

## *STUDENT CODE OF CONDUCT*

---

Productive, satisfying and wholesome learning environments depend upon relationships that permit students to learn and teachers to teach. Each student is expected to be responsible for his/her own behavior. The following rules of conduct, focusing on personal safety and respect for the rights and property of others, apply while students are at school during school hours; participating in any school-sponsored or supervised activities, including athletic events and field trips; under the direct supervision of District staff; and/or, using District-provided transportation. These rules may also apply to off-campus conduct if that conduct endangers the safety, morals, health or welfare of others in the school community and/or causes a substantial disruption to the education environment. This may include conduct using social media and/or digital communication tools.

Students whose conduct does not meet these expectations may face disciplinary action appropriate to the seriousness of the offense.

Students with disabilities are entitled to all of the protections, processes and procedures set forth in Part 201 of the Regulations of the Commission of Education.

### **STUDENTS' RIGHTS AND RESPONSIBILITIES**

Students have all the rights afforded them by federal and state constitutions, statutes and regulations. The school reminds students that certain responsibilities accompany these rights.

#### **It shall be the right of each student:**

1. to have a safe, supportive, healthy, orderly and courteous school environment, and to have one's rights, feeling and property respected by others;
2. to take part in all District activities on an equal basis regardless of race, sex, disability, creed, color, national origin or religion;
3. to attend school and participate in school programs unless suspended from instruction and participation for legally sufficient cause as determined in accordance with due process of law;
4. to have school rules and conditions available for review and, when necessary, explanation by school personnel;
5. to be suspended from instruction only after his/her rights pursuant to Education Law § 3214 have been observed;
6. in all disciplinary matters, to have the opportunity to present his/her version of the facts and circumstances leading to imposition of disciplinary sanctions to the professional staff member imposing such sanction;
7. to follow standards of dress and grooming;
8. to express his/her opinions verbally as long as his/her expressions do not disturb others or disrupt normal school operations; and,
9. to attend school in an alcohol, drug and tobacco-free environment.

It shall be the responsibility of each student:

1. to respect the rights, feelings and property of others;
2. to be familiar with and abide by all district policies, rules and regulations pertaining to student conduct;
3. to work to the best of his/her ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible;
4. when participating in or attending school-sponsored athletic events, to behave as a representative of the district and hold himself/herself to standards of conduct, demeanor and sportsmanship, and accept responsibility for his/her actions;
5. to seek help in solving problems that might lead to disciplinary procedures;
6. to be on time and in regular attendance at school and in class;
7. to contribute to an orderly, learning-centered environment and to show due respect for other persons and for property;
8. to dress in accordance with standards promulgated by the Board of Education and the Superintendent;
9. to make constructive contributions to the school and to report fairly the circumstances of school-related issues;
10. to neither use nor bring contraband, including but not limited to drugs, alcohol, vaping devices and/or weapons, to school or onto school property; and,
11. to respect and treat others with tolerance and dignity regardless of actual or perceived race, color, creed, body type, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and gender identity (including gender identity or expression) or sex.

**ESSENTIAL PARTNER RIGHTS AND RESPONSIBILITIES**

A. All **Parents/Guardians** are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Know school rules and help their children understand them.
7. Convey to their children a supportive attitude toward education and the district.
8. Build good relationships with teachers, other parents and their children's friends.
9. Inform school officials of changes in the home situation that may affect student conduct or performance.

B. All **District Teachers** are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate regularly with students, parents and other teachers concerning growth and achievement.

C. All **District Guidance Counselors** are expected to:

1. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
2. Initiate teacher/student/counselor conferences and parent, teacher, student, counselor conferences, as necessary.
3. Regularly review with students their educational progress and career plans.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.

D. All **District Principals** are expected to:

1. Promote a safe, orderly, and stimulating school environment supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of grievances.
3. Evaluate all instructional programs on a regular basis.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

E. The **Superintendent of Schools** is expected to:

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the Board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

F. **Members of the Board of Education** are expected to:

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel, and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel, and visitors on school property and at school functions.
2. Adopt and review the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting board meetings in a professional, respectful, and courteous manner.

### **PROHIBITED CONDUCT**

All students are expected to conduct themselves in a civil and respectful manner. It is expected that all students will engage with everyone, including teachers, administrators, support staff, students and visitors in such a manner.

Students who do not conduct themselves in a civil and respectful manner, or who engage in behaviors set forth below, may be subjected to disciplinary action up to and including suspension from school:

1. disorderly and unsafe conduct, such as:
  - a. fighting or behaving violently,
  - b. threatening another with bodily harm,
  - c. intimidating students or school personnel,
  - d. making unreasonable noise,
  - e. using abusive language or gestures, including racial or ethnic remarks which are improper,
  - f. creating a hazardous or physically offensive conditions by any act which serves no legitimate purpose,
2. insubordinate, that is, failing to comply with the lawful directions of teachers, school administrators or other school employees in charge of the student, or missing or leaving school without permission,
3. engages in any of the following forms of misconduct:
  - a. tardiness,
  - b. cutting class,
  - c. missing or leaving school without permission, and/or
  - d. academic fraud or plagiarism; or
4. engages in conduct which violates Board of Education rules and regulations for the maintenance of public order on school property, including but not limited to:
  - a. vandalism or any destruction of real and/or personal property (including graffiti or arson),
  - b. theft,
  - c. truancy (the district will file a Person in Need of Supervision (PINS) petition for students who are chronic cases of truancy,

- d. possession/use/sale of drugs or alcohol (See Appendix A for Drug Alcohol and Tobacco Policy),
- e. possession of weapons or fireworks,
- f. use of tobacco or tobacco products, (Juuls, e-cigarettes) (See Appendix A for Drug Alcohol and Tobacco Policy)
- g. gambling,
- h. disruption of the educational process in class, halls or on the school grounds.

A student should not be in any school building, other than the one that he/she regularly attends, without permission from the administrator in charge of the building. Should a student be found in a building without permission, the necessary authorities may be called and trespassing charges may be lodged against the student.

If a criminal offense has been committed (such as a false fire alarm, vandalism, possession of drugs or drug paraphernalia, or the use and/or possession of weapons) the police will be notified. All violations of the student discipline code and/or public law will be subject to disciplinary proceedings as noted.

#### ACADEMIC INTEGRITY (PLAGIARISM)

To plagiarize is to give the impression that you have written something that you have in fact borrowed from another. Although a writer may use another person's words or thoughts, they must be acknowledged as such. Therefore, you have committed plagiarism when you:

- Copy, paraphrase, or summarize sentences or paragraphs out of books, magazines, encyclopedias or off the internet without citing the source, and you present the information as your own.
- Present someone's argument or ideas without acknowledging that they are not your own.
- Copy a friend's homework assignment, lab report, essay, etc.
- Allow someone else to write your papers, reports, homework, etc.
- Borrow or buy someone else's report or paper and submit it as your own.
- Working with others on projects that are meant to be done individually.
- Looking at, or copying another student's test, quiz or lab.

In general, whenever you take another person's work and submit it as your own, you have committed plagiarism. To avoid plagiarism, use the documentation rules provided to you in your classes when directly quoting, paraphrasing, or summarizing someone else's works. If you commit plagiarism, consequences will be given.

#### STUDY HALL RULES

Attendance will be taken every day and missing students will be reported to the office. Students cannot leave the study hall without presenting a pre-signed pass to study hall monitor. One student to the lockers or bathrooms at a time. Students must have a pass with them at all times. Seniors with privileges must sign out to a specific room or teacher. Students are expected to sit in their seats quietly, if not doing school work.

### DAMAGE TO SCHOOL PROPERTY

All students must show respect and care for school property. Acts of vandalism are crimes against the school district and the community which supports the schools. Students who willfully destroy, damage or deface school property shall be subject to disciplinary actions, and may be prosecuted to the fullest extent of the law. If a student damages school property, such student and/or his/her parents or the guardian shall be required to pay the district for the value of the damaged property up to the limit of the law. State law now permits parental liability for up to two thousand five hundred dollars (\$2500).

**SPECIAL NOTE:** A fee of \$15.00 will be charged to any student writing on (defacing) desks, chairs or any other school furniture. If an item cannot be repaired, it will be charged as noted previously.

### SCHOOL BOOKS – LOST OR DAMAGED

Books that are damaged, written in, marked on the pages, etc. must be paid for at the **FULL** replacement cost. **Books should be covered and cared for by students.** Any lost book is charged at full value. **Students must return their assigned book**, not just any book!

### PUBLIC DISPLAYS OF AFFECTION

In an effort to maintain our school as an academic environment, public displays of affection are prohibited. Students are not allowed to kiss or have any type of full body contact during the school day. The school recognized the importance of building social relationships, but the halls and classrooms are not appropriate places to display affection.

### BEHAVIORAL EXPECTATIONS FOR NON-CLASSROOM SPACES

#### ASSEMBLIES

Student assemblies are seen as a part of the overall educational process. School assemblies are often held to provide recognition of student accomplishments by peers, parents and staff members. Assemblies will be appropriate to the educational experience and reflect our school's mission. Students are reminded of proper conduct at assemblies to ensure responsible audience participation:

- take an assigned seat quietly
- do not speak above a whisper, and then only when necessary
- pay attention to the speaker/performer(s)
- applaud only when appropriate

#### BUS TRANSPORTATION

All students are eligible for safe bus transportation to and from school. In order to provide such safe transportation, the following rules must be observed:

- Follow the driver's directions the 1st time they are given
- Stay in your seat - keep hands, feet, objects and negative comments to yourself (no swearing or fighting)
- Do not eat, drink, smoke or chew tobacco

- Keep all parts of your body inside the bus
- No loud talking or noises
- Keep bus aisle clear at all times

*Discipline will be referred in writing by the bus driver, attendant or monitor to the transportation director and, if necessary, to the building principal. The bus driver is the school official in charge of the bus. The driver will address problems and concerns. Hopefully, further actions will not be necessary. Bus drivers will report serious problems. The penalty for misbehavior may range from suspension from riding the school bus to suspension from school. All school rules apply while students are riding the buses.*

### CAFETERIA

All students must report to the cafeteria for their assigned lunch period on time. Only those students who present a pre-signed pass to a teacher supervising the cafeteria or who have permission to visit the restrooms should be out of the cafeteria. The following rules apply to students using the cafeteria:

1. Follow the directions of staff members.
2. No throwing food or objects.
3. Place trash in proper receptacles.
4. Do not throw out utensils or plates.
5. Keep hands, feet and objects to yourself.
6. Consume all food in the cafeteria.
7. Each student is provided a PIN number to be used every time a student is buying a school breakfast or lunch.

### LIBRARY

You may use the school library to do research, read or borrow a book during study halls or when your teacher brings your class to the library. Please remember that the library is a quiet area. If you create a disturbance or refuse to follow the librarian's directions, you will be asked to leave and will face further disciplinary action. To obtain a pass for the library, ask the librarian for a pre-signed pass and show it to your study hall teacher at the beginning of the period. If you are in study hall, ask your study hall teacher for permission and sign out properly.

#### Library Books and Returns

If you borrow a book from the library, it should be returned by the due date. If you fail in this courtesy and responsibility, consequences are as follows:

- warning notice to student
- written notification to parent
- final report card will not be issued until book is turned in or paid for in full

When books are overdue, others cannot use them. Everyone needs to be considerate in their borrowing and conscious in how it affects their peers.

## SCHOOL DANCES

The following regulations apply to students attending school dances:

1. Students not attending the dance are not to be on school property.
2. Under no conditions are alcoholic beverages or drugs to be brought on or consumed on school property. Students considered to be under the influence of alcohol or drugs will not be admitted to dances and will face further disciplinary action.
3. Students are not to leave the building at any time during the dance. If you leave you will not be readmitted unless you have obtained previous permission from a chaperone. No one will be allowed in after 9:00 pm without prior permission.
4. There is to be no smoking in the school or on the school grounds by SCCS students or students from other schools.
5. Sponsoring groups should be specific in arranging the length of the dance.
6. Chaperones will check the parking lot and school grounds during the dance. No one will be allowed to loiter on school property. Students must follow the directions of the adults in charge and conform to all school rules while attending dances.
7. Unless specific permission is given for an open dance, all dances will be closed and limited to SCCS students and approved guests.
8. Students who violate any of the foregoing regulations may be prohibited from attending athletic and social events for the remainder of the school year and may be subject to further disciplinary action.
9. Students who were absent or in in-school suspension on the day of a dance may not attend the dance.
10. Students must fill out a guest pass contract. This form is available in the HS Office. It must be turned in three (3) days prior to the dance.
11. MS and HS semi-formals will be separate. No middle school students can attend the high school semi-formal and no high school students can attend the middle school semi-formal.

## **REPORTING AND INVESTIGATING VIOLATIONS OF THE CODE OF CONDUCT**

### REPORTING POSSIBLE VIOLATIONS

All students are expected to promptly report violations of the Code of Conduct, including circumstance involving the possession of a weapon or other contraband on school property or at a school function, to a teacher, guidance counselor, the Building Principal or another adult in the building.

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

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent(s) of the student involved and the appropriate disciplinary

sanction, which may include permanent suspension and referral for prosecution. The Principal or his/her designee must notify the appropriate local law enforcement agency of those Code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the Principal or his/her designee learns of the violation. Such violations for which reporting to law enforcement is required includes allegations related to the possession and/or distribution of pornographic photos, pictures and/or social media posts of someone underage. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

### **RESPONDING TO REPORTS OF POSSIBLE HARASSMENT OR DISCRIMINATION**

In addition to the procedures described below for removal of disruptive students and possible suspension from attendance, the District provides a procedure for responding to reports of possible discrimination or harassment against students by another student, an employee, or any other person on school property or at a school function. The process is described in the District's Equal Opportunity and Nondiscrimination Policy (Policy 0115).

The District has also designated a Dignity Act Coordinator for each school. More information regarding these policies and procedures is set forth, below.

### **NO RETALIATION FOR REPORTING**

No person may direct any act of retaliation (i.e., verbal threats, physical intimidation) toward anyone who makes a good faith report of conduct that may reasonably be a violation of this Code, or who assists in, or is part of, the investigation of such a report. To engage in such retaliation is considered a violation of this Code of Conduct.

### **DISCIPLINARY PENALTIES AND PROCEDURES**

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the student's ability to grow in self-discipline. Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary consequences will consider the following:

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

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter consequence than subsequent violations. If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability. The response to an incident will be reasonably calculated to:

- End behavior
- Prevent recurrence
- Eliminate hostile environment
- Ensure safety of student(s)

### PENALTIES

When dealing with student misconduct, teachers and/or administration may use, at their discretion, any of the following:

1. verbal warning
2. phone call to home/work
3. written notification
4. conferences
5. probation
6. reprimand
7. detention – teacher or administration
8. suspension from transportation - administration
9. suspension from athletic participation - administration
10. suspension from social or extracurricular activities
11. suspension of other privileges
12. exclusion from a particular class
13. alternative instruction/in-school suspension - administration
14. involuntary transfer - administration
15. reimbursement
16. Short-term (five days or less) suspension by the principal, superintendent, board of education
17. Long-term (more than five days) suspension from school- superintendent, board of education
18. Permanent suspension from school –superintendent, board of education

Classroom teachers should actively employ intervention strategies. Counseling, although not considered a penalty, may be provided as an alternative to a penalty. Similarly, referral to another agency may be an approach taken.

## PROCEDURES

The level of due process a student is entitled to prior to a consequence being imposed depends on the consequence. In all cases, regardless of the consequence imposed, the school personnel authorized to impose the consequence must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary consequence in connection with the imposition of the consequence. Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the consequence is imposed. These additional rights are explained below.

### 1. Detention

Teachers, principals, and the superintendent may use after-school detention as a consequence for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Written notice to the parent will be provided, and notification may also be provided by telephone for any detention. Appropriate transportation will be provided.

### 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. Students whose bus behavior poses a safety risk may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the consequence involved.

### 3. Suspension from Athletic Participation, Extra-Curricular Activities and Other Privileges

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. 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 consequence involved.

### 4. Alternate Instruction/In-School Suspension

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board

authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation on “alternative instruction” or “in-school suspension.” A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. 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 consequence involved.

#### In-School Suspension Rules:

- No Talking
- No Sleeping- Must keep head up and eyes open
- No Food or Drinks
- Stay in seat
- You may not leave the room for any reason
- Teachers will be notified of your ISS time and work, if any, will be delivered

Failure to abide by the rules above may result in any of the following consequences:  
Additional In-School Suspension time or Out of School Suspension

#### 5. Teacher Disciplinary Removal of Disruptive Students

A student’s behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to:

1. short-term “time out” in an administrator's office;
2. sending a student into the hallway briefly;
3. sending a student to the Principal's office for the remainder of the class time only; or
4. sending a student to a guidance counselor or other district staff member for counseling.

Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this Code.

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.

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only. If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his

or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class. If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. 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, 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. An informal meeting with the parent does not constitute an appeal for purposes of this Code. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Such means may include email upon verbal acceptance of such method by the parent and confirmation of the parent's email address. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents. The principal may require the teacher who ordered the removal to attend the informal conference. If at the informal meeting the student denies the charges, the principal or the principal's designee must 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. 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:

1. The charges against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law, including the District's code of conduct.
3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever occurs first. Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom. Each teacher and principal must keep a complete log for all cases of removal of students from his or her class. Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

## 6. Suspension from School

Suspension from school is a significant consequence, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health, or welfare of others. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals.

All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the Code of Conduct. All recommendations and referrals shall be made using the referral process established by the Building Principal. The Principal, upon receiving a behavioral shall investigate the matter, gather the relevant and record them for subsequent presentation, if necessary.

a. Short-term (5 days or less) Suspension from School - When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for 5 days or less pursuant to Education Law §3214 (3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student is being suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt at the last known address for the parents. Such means may include email upon verbal acceptance of such method by the parent and confirmation of the parent's email address. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents. The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal within 24hours. An informal meeting with parent does not constitute an appeal for purposes of this Code. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish. ***The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process.*** If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable. After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary

circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the Board of education with the district clerk within 10 business days of the date of the superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

**b. Long-term (more than 5 days) Suspension from School**

When the Superintendent or Building Principal determines that a suspension for more than 5 days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing.

At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf. The Superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only and the superintendent may accept all or any part thereof. An appeal of the decision of the superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the superintendent. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

**c. Permanent Suspension**

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function. The due process for a Long-Term Suspension applies.

**MINIMUM PERIODS OF SUSPENSION**

1. Students who bring a weapon to school - Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The superintendent has the

authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the consequence, the superintendent may consider the following:

1. The student's age.
2. The student's grade in school.
3. The student's prior disciplinary record.
4. The superintendent's belief that other forms of discipline may be more effective.
5. Input from parents, teachers and/or others.
6. Other extenuating circumstances.

A student with a disability may be suspended only in accordance with the requirements of state and federal law.

For purposes of this Code of Conduct, the term weapon shall include a “firearm” as defined under the Gun Free Schools Act (which may require a period of removal of no less than one calendar year), a “firearm” as defined under NYS Penal Law, any knife, weapon, device, instrument, material or substance, animate or inanimate that is used for the purpose of, or is readily capable of causing physical injury including but not limited to, a disguised gun, BB gun, starter gun, pellet gun, sling shot and box cutter, etc. Regular school materials and/or supplies, such as scissors, pens and/or pencils, may be considered a weapon if used outside their intended purpose.

2. Students who commit violent acts other than bringing a weapon to school - Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least 3 days. If the proposed consequence is the minimum three-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. An informal meeting with parent does not constitute an appeal for purposes of this code. If the proposed consequence exceeds the minimum three-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum three-day suspension on a case-by-case basis. In deciding whether to modify the consequence, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.
3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interferes with the teacher's authority over the classroom - Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school for at least 3 days. For purposes of this code of conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214(3-a) and this code on four or more occasions during a semester. If the proposed consequence is the minimum three-day

suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed consequence exceeds the minimum three-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum three-day suspension on a case-by-case basis. In deciding whether to modify the consequence, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

### **ALTERNATIVE INSTRUCTION**

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student.

### **HARASSMENT, HAZING, BULLYING AND CYBERBULLYING is strictly prohibited:**

Discrimination and harassment means an intentional act against any student by employees or students, on school property or at a school function, that creates a hostile environment by conduct, with or without physical contact by verbal or written threats, intimidation or abuse including cyberbullying, of such a severe nature that it:

- (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional physical well-being; or
- (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety.

Such conduct shall include, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

In compliance with the Dignity for All Students Act at least one staff member at every school will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex (Education Law §13[3]). This staff member will be accountable for implementing procedures for creating a school environment that is free of discrimination and harassment in accordance with the Dignity for All Students Act. This staff member will be referred to as the Dignity Act Coordinator(DAC). The DASA Coordinators for the Sandy Creek Central School District are as follows: Kevin Seymour.

Reports of harassment, bullying, and discrimination shall be made to the DASA Coordinator, Building Principal or the Building Principal's designee. Students and parents/guardians may make an oral or written report of harassment, bullying or discrimination to District teachers or Administration.

Retaliation against any individual who, in good faith, reports or assists in the investigation of harassment, bullying and/or discrimination is strictly prohibited.

Harassment, bullying and/or discrimination may constitute a crime and could be reportable to law enforcement.

Definitions:

1. “Harassment” and “bullying” shall mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that:
  - a. has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or
  - b. reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
  - c. reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
  - d. occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.
2. “Cyberbullying” shall mean harassment or bullying where such harassment or bullying occurs through any form of electronic communication.

“Emotional harm” that takes place in the context of harassment or bullying shall be defined as harm to a student’s emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student’s education. Such conduct shall include, but is not limited to, acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

Adopted: December 11, 2025