

The Schenectady City School District Student Code of Discipline

I. INTRODUCTION

The Schenectady City School District Board of Education believes that every student should be treated as a person who can reasonably be expected to take responsibility for his or her own behavior. The Board recognizes that both parents and school staff should help the students learn this responsibility. The Schenectady City School District Board of Education believes our staff members are sensitive personnel who have sound judgment and will act fairly in carrying out these policies. This manual sets forth the District's policy with respect to how students are expected to behave when participating in school activities, and how the District will respond when students fail to behave in accordance with these expectations.

The purpose of this policy is to assist students to monitor their behavior. Discipline, in the school setting, should be supportive rather than punitive. In order to achieve these ends, it is important that the rules, and their application, be both consistent and flexible, so that all students feel they have been fairly treated, in view of the circumstances in each case.

Discipline is most effective when it deals directly with the problems at the time and place it occurs, and in a manner that is viewed as fair and impartial by the student. Therefore, before seeking outside assistance, teachers should first use all their resources to create a change of behavior in the classroom. Only if the teacher has made every effort to bring about positive behavioral change, and has been unsuccessful, should the student be referred to the administration. School personnel should communicate with parents about their children's behavior, and the school's response, and encourage parents to be actively involved in the discipline process.

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

DEFINITIONS

"Disruptive Student"

For the purposes of this code of conduct, a disruptive student is any elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's rules for classroom behavior.

"Violent Student"

A violent student means a student under the age of 21 who:

1. Commits an act of violence upon a school employee, or attempts to do so.
2. Commit, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.

5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

GENERAL PRINCIPLES

1. Discipline is the positive direction of behavior toward established standards of conduct, fully understood and based on reason, judgment and the rights of others.
2. Ideally, discipline is self-directed and self-controlled. The school, community and parents share the responsibility for helping students develop self-discipline.
3. Discipline is necessary to assure an orderly environment in which each person may live and learn to his/her full capabilities in harmony with others.
4. When self-control falters and self-discipline fails, disciplinary measures must be imposed to protect the rights of others.
5. In the Schenectady City School District, as in the community at large, certain rules and procedures are established to guide students through constructive growth and into mature adulthood. The rules and procedures are basically the same from kindergarten through grade 12. It is expected that the age, maturity, and developmental level of the student will be taken into account when enforcing this code. Parents, teachers and others responsible for the welfare and education of these students must cooperate to interpret and enforce these rules.
6. That parents will make themselves available in emergencies and contact the school when they have questions and concerns.
7. That parents will encourage and lead their children in the development of proper study habits at home.
8. That parents will take an active interest in their children's education by visiting the school and work for the success and improvement of the school program.
9. That parents will help their children understand the need to adhere to the policy.
10. That parents will treat school personnel with proper respect.

EXPECTATIONS

The development of self-disciplined behavior must be a cooperative activity on the part of the student, parent and school staff. Each of these groups can expect certain things of the other, as set forth below.

What Student and Parents Can Expect of the School

1. That competent, well-prepared teachers will serve as positive role models and will teach that to students.
2. That students and parents will be informed of the teachers' and the schools' academic and behavioral expectations.
3. That school personnel will communicate regularly with parents concerning their children's schooling.
4. That students will have the opportunity to attend school in a safe, well-controlled setting that is conducive to learning.

5. That students will be respected as individuals and be challenged to grow by experiencing a variety of interesting instructional activities or techniques.
6. That school personnel will respect the role of parents and appreciate the values being taught to children at home.
7. That parents will be welcome in school and will be provided with an opportunity to play a meaningful role in the schools.
8. That all students will have equal access to programs.
9. That students will be prepared for competent adult life by being taught how to acquire and process information.
10. That students will be recognized for their contributions to the school and community.

What the Schools Expect of Parents

1. That parents recognize that the education of their child (ren) is a joint responsibility of parents and the school community.
2. That parents ensure their child (ren) attend school regularly, are on time and ready to participate and learn.
3. That parents ensure absences are for legal reasons.
4. That parents support and enforce the district's dress code.
5. That parents help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
6. That parents know school rules and help their children understand them.
7. That parents convey to their children a supportive attitude toward education and the school district.
8. That parents build good relationships with teachers, other parents, school staff and their children's friends.
9. That parents help their children deal effectively with peer pressure.
10. That parents inform the school officials of changes in the home situation that may affect student conduct or performance.
11. That parents provide a place for study and ensure homework assignments are completed.
12. That parents or persons in parental relationship with the student will report to the main office, and sign in at the main office identifying the purpose of their visit.

What the Schools Expect of Students

1. Students will contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and school property.
2. Students will be familiar with and follow all district policies, rules and regulations dealing with student conduct.

3. Students will attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Students will work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. Student will respond to direction given by teacher, administrators and other school personnel in a respectful, positive manner.
6. Students will develop skills to control their anger.
7. Students will ask questions when they do not understand and seek help in solving problems that might lead to referrals and discipline.
8. Students will follow the school dress code.
9. Students will accept responsibility for their actions.
10. Students will 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.

Student Dress Code

1. Students' dress, grooming and appearance, including hair style/color, jewelry, make-up and nails will be safe, appropriate and not disrupt or interfere with the educational process.
2. Students will not wear brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments.
3. Students will ensure that underwear is completely covered with outer clothing.
4. Student will wear appropriate footwear at all times. Footwear that is a safety hazard will not be allowed, which includes but is not limited to steel tip boots, slippers, and heels of an unsafe height.
5. Students will not wear headwear in school except for a medical or religious purpose.
6. Students will not wear items that are vulgar, obscene, and libelous or items that denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
7. Students will not wear clothing that promotes and/or endorses the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
8. Students will not wear any clothing deemed to be gang related, included but not limited to bandanas, colors or flags.
9. Students will not wear coats inside during the school day.

II. RULES AND CODE OF ETHICS FOR COMPUTER USERS

The Schenectady City School District has completed the first phase of its technology plan. Every school has at least one new computer lab and library media center. We are pleased to offer students access to the district computer network for curriculum software, electronic mail (e-mail) and the Internet. To gain access to curriculum software, e-mail and the Internet, all students under the age of 18 must obtain parental permission and must sign and return this form to your homeroom teacher. Students 18 and over may sign their own forms

Access to e-mail and the Internet will enable students to explore thousands of libraries, databases, and bulletin boards while exchanging messages with Internet users throughout the world. Families should be warned that some material accessible via the Internet may contain items that are illegal, defamatory, inaccurate or potentially offensive to some people. While our intent is to make Internet access available to further educational goals and objectives, students may find ways to access other materials as well. We believe that the benefits to students from access to the Internet, in the form of information resources and opportunities for collaboration, outweigh any disadvantages. We will use technology to filter out Internet sites that are clearly inappropriate, but ultimately, parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using media information sources. The Schenectady City School district supports and respects each family's right to decide whether or not your child can take advantage of the resources on the Internet.

District Internet and E-Mail Rules

Students are responsible for proper behavior on school computer networks just as they are in the classroom or school hallways. Students should understand that the District's disciplinary code will be applied to computer, e-mail, and Internet use.

The network is provided for students to conduct research and communicate with others for authorized educational purposes and school sponsored activities. The network is NOT intended for commercial use or to disrupt the educational process. Access to network services is given to students who agree to act in a responsible and considerate manner. Parental permission is required. Access entails responsibility and is a privilege – not a right.

Network administrators may review files and communications to maintain system integrity and insure that users are using the system responsibly. Students should expect that any work done on district computers may be subject to review by the District.

III. BILL OF STUDENTS RIGHTS AND RESPONSIBILITIES

A. Participation in School Activities

All students have the following rights:

1. To have the opportunity to take part in all district activities on an equal basis regardless of race, sex, national origin, creed, or disabilities.
2. To have due process rights applied in accordance with New York State and Federal Education law.
3. To address the Board of Education on the same terms as any citizen.

B. Records

The Family Education Rights and Privacy Act of 1974 (FERPA) requires the school district to protect a student's privacy. The school district will not disclose any information from the student's permanent records except as authorized pursuant to FERPA, or in response to a subpoena, as required by law. The parent or legal guardian of a student under 18 years of age, or a student 18 years of age or older, is entitled to access the student's school records by submitting a written request to the building principal. Further information concerning the disclosure of student information and limitations on such disclosure may be found in FERPA and school district policy adopted pursuant thereto.

C. Freedom of Expression

1. Students are entitled to express their personal opinions verbally, in writing, or by symbolic speech. The expression of such opinion, however, shall not interfere with the freedom of others to express themselves. Written expression of opinion must be signed by the authors. Any form of expression that involves libel, slander, the use of obscenity and personal attacks aimed at groups or individuals or that otherwise disrupts the educational process is prohibited.
2. Student participation in the publication of student newspapers, yearbooks, literary magazines and similar publications is encouraged by the Schenectady City School District as a learning and educational experience. These publications have qualified faculty advisors and strive to meet high standards of journalism. Opportunities for a broad spectrum of opinions are provided.
3. Students are entitled to approach an administrator and/or teacher to have their concerns heard, and addressed.

No person shall distribute any printed or written materials on school property without the prior permission of the school principal. To obtain such permission, the person wishing to distribute the material shall provide a copy to the building principal, with a written request that the principal gives permission for its distribution. This written request shall contain a brief statement of when, where, and how the material is to be distributed. The principal shall decide whether or not to give permission within two working days of the date of submission, and shall notify the applicant in writing of the decision.

D. Lockers and Desks

1. Students' lockers, coat racks, coat rooms and desks, provided by the school district, are purchased, furnished and maintained by the school district and remain the property of the school district. However, the school district is not responsible for books, clothing or valuables left in lockers or in desks. A student shall not place, keep or maintain in a school-owned locker or desk any article or material which is of a non-school nature or may cause the disruption of the lawful mission of the school.
2. The following rules shall apply to the search of school property assigned to a specific student and the seizure of illegal items found therein:
 - a) Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers. School authorities for any reason may conduct periodic general inspections of lockers at any time without notice, without student consent, and without a search warrant.
 - b) Individual searches of lockers and desks may be conducted under the authorization of the building administrator.
 - c) Items which are prohibited on school property, or which may be used to disrupt or interfere with the educational process, may be removed from student lockers or desk by school authorities.

E. Off Campus Events

Students at school-sponsored off campus events shall be governed by all the rules and regulations of the school and are subject to the authority of school officials. Failure to obey the lawful instructions of school officials shall result in a loss of eligibility to attend

school-sponsored off campus events and may result in additional disciplinary measures in accordance with the disciplinary code contained in this policy manual.

F. Discipline

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. 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:

- ~~///~~ The student's age
- ~~///~~ The nature of the offence and the circumstances which led to the offence
- ~~///~~ The student's prior disciplinary record
- ~~///~~ The effectiveness of other forms of discipline
- ~~///~~ Information from parents, teachers, and/or other, as appropriate
- ~~///~~ Other extenuating circumstances

IV. TEACHER REMOVAL OF A DISRUPTIVE STUDENT

A. Teacher Guidelines for Removal of a Disruptive Student

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

1. A student, who engages in disruptive behavior in the classroom, shall be notified by the teacher that his/her behavior does not comply with the district's Code of Conduct. The teacher will direct the student to cease the disruptive behavior. If the student continues disruptive behavior, the teacher will notify the student that their behavior continues to disrupt the classroom and they should report to the appropriate administrator for the remainder of the period on the secondary level and forty-five minutes on the elementary level. The teacher will provide the administrator with a written referral that indicates the actions that constituted the exclusion of the student from class by the end of the school day. Administrator will take appropriate actions based on the teacher's discipline referral form.
2. Upon student's return to the classroom, if the student engages in disruptive behavior again, the teacher will inform the student that their behavior is disruptive and to cease such behavior. Should the student continue to be disruptive, the teacher will direct the student to leave the classroom and report to the appropriate administrator. The teacher may have the administrator take action on the matter or may inform the student that they are removed from class for the following day on the secondary level or for the remainder of the day on the elementary level. The teacher shall provide the student with an explanation of the basis for the removal, provide a referral for the administrator and allow the student to informally present the student's version of the relevant events at an appropriate time designated by the teacher within twenty-four hours of the student's removal. The teacher will also make a reasonable effort to inform the parents/guardians of the student's removal.

Should the student at any time in this process begin to shout, use profanity not directed at any particular individual, the teacher should include these facts in the referral to the administrator. The teacher may have the administrator determine the appropriate action to be taken or the teacher may remove the student from class for

two days on the secondary level or for the remainder of the day and half of the following day on the elementary level. The teacher shall provide the student with an explanation of the basis for the removal and allow the student to informally present the student's version of the relevant events at the appropriate time designated by the teacher within twenty-four hours of the student's removal. The teacher will make a reasonable effort to inform the parents/guardians of the events and the student's removal.

Should the student at any time in this process continue the unmodified misbehaviors, use profanity and refuse to leave the classroom as directed by the teacher, the teacher will include these facts in the referral to the administrator. The teacher may confer with the administrator to determine the appropriate action to be taken or the teacher may remove the student from the class for three days on the secondary level or for the remainder of the day and all of the following day on a elementary level. If the principal deems that out of school suspension is warranted, this will fulfill the teachers request for removal for that three day period. The teacher shall provide the student with an explanation of the basis for the removal and allow the student to informally present the student's version of the relevant events at an appropriate time designated by the teacher within twenty-four hours of the student's removal. The teacher will make a reasonable effort to inform the parents/guardians of the events and student's removal from the class and may request a conference with the parents/guardians.

3. The teacher must complete a district-established disciplinary referral form and submit it to the appropriate school district administrator, no later than the end of the school day. If the principal or designee is not available by the end of the same school day, the teacher must leave the form in a designated location. Should the administrator need additional information, the administrator may request that they meet with him or her at a time convenient to both.

B. Administrative Guidelines for Teacher Removal of Disruptive Student

1. Within 24-hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents, in writing, or by telephone, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.
2. The principal may require the teacher who ordered the removal to attend the informal conference.
3. If at the informal meeting the student denies the charges, the principal or the principal's designee and or the teacher, will explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.
4. The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:
 - a. The charges against the student are not supported by substantial evidence.
 - b. The student's removal is otherwise in violation of law, including the district's code of conduct.
 - c. The conduct warrants suspension from school pursuant to Education Law 3214 and suspension will be imposed.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming, with class work until he or she is permitted to return to class.

V. Students with a Disability

To the extent permitted by State and Federal law and regulations, students identified as a student with a disability by the Committee of Special Education shall be in all respects subject to this policy in the same manner as all other students except as noted below:

1. Students, who have an Individualized Educational Plan (IEP) that includes a Functional Behavior Plan (FBP), will be disciplined in accordance with the guidelines of the FBP. If the FBP is not effective or if there is concern for the health and safety of the student or others, the matter will be referred to the Committee on Special Education (CSE).

2. Students for whom the IEP does not include a specific FBP may be disciplined in accordance with the Schenectady City School District Code of Conduct.

If a student is being placed in an interim alternative educational setting, the Committee on Special Education will meet to make a determination of services.

If there is a superintendent's hearing, the student will be referred to the CSE for a determination as to whether the infraction was a result from the handicapping condition. If so, an FBP will be developed or modified.

If school officials believe that a child with a disability is likely to injure self or others in the child's regular placement, they may request an impartial hearing in order to ask that the student be placed in an interim alternative educational setting.

If a student identified as having a disability is suspended in the course of the school year for a total of eight days, such student will be referred to the CSE for reconsideration of the student's educational placement. Such a student may not be suspended for a total of more than ten days during a school year without the specific involvement of the CSE prior to the 11th day of suspension, because such suspensions are considered to be a change in placement.

3. The CSE shall meet within seven (7) school days of notification of any of the following,
for the purpose of considering a change in placement for the student involved:

- a) The commission of an infraction by a student with a disability which resulted in a suspension in excess of 5 days or more, so that a nexus hearing can be convened.
- b) The commission of any infraction by a student with a disability regardless of whether the student has previously been suspended during the school year, if, had such infraction been committed by a non-disabled student, the administration would seek to impose a suspension in excess of five (5) days.

VI. DISCIPLINARY PROCEDURES AND RESPONSE

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's staff
2. Written warning-bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, principals, Superintendent
3. Written notification to parent-bus drivers, hall and lunch monitors, coaches, Guidance counselors, teachers, principal, Superintendent
4. Detention-teacher, principal, Superintendent
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 of other privileges—principal, Superintendent
9. In-school suspension—principal, Superintendent
10. Teacher removal from classroom by teacher—teacher (1-3 days)
11. Short-term (five days or less) suspension from school—principal,
12. Long-term (more than five days) suspension from school-Superintendent, Board of Education
13. Permanent suspension from school—Superintendent, Board of Education

Procedures:

Students who are given penalties other than an oral warning, written warning or written notification to their parents, are entitled to additional rights before the penalty is imposed. The following procedures will be followed when students are given penalties other than an oral warning:

1. Detention-

Teachers and principals may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would not be appropriate. Detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

2. Suspension from transportation-

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. A written bus conduct report will be provided to the building principal. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the Superintendent or their designee.

3. Suspension from athletic participation, extra curricular activities and other privileges-

A student subject to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law S3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.

4. In-School Suspension-

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law S3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

Prohibited conduct, and acceptable district responses to such conduct, are set forth in the student discipline code included in this manual.

In all disciplinary matters, students have the opportunity to present their version of the facts and circumstances that lead to the imposition of disciplinary sanctions to the professional staff member imposing such sanctions.

A student may be suspended from instruction only after his/her rights pursuant to Education Law 3214 as set below have been observed.

When suspension in excess of five days is the appropriate response to student behavior, the student and his/her parent or guardian have certain rights set forth in the Educational Law of the State of New York and in school district policy promulgated pursuant thereto. Briefly, these rights are: (a) to be given written notice as to the charges pending against the student, (b) to be represented by counsel,(c) to be afforded a hearing by the Superintendent of Schools or a designated hearing officer, (d) to present witnesses and other evidence in his/her own behalf and to cross examine witnesses against him/her, (e) to appeal the decision of the Superintendent of Schools after the hearing to the Board of Education, and (f) to appeal from the decision of the Board of Education to the Commissioner of Education of the State of New York.

Level System

The intent of these levels is to carry out a discipline procedure that relates to the severity of the action. The procedure is not intended to be punitive but to impose a response that will effect a change in behavior. It will not always be clear that a particular infraction is a specific level, therefore, it will be up to the teacher or administrator involved to determine the appropriate response. Teachers and administrators will use professional judgement when selecting the response. The following examples of disciplinary occurrences have been identified as being levels 1-4.

LEVEL 1:

Minor misbehavior on the part of the student, which impedes orderly classroom procedure or interferes with the orderly operation of the school.

EXAMPLES

- ~~///~~ Classroom or in-school disturbance
- ~~///~~ Cutting class (first instance)
- ~~///~~ Attire which endangers the student or which disrupts the education process

- ~~///~~ Inappropriate display of affection
- ~~///~~ Disrespectful language or gestures
- ~~///~~ Cheating or lying
- ~~///~~ Bus disturbance
- ~~///~~ Non-defiant failure to complete assignments or carry out directions
- ~~///~~ Tardiness
- ~~///~~ Lack of respect
- ~~///~~ Unreasonable noise
- ~~///~~ Cafeteria misbehavior
- ~~///~~ Misbehavior on school property
- ~~///~~ Abuse of school or personal property and equipment
- ~~///~~ Abusive language
- ~~///~~ Non-academic use of computer
- ~~///~~ Inappropriate use of computer materials and supplies
- ~~///~~ Using another's computer password
- ~~///~~ Disruptive classroom behavior

PROCEDURES

These acts can usually be handled by an individual staff member but sometimes require the intervention of other school support personnel. They will be handled as follows:

- ~~///~~ Immediate intervention is required by the staff member who is supervising the student or who observed the misbehavior.
- ~~///~~ Repeated misbehavior may require a parent/teacher conference, a conference with the counselor or a conference with an administrator.
- ~~///~~ A proper and accurate record of the offenses and disciplinary action is maintained as appropriate by the staff member who imposes the discipline and may constitute student removal from class for one day.

RESPONSES:

Some or all of the following responses may be used depending on the severity of the inappropriate behavior:

- ~~///~~ Alternative Learning Packet (Detention or In-School Suspension)
- ~~///~~ Lunch Detention
- ~~///~~ Extended Day Program:
 - ~~///~~ Campus/Community Service
 - ~~///~~ Remain after school with a designated teacher
 - ~~///~~ Restoration of damaged property
- ~~///~~ Tutorial Opportunity
- ~~///~~ Teacher removal from class for one day
- ~~///~~ Verbal reprimand
- ~~///~~ Special assignment
- ~~///~~ Parent conference (in person or phone)
- ~~///~~ Counseling
- ~~///~~ Withdrawal of privileges
- ~~///~~ Time-out
- ~~///~~ After school detention

LEVEL 2:

Frequent or serious misbehavior that tends to disrupt the learning climate of the school and requires the intervention of an administrator because the application of Level 1 disciplinary options has failed to correct the situation. Included in this level are misbehaviors which do not represent a direct threat to the health and safety of others but whose educational consequences are serious enough to require corrective action on the part of the administrator.

EXAMPLES:

- ~~///~~ Continuation of unmodified Level I misbehavior
- ~~///~~ Disruptive classroom behavior which cannot be immediately corrected
- ~~///~~ Insubordination
- ~~///~~ Cutting classes (repeated instances)
- ~~///~~ Truancy
- ~~///~~ Repeated tardiness
- ~~///~~ Smoking
- ~~///~~ Using forged notes or excuses
- ~~///~~ Gambling
- ~~///~~ Failure to serve detention
- ~~///~~ Trespassing in another's computer work, folder or files

PROCEDURES:

These acts are usually the result of the continuation of Level I behaviors and will be handled as follows:

- ~~///~~ The teacher makes a reasonable effort to contact the parent, either in writing or by the phone, to advise the parent of the situation. The student is referred to the administrator for an appropriate disciplinary action.
- ~~///~~ The administrator meets with the student and/or teacher and decides the most appropriate response, which may include a parent conference.
- ~~///~~ The teacher and the parents are informed of the administrator's action unless the teacher and administrator agree it is proper for the teacher to impose the discipline and notify the parent.
- ~~///~~ A proper and accurate record of the offense and the disciplinary action and support services offered is maintained by the administrator.

RESPONSES:

Some or all the following responses may be used depending on the severity of the inappropriate behavior:

- ~~///~~ Alternative Learning Packet (Detention or In-School Suspension)
- ~~///~~ Lunch Detention
- ~~///~~ Extended Day Program:
 - ~~///~~ Campus/Community Service
 - ~~///~~ Remain after school with a designated teacher
 - ~~///~~ Restoration of damaged property
- ~~///~~ Tutorial Opportunity
- ~~///~~ Teacher removal from class for two days
- ~~///~~ Referral to office
- ~~///~~ Parent-teacher/parent-administrator conference
- ~~///~~ Behavior contract
- ~~///~~ Exclusion from extra-curricular activities
- ~~///~~ In-school suspension
- ~~///~~ Teacher/schedule change
- ~~///~~ Suspension up to five days
- ~~///~~ Referral to outside agency
- ~~///~~ Counseling/referral for psychological evaluation
- ~~///~~ Withdrawal of computer usage privileges and/or Intranet privileges and/or Internet privileges

The penalty for insubordination, at any grade level, shall be suspension for a period deemed appropriate in the circumstances, unless it can be demonstrated by the administrator to the Deputy Superintendent, that an exception should be made in the specific case involved. The exceptions to the suspensions will be reported to the Board of Education by the Superintendent periodically.

LEVEL 3:

Acts directed against persons or property but whose consequences do not seriously endanger the health or safety of others in the schools.

- ~~///~~ Continuation of unmodified Level I and II misbehavior
- ~~///~~ Leaving school without authority
- ~~///~~ Fighting
- ~~///~~ Stealing
- ~~///~~ Minor vandalism
- ~~///~~ Throwing rocks or other harmful objects
- ~~///~~ Reckless driving on school property
- ~~///~~ Threats to others
- ~~///~~ Setting off firecrackers, poppers, caps
- ~~///~~ Use of obscene language or gestures
- ~~///~~ Violation of alcohol and drug policy
- ~~///~~ Violation of the imitation gun policy
- ~~///~~ Unauthorized copy of material found on school computer
- ~~///~~ Violation of copyright laws
- ~~///~~ Plagiarism

PROCEDURES:

These acts most frequently can be handled by the disciplinary mechanism in the school. Corrective measures, which the school should undertake, however depend on the extent of the school's resources for remediating the situation in the best interest of all students.

Those acts, which violate the law, will be referred to the appropriate law enforcement office. In addition, acts at this level will be handled as follows:

- ~~///~~ The administrator initiates disciplinary action by investigating the infraction and conferring with staff on the extent of the consequence.
- ~~///~~ The administrator meets with the student and confers with the parent about the student's misconduct and the resulting disciplinary action.
- ~~///~~ A proper and accurate record of the offense and the disciplinary action and support services offered is maintained by the administrator.

RESPONSES:

Some or all of the following responses may be used depending on the severity of the inappropriate behavior:

- ~~///~~ Alternative Learning Packet (Detention or In-School Suspension)
- ~~///~~ Lunch Detention
- ~~///~~ Extended Day Program:
 - ~~///~~ Campus/Community Service
 - ~~///~~ Remain after school with a designated teacher
 - ~~///~~ Restoration of damaged property
- ~~///~~ Tutorial Opportunity
- ~~///~~ Parent conference and/or hearing
- ~~///~~ Temporary removal from class
- ~~///~~ Temporary or full suspension
- ~~///~~ Homebound instruction or an alternative program
- ~~///~~ Counseling/referral for psychological evaluation
- ~~///~~ Restitution of property or repair of damage by the student
- ~~///~~ Teacher removal from class for three days

LEVEL 4:

Acts which result in violence to another person's property, or which pose a direct threat to the safety of others in the school, or which cause serious disruption to the educational process.

EXAMPLES:

- ~~///~~ Continuation of unmodified Level I, II, and III misbehavior
- ~~///~~ Major vandalism
- ~~///~~ Arson
- ~~///~~ Theft, possession, or sale of stolen property
- ~~///~~ Deliberately striking a staff member
- ~~///~~ Furnishing or selling of drugs and alcohol
- ~~///~~ Severe fighting
- ~~///~~ Severe physical attack of another student
- ~~///~~ Possession, use, or transfer of weapons
- ~~///~~ Extortion
- ~~///~~ Bomb threat or false emergency alarm
- ~~///~~ Illegal giving, lending or selling material found on school computers
- ~~///~~ Unauthorized access to computer system programs including:
attempting to harm or destroy the data of another user, the Internet or other networks; employing the network for commercial purposes; promoting non-educational activities or activities that are disruptive to the educational process.
- ~~///~~ Harassing, insulting, attacking or threatening others
- ~~///~~ Damaging, removing or altering computer hardware, software, or supplies
- ~~///~~ Sending, receiving or displaying offensive or obscene language or pictures via computer.

PROCEDURES:

These acts are so serious that they always require administrative actions and will often result in the removal of the student from school and in some instances, the intervention of law enforcement authorities and action by the Superintendent:

- ~~///~~ The administrator verifies the offense, confers with the staff involved and meets with the student.
- ~~///~~ The student is immediately removed from the school environment. Parents are notified.
- ~~///~~ School officials contact law enforcement agency where appropriate and assist in prosecuting offender.
- ~~///~~ A proper and accurate record of the offense and the disciplinary action and support services offered in maintained by the administrator.
- ~~///~~ Felony assault Class D charges will be pursued with local law enforcement.

RESPONSES:

Some or all of the following responses may be used depending on the severity of the inappropriate behavior:

- ~~///~~ Five day suspension with an informal hearing
- ~~///~~ Referral to appropriate law enforcement agencies
- ~~///~~ Long term suspension following a formal hearing
- ~~///~~ Other Superintendent action which result in appropriate placement
- ~~///~~ Parent hearing
- ~~///~~ Restitution of property or repair of damages by the student
- ~~///~~ Alternative programs

~~§~~ Withdrawal of computer usage privileges and/or Intranet privileges and/or Internet privileges.

VII. MAINTENANCE OF ORDER-- PUBLIC CONDUCT ON SCHOOL PROPERTY

A. Purpose of This Policy

The purpose of this policy is not to prevent or restrain the expression of opinion, controversy or dissent; but instead to prevent interference by some with the rights of others, and to maintain the public order necessary to the conduct of the District's educational program. This policy shall not be construed to limit communication among members of the school community.

This policy is in addition to, rather than in place of, existing or future rules and regulations of the district relating to conduct on school property.

B. Prohibited Conduct

The following conduct or acts are prohibited on school property or while participating in school sponsored activities, by students, teacher, staff members, licensees, invitees or others:

1. The willful physical injury of any person or the threat to use force which would result in such injury.
2. The harassment or coercion of any person.
3. The willful damage to, or destruction of property
4. The willful disruption of the orderly conduct of classes or of any other school program or activity.
5. The entry into school building or upon any portion of the school premises unless such entry is made in connection with official business with the district or to attend an authorized activity or function therein.
6. The willful disruption of or interference with the lawful and authorized activities of others.
7. The possession, consumption, or exchange of alcoholic beverages, unauthorized drugs, or narcotics on school property.
8. The possession or use of a BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckles knife, box cutter, cane sword, electronic dart gun, kung fu star, electronic stun gun, pepper spray, ice pick, machete, pellet gun, explosives, loaded can, and pocket knife or any other object that reasonably can be considered a weapon, on property of the school district.
9. The violation of any federal or state statute, or regulation, local ordinance, or board policy.

10. The refusal or failure to comply with a lawful order or direction of an official of the school district in the performance of his/her duties.
11. The distribution or posting of any written material, pamphlets or posters without the prior written approval of the superintendent or building principal.
12. The use of electronic devices, such as walkmans, gameboys, cellular phones will be prohibited in school buildings.
13. Upon written parental request students will be allowed communication devices such as beepers, cellular phones, and Palm Pilots, provided they are not disruptive to the educational process.

C. Referrals

Counseling

The guidance office shall handle all referrals of student to counseling.

PINS Petitions

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

- a) Being habitually truant and not attending school as required by part one of Article 65 of the Educational 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) Knowing and unlawfully possesses marijuana in violation of Penal Law S221.05 will be a sufficient basis for filing a PINS petition.

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 and 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law S1.20 (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.

D. Enforcement and Penalties

Any violation of this policy shall be reported immediately to the building principal. The principal will investigate the case thoroughly and make a written report to the Superintendent.

The principal and/or Superintendent will have the following options as to what penalty to impose:

Option 1

Violators will be reprimanded.

Option 2

Violators will be ordered to leave the school property immediately.

Option 3

Police will be called and a specific charge made under the proper penal code.

Option 4

Any penalty authorized by Section 3214 of the Education Law or Board policies may be imposed if the violator is a student, provided the provisions pertaining to notice and hearing have been met.

E. Other Penalties

These regulation and penalties are not considered to be exclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal or state law or local ordinance and the imposition of fine or penalty provided for therein.

FIREARMS IN SCHOOL

No student shall bring a firearm on any portion of the premises of a school owned or controlled by this school district. A firearm is defined, consistent with S921 of Title 18 of the United States code, as 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 such weapon; any firearm muffler or silencer; or any destructive device. The term does not include antique firearms.

In accordance with the Gun-Free Schools Act of 1994, any student who after a hearing held pursuant of Education Law S3214, is found guilty of bringing a firearm onto the premises of any school owned or controlled by this school district will be subject to a penalty of at least one year suspension from school. However, in determining an appropriate penalty, the Superintendent of Schools may modify the suspension requirement on a case-by-case basis, considering, among other things, the totality of circumstances surrounding offense and the student's previous record.

Alternative Instruction

Suspended students within the age of compulsory attendance as defined by Education Law S3205 will be immediately provided appropriate alternative instruction outside of the school from which the student has been suspended for the duration of the suspension.

Drug and Alcohol Policy

No student shall possess, use, transmit or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, or any alcoholic beverage, malt beverage or fortified wine or other intoxication liquor, or possess, use or transmit drug paraphernalia or counterfeit drugs, or possess, use, transmit or be under the influence of any chemicals or products with the intention of bringing about a state of exhilaration or euphoria or of otherwise altering the student's mood or behavior.

This policy shall apply to all students before, during and after school hours at school, in any school building and on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or junction; or during any period of time when students are subject to the authority of school personnel.

This policy shall not apply to the proper possession and use of prescription medication.