

CODE OF CONDUCT

BYLAW REGARDING STUDENT CONDUCT AND DISCIPLINE

The following bylaw is enacted in accordance with the Regulations and the Commissioner of Education, Part 100.2(l).

Section 1: Bill of Rights and Responsibilities of Students

Students in this district shall have the rights afforded to students under the provisions of the Federal and State constitutions and the laws of the State of New York. Although the rights of students are not identical to the rights of adults, it is recognized that a student's private, non-school sponsored and non-program related conduct cannot be regulated unless the educational community is affected by such conduct.

Responsibilities

A student shall not act in such a manner which disrupts the rights of others or which causes disorder or invades the rights of others.

A school is a place of learning. Learning involves the expansion of knowledge as well as acting in a manner considerate of the rights and feelings of others. Students learn from each other. Students must be conscious that younger students follow the leadership of upper class students. Such examples should enhance the school environment.

Students are expected to show respect for faculty and other members of the school community. A relationship based upon respect creates a harmonious environment.

Section 2: Discipline Code for Student Behavior

A student shall be subject to disciplinary action in relation to the following:

1. Being under the influence of an alcoholic beverage, drinking an alcoholic beverage, or in possession of an alcoholic beverage on school premises (including buildings or grounds) or on a bus going to or from a school function or a school-sponsored function. Alcoholic beverages shall mean and include alcohol, spirits, liquor, wine, beer and cider having alcoholic content.
2. The use, possession, sale or gift of any drug or controlled substance, or other paraphernalia (such as a pipe or syringe) while on school premises (including buildings or grounds) or on a bus going to or from a school function or school sponsored function. Excepted is any drug taken in accordance with a current prescription signed by a physician, which is to be taken by that particular student at the time in question.
3. Stealing, lying, cheating, plagiarism, or other acts of dishonesty.
4. Verbal or physical intimidation.
5. Fighting or causing physical harm to another.
6. Disrespect toward an employee or fellow student.
7. Possession or use of firearms or destructive devices.
8. Possession or use of knives or other weapons.
9. Failure to comply with the directions of a teacher, administrator or other school employee.
10. Engaging in acts of sexual harassment as defined in the district's sexual harassment policy.
11. Using in words, clothing, or signs, profane, lewd, vulgar, abusive language or words that may incite or offend another person.
12. Selling, using or possessing obscene material.
13. Lateness for, missing, or leaving school or class without permission or an excuse given by a faculty member.
14. Any willful act that disrupts the normal operation of the school community.
15. Smoking a cigarette, cigar or pipe, or using chewing or smokeless tobacco on school premises (including buildings or grounds) or on a bus going to or from a school function or a school-sponsored function.
16. Throwing snowballs, or the like.
17. Endangering the health, safety, morals, or welfare of others.
18. Violating the District's internet policy.
19. Public display of affection.

Section 3: The Range of Penalties

The range of penalties which may be imposed for the conduct set forth in Section 2 is as follows:

1. Verbal warning;
2. Written warning;
3. Written notification to parent;
4. Counseling;
5. Probation;
6. Reprimand;
7. Detention;
8. Alternate Instruction;
9. Suspension from transportation;
10. Suspension from athletic participation;
11. Suspension from social or extracurricular activities;
12. Suspension of other privileges;
13. Exclusion from a particular class;
14. Involuntary transfer, or
15. Suspension upon instruction.

Note: Students who are either suspended or assigned to Alternative Instruction are to be excluded from all school sponsored extracurricular and social activities during their disciplinary action.

Any suspension from attendance upon instruction for violation of any subsection of Section 2 may be imposed only in accordance with Education Law § 3214(3).

The type and extent of punishment for violations of all sections except Section 2 subsection (7) shall be determined by the building principal or superintendent. Disciplinary measures shall be appropriate to the seriousness of the offense and, where applicable, to the previous disciplinary record of the student.

In accordance with Gun Free Schools Act, the punishment for violation of section 2 subsection (7) shall be suspension from attendance upon instruction for a period of not less than one year, unless the superintendent shall determine to modify such punishment. The superintendent's determination shall be on a case-by-case basis.

The term "firearm" as used in Section 2 subsection (7) shall mean any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer, or any destructive device. The term "destructive device" means any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or any device similar to any of those devices already described in this paragraph. Except that "destructive device" shall not mean any device not designed or redesigned for use as a weapon.

Section 4: Role of Teachers, Administrators, and Parents

Teachers, administrators, board members and parents each have a role in the discipline code. The teacher shall report all violations of the code to the teacher's administrator. The teacher should be aware of the provisions of the code and, if in doubt regarding the code, explanations should be sought from the teacher's administrator. Teachers are expected to interpret the code for students and to give a consistent interpretation of the code.

Administrators have first line responsibility to ensure that the code is followed and enforced. Administrators shall conduct the appropriate investigation to determine if the code has been violated and, if violated, shall act in accordance with this bylaw and the laws applicable to the situation. The administrator shall interpret the code for staff members and, where advisable, request the assistance of the faculty, district employees, students, and parents of the student.

Parents are requested to give assistance to the teaching staff and administration in administering the code when requested. Parents should be aware of the code.

Board of Education members shall advise the Superintendent of any suggested changes in the code and community feelings regarding the code. The members of the Board of Education shall be available to provide a speedy hearing of any appeal of a suspension under the provisions of Educational Law § 3214 (3).

Section 5: Publications and Explanation

The rights and responsibilities of students (Section 1), the discipline code (Section 2) and the range of penalties (Section 3) shall be publicized and explained to students and provided in writing to all parents on an annual basis. The time of the explanation and the manner of publication shall be determined by the superintendent. Each year the Superintendent shall advise the Board of Education in writing of the matter and extent of the publication and explanation