of Police Department
- b. Immediate contact with parent or guardian
- c. 5-day out of school suspension
- d. Recommendation to substance abuse counseling program; agreement to begin counseling during suspension may reduce length of out of school suspension to 3 days.

## **XIX. STUDENT GRIEVANCE PROCEDURE**

Students will be given an opportunity to be heard on complaints and grievances they may have. On issues affecting the student body, students should discuss the matter with their student government representative before appealing to the school administration.

Individual complaints and grievances should be handled according to the following guidelines:

### **Informal Process**

Students should first make every effort to resolve difficulties directly with those involved and with the appropriate teacher or staff member. Students may appeal to the superintendent who has the final determination on such matters.

For resolution of matters where appeal procedures are outlined in the law, such as school suspensions, the legal course of action will be followed.

The resolution of student complaints, including those alleging any action prohibited by Title IX and/or Section 504 of the Rehabilitation Act, shall be dealt with according to Board Policy for those types of complaints. The school business official is the school's Title IX and Section 504 Compliance Officer.

## **XX. DETENTION**

As a result of violations of the behavior code, students may be assigned to detention. The following conditions will apply:

1. Students may be expected to complete satisfactorily a written assignment about their violation of the behavior code during the detention period.
2. No talking, eating, sleeping or recreational activities are allowed during the detention period.
3. A student who does not comply with these rules will be assigned additional detention periods or in-school suspension.

## **XXI. IN-SCHOOL SUSPENSION**

## **Purpose of In-School Suspension**

1. To provide disciplinary measure as an alternative to out-of-school suspension.
2. To provide a more positive disciplinary measure aimed at helping the misbehaving student by allowing him/her to atone for improper school behavior while utilizing the suspension time to work on school studies.
3. To introduce more personal guidance counseling to students with behavioral problems.

## **Guidelines for In-School Suspension**

When it becomes necessary, as per the district discipline policy, for a student(s) to be placed on in-school suspension, the following guidelines will be in effect:

1. The hours of in-school suspension will be the length of the school day. Students desiring breakfast will eat before in-school suspension begins. Students will not be allowed to go to their lockers after in-school suspension begins.
2. In-school suspension will focus on school work during the hours of suspension. There will be two (2) 3-minute lavatory breaks during the day, one mid-morning (10 a.m.) and one mid-afternoon (1 p.m.)
3. Lunch will be taken during one of the designated time periods.
4. Students assigned to in-school suspension for the first time for certain offenses (e.g., excessive display of affection) may be assigned a modified in-school in the in-school suspension room. These students will serve an additional after-school detention. These students will be escorted to and from their classes. All other rules and procedures of in-school suspension will be followed.
5. Students assigned to in-school suspension more than twice will be referred to the guidance counselor for assistance regarding in-school behavior.
6. Any insubordinate behavior during or related to the in-school suspension program will result in additional in-school suspension or out-of-school suspension. Some examples of insubordinate behavior are:
  - Refusing to do school work during in-school suspension
  - Sleeping during in-school suspension
  - Talking during in-school suspension
  - Reporting late to in-school suspension at any time
  - Failure to report to in-school suspension when assigned
  - Insubordinate behavior during the in-school suspension day
  - Any other violations of the discipline policy
7. When possible, in-school suspension will be assigned in advance allowing for planning of school work.
8. Parents will be notified when their child receives one or more consecutive days of in-school suspension.



9. Students assigned to in-school suspension will be ineligible for all in-school and after school activities on that day.

All in-school suspension assigned to students will be served. If in-school suspension is missed for legal reasons, it will be reassigned on the next available day that in-school is scheduled. If it appears that a student is deliberately avoiding the in-school suspension with absences, then out-of-school suspension of up to five (5) days will be instituted, and a Superintendent's Hearing may be scheduled.

## **XXII. NICOTINE PRODUCTS**

The use or possession of nicotine products is not permitted on school property. Any student who is caught smoking, vaping or chewing tobacco on school property will receive consequences according to the discipline policy. Since students do not carry tobacco products with them unless they intend to use them, all tobacco products will be confiscated by school staff and reported to administration.