

## **CODE OF CONDUCT**

It is the mission of the Roxbury Central School to provide a safe and caring learning environment in which all students can develop academically, creatively and socially. 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 Code of Conduct supports and enhances our broad discretionary authority to maintain safety, order and discipline. 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. Such enforcement shall include both disciplinary actions and remediation measures with an on-going goal of creating and maintaining a positive learning environment. 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.

### **REMEDIATION/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.

The steps below will include measured, balanced and age appropriate remediation responses which may be used for any violations of this code if, in the opinion of the administrator, they will result in improved behavior. Such age appropriate remedial measures may include, but are not limited to:

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

Environmental remediation strategies may include:

- supervisory systems which empower school staff with prevention and intervention tools to address incidents of bullying and harassment;
- school and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- adoption of research based, systemic harassment prevention programs;
- modification of schedules;
- adjustment in hallway traffic and other student routes of travel;
- targeted use of monitors;
- staff professional development;
- parent conferences;
- involvement of parent/teacher organizations; and
- peer support groups.

**Step 1** Administrative conference with student, phone call home, and a warning issued.

**Step 2** Any one or more of the following, but not limited to: hall pass restriction, lunch detention, restorative practices, open lunch restriction, other limitations to school sponsored activities and/or events, or required participation in afterschool 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 REMEDIATION, 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.

### **CHROMEBOOK VIOLATION (STEPS 1 – 3)**

Chromebook violations are described in the Chromebook Use Guidelines, but are limited to:

- Improper care of the Chromebook
- Sharing of Chromebooks
- Attempts to circumvent the installed operating system

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

Examples of Disorderly conduct include, but are not limited to:

1. Engaging in any willful act which disrupts the normal operation of the school community.

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

Examples of Disruptive behavior include, but are not limited to:

1. Failing to comply with the reasonable direction of faculty & staff, school administrators, or other school personnel in charge of students.
2. Behavior that interrupts or impedes the learning process of others.

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

Clothing worn by students shall be neat and in good condition ensuring the personal health and safety of the student. Students are expected to dress in a "casual/smart casual" manner that is appropriate for the school setting and demonstrates pride both within themselves and the school. Immodest or offensive clothing of such type that interferes with the learning environment shall not be worn. This includes clothing that does not cover body parts in a way that is appropriate for school.

Disciplinary action for violation of the dress code includes individual counseling with the principal, dean, counselor, or school nurse. The student will be asked to change and a conference with parents may result. It is the responsibility of parents to help ensure that their child is properly dressed and that personal hygiene is maintained.

Examples of inappropriate clothing include, but are not limited to:

1. Clothing bearing indecent or violent writing, pictures, or slogans, is profane or sexually suggestive or explicit.
2. Clothing with inappropriate statements or pictures or advertisements (especially concerning cigarettes, alcoholic beverages, drugs, or sex).
3. "Sagging" pants/shorts.
4. Clothing that displays undergarments.
5. Short shorts, miniskirts, halters, strapless tops, sheer tops, and any clothing that allows for bare midriffs, bare backs, or the excessive display of cleavage.
6. No hats will be worn in classrooms, unless it is approved by that teacher.
7. The wearing of heavy chains hanging from clothing or around the neck is prohibited.

### **Guidelines:**

The clothing regulations are in effect from 7:00 a.m. until 4:30 p.m. daily and includes field trips.

- Name identification should be placed clearly on all wearing apparel to designate ownership. Indelible ink may be used on sneakers, boots, and gym clothing so that it is visible.
- Heavy outside clothing or blankets are not to be worn to classes. Coats will be kept in lockers or cubbies.
- Barefootedness is never allowed. Students should dress appropriately according to the seasons.

### **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, BULLYING, CYBER-BULLYING, HAZING, TAUNTING OR INTIMIDATION (STEPS 1-6)**

A student's ability to learn and to meet high academic standards, and a school's ability to educate its students is compromised by incidents of discrimination or harassment including bullying, cyber-bullying, taunting, or intimidation. The intent of district policy and the Dignity for All Students Act (Dignity Act) is to provide all public school students with an environment free from discrimination and harassment, as well as to foster civility in public schools.

District policy states that no student shall be subjected to harassment or bullying by employees or students on school property or at a school function; nor shall any student be subjected to discrimination even if **not based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex** by school employees or students on school property or at a school function.

Any incidents of harassment, bullying and cyber-bullying that occur off-campus, that creates or would foreseeably create a risk substantial disruption in the school environment, where it is foreseeable that such conduct threatens, intimidates or abuses a person(s) and might reach school property, may be subject to formal discipline by school officials. Such conduct could also be subject to referral to local law enforcement authorities.

### **Definitions**

- *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, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.
- *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 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.
- *Sexual Orientation* means actual or perceived heterosexuality, homosexuality, or bisexuality.
- *Gender* means actual or perceived sex and includes a person's gender identity or expression.
- *Harassment* means written, verbal or physical conduct that adversely affects the ability of one or more students to participate in or benefit from the school's educational programs or

activities because the conduct is so severe, persistent or pervasive. This includes conduct that is based on a student's actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity or expression, religion, or any other distinguishing characteristics that may be defined by the district or state educational agency. This also includes association with a person or group with one or more of the abovementioned characteristics, whether actual or perceived.

- ***Bullying*** means written, verbal or physical conduct that adversely affects the ability of one or more students to participate in or benefit from the school's educational programs or activities by placing the student (or students) in reasonable fear of psychological or physical harm. Bullying can be, and often is, continuous and repeated over time, but does not have to be. It invokes a real or perceived imbalance of power, with a more powerful child or group harming those that are less powerful. This includes conduct that is based on a student's actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity or expression, religion or any other distinguishing characteristics that may be defined by the district or state educational agency. This also includes association with a person or group with one or more of the aforementioned characteristics, whether actual or perceived.

Bullying is a conscious, willful, deliberate activity intended to harm . Those who play an active supporting role in the bullying are considered to have participated in the bullying.

**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

- ***Cyber-bullying*** " means use of any electronic communication technology to bully or harass, as defined above, one or more students, regardless of location or the type of electronic communication used.

### **Reporting Discrimination, Harassment, and Bullying**

Any student who believes that he/she is being subjected to discrimination, harassment, bullying or cyberbully behavior, as well as any other person who has knowledge of or witnesses any possible occurrence of harassment, shall report such incidences to any staff member, Dean of Students or the Building Principal. The report will be given to the DASA Coordinator, who shall investigate the complaint and take appropriate action as necessary.

Allegations of harassment/ bullying shall be promptly and equitably investigated and will be treated as confidential and private to the extent possible within legal constraints. Personnel at all levels are responsible for taking corrective action to stop the harassment/ bullying behavior and to report such action to their immediate supervisor.

### **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.

**PERSONAL DEVICE VIOLATION (STEPS 1 – 6)**

1. Improper use of personal device.
2. Unauthorized access to content as described in Acceptable Use Policy.
3. Unauthorized use of device during class time.

**PROFANITY (STEPS 3-6)**

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

**SEXUAL MISCONDUCT (STEPS 3-6)**

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 misconduct and harassment are violations of law and stand 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.

**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, vape products, or e-liquids on or off school property, during school hours will be subject to disciplinary action. Further, the use of non- tobacco and smokeless alternative products such as e-cigs, vaping devices, herbal chew, tobaccoless chew, etc. are prohibited.

**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.

### **WELLNESS POLICY VIOLATIONS (STEPS 1-6)**

Students acting in violation of the school wellness policy will be considered insubordinate and may be subject to disciplinary action. Such acts of violation include the bringing of high energy and highly caffeinated drinks, including soda, onto school property during the school day unless deemed medically necessary.

## **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.