

## CODE OF CONDUCT

The District has developed and will amend, as appropriate, this written Code of Conduct for the Maintenance of Order on School Property, including school functions, which shall govern the conduct of students, teachers and other school personnel, as well as visitors. The Board of Education shall further provide for the enforcement of this Code of Conduct.

For purposes of this Code, school property means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the District's school, or in or on a school bus/school sponsored vehicle; and a school function shall mean a school-sponsored extracurricular event or activity regardless of where such event or activity takes place, including those that take place in another state.

This District Code of Conduct has been developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel. It is the belief of the District that the effective enforcement of school rules is vital to providing a safe educational environment in which students may learn. District administration will provide professional development for all District staff members to ensure the effective implementation of this code. Outlined below are examples of prohibited student conduct and the range of penalties which may be imposed for violations.

### DISCIPLINE PROCEDURES AND PROGRESSION

Discipline is the shared responsibility of the home and the school. In most circumstances, the classroom teacher can control a student's behavior and maintain or restore order by using good classroom techniques. Teachers are instructed to develop a classroom set of rules, rewards and consequences that has been administratively approved and gone over with students. In most circumstances, teachers will give in-class consequences, and call home prior to a referral being written. Once a referral is written, administration will follow a progressive discipline model as depicted below, although administration reserves the right to combine or skip steps if deemed necessary.

**Step 1** Administrative conference with student, warning issued.

**Step 2** Any one or more of the following: hall pass restriction, lunch detention, limitations or required participation in afternoon activities.

**Step 3** Detention (1-5 days) or removal from the classroom by the teacher in accordance with SAVE legislation (two day maximum).

**Step 4** In School Suspension (1-5 days)

**Step 5** Out of School Suspension (1-5 days)

**Step 6** Superintendent's Hearing / Suspension = 6+ days

As part of any investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

District administration reserves the right to impose a minimum suspension period of five (5) days for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom. For purposes of this requirement, as defined in Commissioner's Regulations, "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom" shall mean engaging in conduct which results in the removal of the student from the classroom by teacher(s) pursuant to the provisions of Education Law Section 3214(3-a) and the provisions set forth in this Code of Conduct on four (4) or more occasions during a semester.

District administration further reserves the right to impose a minimum suspension period of five (5) days for acts that would qualify the student to be defined as a violent student pursuant to Education Law Section 3214(2-a)(a). However, the suspending authority may reduce the suspension period on a case-by-case basis consistent with any other state and federal law.

Students on out of school suspension are banned from participating in, or attending co-curricular activities for the duration of the out of school suspension. Parents will be notified of a suspended child within 24 hours of occurrence. Students are not permitted on school property at any time while serving out of school suspension unless express permission is given by the administration.

When a student of compulsory attendance age has been suspended immediate steps shall be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes. Students who fail to attend the alternative instruction provided by the District will be marked absent.

Students classified with disabilities under the Individuals with Disability Education Act (IDEA) or who qualify as a student with a disabling condition under Section 504 of the Rehabilitation Act of 1973 will be disciplined according to the procedures established under applicable federal and state law and regulations.

Habitually disruptive behavior, conduct that is detrimental to others, insubordination or chronic cases of truancy may necessitate a Person in Need of Supervision (PINS) petition to Family Court if the student is under eighteen (18) years of age as long as it does not violate the provisions and protections granted to students with disabilities as outlined in the IDEA.

For violations which constitute a crime, and amongst other illegal behavior, local law enforcement agencies will be contacted by school administration. In certain situations administration may choose to involve human service agencies as appropriate. Such behaviors include, but are not limited to: arson, violations involving drugs/ weapons, acts of violence/ assault or harassment, sexual misconduct, robbery and excessive truancy.

## **CONDUCT THAT MAY RESULT IN DETENTION, SUSPENSION OR REMOVAL**

(Steps are advisory only, meaning that the final determination of consequences is at the discretion of the administration given all the facts and evidence collected during investigation of the incident(s))

### **ARSON (STEPS 5-6)**

The intent, attempt or intentional setting of a fire.

### **ACCEPTABLE USE POLICY VIOLATIONS (STEPS 1-6)**

Unauthorized access, inappropriate use of school and personal devices and other unlawful or prohibited activities. It is a violation of the Policy to:

1. Use Roxbury Central School's computer network or the Internet to gain unauthorized access to other computers or computer systems, or to attempt to gain such unauthorized access;
2. Damage, disable or otherwise interfere with the operation of computers, computer systems, software or related equipment through physical action or by electronic means;
3. Violate state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or any other applicable law or municipal ordinance;
4. Students may not conduct financial transactions of any nature.

### **BOMB THREATS (STEPS 5-6)**

Governor Pataki signed legislation on October 19, 1999 making it a Class E felony for anyone to issue a false bomb threat directed toward a school in New York State. This law also includes the crime of falsely reporting an incident of an explosion, fire or the release of a hazardous substance. Individuals convicted of issuing a bomb threat face felony criminal prosecution, as well as a one-year suspension of their driver's license. Persons may face youthful offender or juvenile delinquency adjudication. This law directs that any bomb threat or false reporting of an incident unrelated to school grounds is now a Class A misdemeanor.

### **CLASS ABSENCE/CUTS/ LEAVING SCHOOL W/O PERMISSION (STEPS 2-4)**

Students are required to follow their schedule of classes unless they received permission from their teacher(s) or administration in advance to do otherwise.

### **DRESS CODE VIOLATION (STEPS 1-6)**

A student is not to be dressed in the following manner as to cause disruption:

1. Wearing clothing with inappropriate statements or pictures or advertisements (especially concerning cigarettes, alcoholic beverages, drugs, or sex).
2. "Sagging" of pants/shorts is not permitted.
3. Wearing short shorts\*, miniskirts, halters, and other attire which cause disruption including any clothing that allows for bare midriffs, bare backs, or the excessive display of cleavage.
4. Clothing which is profane or sexually suggestive or explicit will not be worn in school. Violators will receive disciplinary action.
5. No hats will be worn in classrooms, unless it is approved by that teacher.

6. The wearing of heavy chains hanging from clothing or around the neck is prohibited.

#### **DRUGS/ SUBSTANCES REGULATED BY LAW (STEPS 5-6)**

1. Selling or attempting to sell, supplying, using or possessing or coming onto school property or coming to any school function while under the influence of alcohol, marijuana, drugs, toxic inhalants or other controlled substances, including look-alike drugs.
2. Selling or attempting to sell, supplying, using or possessing drug paraphernalia.

#### **ENDANGERMENT (STEPS 1-6)**

1. Causing public inconvenience, annoyance or alarm, or recklessly creating a risk thereof.
2. Attempting, while on school district property, to use any instrument that appears capable of causing physical injury or death.
3. Any other offense that endangers the health, safety or well-being of the school population.

#### **HARASSMENT: SEXUAL, RACIAL/RELIGIOUS AND BULLYING (STEPS 1-6) (including hazing)**

##### **Sexual Misconduct**

Conduct is deemed to be sexual misconduct when the student perceives such behavior as unwelcome, such as inappropriate touching, verbal comments, sexual name calling, spreading sexual rumors, gestures, jokes, pictures, blocking a student's movement, rape or attempted rape.

Sexual harassment is a violation of law and stands in direct opposition to District policy. Sexual harassment means unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- a. submission to such conduct is made either explicitly or implicitly a term or condition of a student's participation in school programs or activities; or
- b. submission to or rejection of such conduct by a student is used as the basis for decisions affecting the employee or student; or
- c. such conduct that has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating, hostile or offensive learning environment.

##### **Racial and Religious Harassment:**

Examples of racial, or ethnic, and religious harassment would include:

- Unwanted verbal comments
- Name-calling; racial or ethnic and religious slurs; slogans or graffiti
- Intimidating actions such as cross burning or painting swastikas
- Treating others differently on the basis of race or religion

##### **Bullying/ Hazing:**

Conduct is deemed to constitute a bullying situation when a student is exposed to negative actions on the part of one or more other students that creates fears or restrains others from their rights as members of the school community. Bullying is unprovoked aggression. These means of harassment can either be direct or indirect and includes hazing.

**Direct means** of bullying are physical/verbal by nature and may include such acts as:

- name-calling
- stalking
- hazing
- offensive gestures or language
- pushing others around
- physically blocking the path of another
- displaying a bad temper
- humiliating others in public view or any other blatant act of physical aggression
- spitting

**Indirect means** may include means of harassment such as:

- intentionally excluding someone from the group
- defamation of character
- spreading rumors verbally or by writing hurtful graffiti
- manipulating friendship relationships

### **HAZARDOUS ITEMS (STEPS 5-6)**

No student shall have in his or her possession upon school premises any rifle, shotgun, pistol, revolver, other firearm, knives, dangerous chemicals, explosives, or any object that is not necessary for school activities and which could be used as a weapon. A weapon is defined as any instrument capable of firing a projectile, the frame or receiver of any such weapon, a firearm muffler or silencer, any explosive device, or any instrument capable of inflicting bodily harm.

In accordance with the Gun-Free Schools Act of 1994, a student found guilty of bringing a firearm, as defined in federal law, onto school property will be subject to at least a one year suspension from school after a hearing before the superintendent has been provided pursuant to section 3214 of the Education Law.

New York State Peace Officers and Police Officers are the only people permitted on school property to have a weapon in their possession.

#### **Dangerous weapons are categorized as:**

- firearm, including pistol, handgun, silencers and electronic dart and stun gun
- shotgun, rifle, machine gun
- air gun, spring gun, BB gun
- switchblade knife, dagger, razor, box cutter, utility knife
- kung fu stars, Ninja stars, nunchucks
- explosives
- acid or deadly or dangerous chemicals
- imitation gun, loaded or blank cartridges and other ammunition
- any deadly, dangerous or sharp pointed instrument intended for use as a weapon including scissors, nail file, broken glass, chains

### **INAPPROPRIATE BEHAVIOR (STEPS 1-6)**

1. Any behavior that interferes/disrupts the educational process or the rights of any student, staff or faculty member.
2. Any action that is in violation of the stipulated procedures for cafeteria, bathroom, locker room and hall ways as outlined in the student handbook.

**INSUBORDINATION (STEPS 2-6)**

1. Any action either written, verbal or physical which is disrespectful towards or defies authority, including cafeteria, custodial and transportation personnel.
2. Skipping detention or other consequences as assigned.

**MISREPRESENTATION/ ACADEMIC DISHONESTY (STEPS 1-6)**

Refusing to provide name or giving a false name, forgery, taking or illegally using passes, intentional plagiarism, lying or cheating.

**PROFANITY (STEPS 3-6)**

Using abusive or obscene, lewd, vulgar or plainly offensive language or gestures.

**TARDINESS (STEPS 1-3)**

Unauthorized/unexcused tardiness to school (homeroom) and classes as per the comprehensive student attendance policy.

**THEFT (STEPS 4-6)**

Theft of money, personal or public property, or theft involved in the breaking or entering of school property.

**TOBACCO, USE/POSSESSION/SUPPLYING (STEPS 3-5)**

There will be no use or possession of tobacco, lighters, matches, etc., by students on school property or in the building at any time. Students caught using tobacco on school property, buses or trips, or under the direction of school personnel during school hours will be subject to immediate suspension.

**TRUANCY (STEPS 3-4)**

Truancy is unlawful absence as determined by school administration.

**VIOLENCE/ASSAULT (STEPS 5-6)**

A violent pupil is defined as any student who:

1. Commits an act of violence upon a teacher, administrator or other school employee.
2. Commits, while on school district property, an act of violence upon another student or another person lawfully upon school property.
3. Possesses, while on school district property, a gun, knife, explosive or incendiary device or other dangerous instrument capable of causing physical injury or death.
4. Displays, while on school district property, what appears to be a gun, knife, explosives or incendiary device or other dangerous instrument capable of causing physical injury or death.
5. Threatens, while on school district property, to use any instrument that appears capable of causing physical injury or death.

## **VANDALISM (STEPS 1-6)**

Knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other school district employee, student or any person lawfully upon school district property. Knowingly and intentionally damages or destroys school district property. Student may be required to pay for repair/replacement of damaged property.

As an alternative to traditional disciplinary measure, the administrator may offer the student, with written parent approval, a period of in-school community service.

## **Young People's Bill of Rights**

We the people of New York State believe in the right to every child to:

1. Affection, love, guidance and understanding from parents and teachers.
2. Adequate nutrition and medical care to aid mental, physical and social growth.
3. Free education to develop individual abilities and to become a useful member of society.
4. Special care, if disabled.
5. Opportunity for recreation in a wholesome, well-rounded environment.
6. An environment that reflects peace and mutual concern.
7. The opportunity for sound moral development.
8. Constructive discipline to help develop responsibility and character.
9. Good adult examples to follow.
10. A future commensurate with abilities and aspirations.
11. Enjoyment of all these rights, regardless of race, color, sex, religion, national or social origin.

## **Young People's Bill of Responsibilities**

1. Honor my parents, my elders and my teachers.
2. Take care of my body, mind and spirit.
3. Improve myself through education, in preparation for the future.
4. Perform my work to the best of my ability.
5. Develop high moral principles and the courage to live by them.
6. Grow in character and ability as I grow in size.
7. Respect the rights and feelings of others.
8. Be honest with myself and others in what I say and do.
9. Set a good example so others may enjoy and profit by my company.
10. Obey laws of society and live in harmony with others.
11. Preserve and support our American way of life and the government of our people.