

VOORHEESVILLE CENTRAL SCHOOL DISTRICT
2025- 2026
Code of Conduct

Why Have A Code

1. Students need to be supported and engaged in school to promote good citizenship and appropriate conduct. It is also essential that students are able to take age-appropriate responsibility for their own behavior.
2. Appropriate conduct is reflected in a civil, respectful, healthy, and caring environment.
3. The District will continually assess strategies for improvement.

INTRODUCTION

The Voorheesville Central School District Board of Education (“Board”) is committed to providing a safe, supportive, and orderly school environment where students can learn and grow, and where District personnel can deliver high-quality educational services without disruption or interference. Responsible behavior by all members of the school community—including students, teachers, staff, parents/guardians, and visitors—is essential to achieving this goal.

The District is equally committed to:

- Ensuring each student is healthy, safe, engaged, supported, and challenged;
- Helping students develop self-discipline and social and emotional growth; and
- Guiding students in choosing appropriate, acceptable, and safe behaviors.

We recognize that all students make mistakes—this is part of learning and growing up. Discipline, therefore, should not simply penalize, but should help students learn from their behavior, understand its impact, and make better choices. Discipline must be administered promptly, fairly, and in a developmentally appropriate manner that upholds the dignity and worth of every student.

Positive student engagement is foundational to fostering a strong school culture. When students are provided with opportunities to build relationships with caring adults and participate in meaningful, interpersonal activities, they are more likely to succeed academically and socially.

The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations are rooted in the core values of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. All individuals on school property must behave in a safe and respectful manner. When required by health guidance or during a public health emergency, this may also include following safety measures.

The Board recognizes the importance of clearly defining these expectations for acceptable behavior, identifying appropriate and graduated consequences for misconduct, and supporting a disciplinary framework that emphasizes accountability, learning, and restoration.

To that end, the Board adopts this Code of Conduct (“Code”), which is grounded in New York State education laws, regulations, and District policies. Unless otherwise noted, this Code applies to all students, school personnel, parents/guardians, and visitors while on school property or attending any school-sponsored function or activity, whether on or off campus.

I. DEFINITIONS

For purposes of this Code of Conduct (“Code”), the following definitions apply:

A. Behavior: The way in which an individual acts or conducts themselves, especially toward others. All individuals on school property or at school functions are expected to behave in a manner consistent with this Code.

B. Cyberbullying: A form of harassment or bullying that occurs through electronic communication, including email, texting, social media, blogs, chat rooms, or gaming platforms, whether on or off school property.

C. Disability:

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;

(b) a record of such an impairment; or

(c) a condition regarded by others as such an impairment.

Note: In employment matters, this definition is limited to disabilities which, with reasonable accommodations, do not prevent the individual from performing job duties (Education Law §11(4); Executive Law §292(21)).

D. Discrimination: The prejudicial treatment of different categories of students or staff based on actual or perceived membership in protected classes, including race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender expression, or sex.

E. Disruptive Student: An elementary or secondary student under the age of 21 who substantially disrupts the educational process or substantially interferes with the authority of school staff.

F. Emotional Harm: Harm to a student’s emotional well-being through the creation of a hostile school environment that is so severe or pervasive that it unreasonably interferes with a student’s education.

G. Employee: Any individual who receives compensation from the District or a contracted service provider, or is placed under a public assistance employment program to provide services to the District, and has direct student contact.

H. Gender: A person’s actual or perceived sex, and includes gender identity or gender expression.

I. Gender Expression: How a person presents their gender outwardly, often through behavior, clothing, hairstyle, voice, or mannerisms.

J. Gender Identity: A person's deeply held sense of their own gender, which may differ from the sex assigned at birth. Individuals may identify as male, female, both, or neither.

K. Harassment or Bullying: The creation of a hostile environment by conduct, threats, intimidation, or abuse (including cyberbullying) that:

1. Unreasonably and substantially interferes with a student's educational performance, opportunities, or benefits;
2. Reasonably causes or would be expected to cause emotional harm or fear for physical safety;
3. Causes or is likely to cause physical injury; or
4. Occurs off school property but creates a foreseeable risk of substantial disruption in the school environment.

This includes verbal or non-verbal actions based on actual or perceived characteristics such as race (including traits historically associated with race, like hair texture and protective hairstyles), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

L. Other School Personnel: Includes volunteers, coaches, student teachers, interns, and others who participate in instructional or school-sponsored activities.

M. Parent: A parent, guardian, or person in parental relation to a student.

N. Protective Hairstyles: Hairstyles associated with race, such as braids, locks, and twists.

O. Race: Includes traits historically associated with race, including, but not limited to, hair texture and protective hairstyles.

P. Relationships: How two or more people regard and behave toward one another, central to a respectful school culture.

Q. Respect: Treating all members of the school community with dignity, courtesy, and consideration. This includes politeness, listening, appropriate tone and body language, and maintaining personal space.

R. Responsibility: A duty to act according to social norms and rules and to be held accountable for one's actions.

S. Restorative Practices: Proactive processes that build healthy relationships and a sense of community to prevent and resolve conflict and wrongdoing.

T. School Property: Any building, structure, athletic field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; any property owned or operated by the District; or any school bus as defined in Vehicle and Traffic Law §142.

U. School Bus: A motor vehicle owned by a public or governmental agency or private school and operated for the transportation of students, teachers, or others acting in a supervisory capacity to or from school or school-related activities, or privately owned and operated for compensation for these purposes.

V. School Function: Any school-sponsored extracurricular event or activity, whether occurring on or off school property (Education Law §11(2)).

W. Sexual Orientation: A person's actual or perceived identity in relation to whom they are romantically or physically attracted. This includes heterosexuality, homosexuality, bisexuality, or any variation thereof.

X. Student: A child enrolled as a K–12 registrant in any of the District's academic programs.

Y. Violent Student: A student under the age of 21 who:

1. Commits or attempts to commit an act of violence against a school employee or other person on school property or at a school function.
2. Possesses or threatens to use a weapon.
3. Displays what appears to be a weapon.
4. Knowingly and intentionally damages or destroys property of school employees, other individuals on school property or at school functions, or school district property.

Z. Weapon: A firearm as defined by 18 USC §921 for purposes of the Gun-Free Schools Act. The term also includes but is not limited to: BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade, gravity knife, brass knuckles, slingshot, box cutter, cane sword, electronic dart gun, throwing star, electronic stun gun, pepper spray, explosives, or any device, instrument, material, or substance capable of causing physical injury or death.

STUDENT RIGHTS AND RESPONSIBILITIES

The Voorheesville Central School District is committed to safeguarding the rights of all students as guaranteed under federal and state laws and District policy. In addition, to promote a safe, healthy, orderly, and supportive school environment, students are both entitled to certain rights and expected to accept responsibilities that foster a climate of respect, learning, and personal growth.

A. Student Rights

All students have the right to:

1. Equity and Inclusion
Participate fully in all district programs, activities, and educational opportunities on an equal basis, regardless of actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sex,

sexual orientation, gender identity, gender expression, economic status, or any other legally protected status.

2. **Dignity and Respect**
Be respected as individuals and treated fairly and with dignity by peers, teachers, administrators, and all school staff.
3. **Freedom of Expression**
Express opinions—verbally or in writing—in a respectful and non-disruptive manner, consistent with school policies and procedures.
4. **Due Process in Disciplinary Matters**
Present their version of events to appropriate school personnel before the imposition of a disciplinary consequence. Students are entitled to due process protections, including questioning of evidence and witnesses, in accordance with the law.
5. **Freedom from Harassment and Discrimination**
Be protected from harassment, bullying, intimidation, and discrimination by students or staff on school property or at school-sponsored functions, based on any legally protected category.
6. **Access to Information**
Access school rules, policies, and regulations, and receive clear explanations of them when necessary. This includes understanding behavioral expectations, disciplinary procedures, and their right to seek changes through appropriate administrative channels.
7. **Educational Transparency**
Be informed of:
 - Course objectives and state learning standards;
 - Grading criteria and procedures;
 - Assignment requirements and deadlines; and
 - Classroom rules and expectations for behavior.
8. **Privacy of Educational Records**
Parents and eligible students (age 18 or older) have rights under the Family Educational Rights and Privacy Act (FERPA) to inspect and request amendments to educational records, and to control disclosure of personally identifiable information, subject to legal exceptions. FERPA-related rights and procedures are available on the District website and in Policy 5500.
9. **Confidential Communication (Limited)**
While most information shared with school personnel is not legally privileged, students participating in specific programs (e.g., drug or alcohol prevention) may have additional confidentiality protections. Students should consult staff in advance to understand confidentiality limitations.

B. Student Responsibilities

All District students are expected to:

1. Be familiar with and abide by District policies, rules, and regulations dealing with student conduct.
2. Contribute to maintaining a safe, supportive, and orderly school environment that is conducive to learning. Show respect to other persons and to property.

3. Help make school a community free of violence, intimidation, bullying, harassment, and discrimination.
4. Refrain from interfering with or threatening the education or rights of others.
5. Attend school every day, be in class on time, and be prepared to learn.
6. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
7. React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
8. Use a polite tone of voice and appropriate body language, listening when others are speaking.
9. To be truthful.
10. Respect personal space.
11. Develop skills to manage their emotions and reactions and resolve conflicts with others.
12. Ask questions when they do not understand.
13. Seek help in solving problems that might lead to discipline.
14. Adhere to the Student Dress Code (section VII).
15. Accept responsibility for their actions.
16. Conduct themselves appropriately as representatives of the District when participating in or attending school functions.

II. ESSENTIAL PARTNERS

All members of our learning community – including students, staff, parents/guardians, and engaged service providers – have a role in promoting behavior that enhances academic and social success. Courteous, respectful, and responsible behavior fosters a positive climate in the learning community.

Those responsibilities include, but are not limited to the following:

The Code of Conduct is a guide for understanding the personal, social, and academic behaviors that are expected from your child while at school and at school functions. This Code also guides how school staff will work with you and your child to help demonstrate positive behaviors and enjoy academic success.

To achieve this goal, parents/guardians will be encouraged to promote participation in restorative practices to resolve incidents and conflict and to support their child in receiving the maximum benefit from a restorative justice approach.

A. Parents/Guardians - All parents/guardians are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parent/guardians and the school community, and collaborate with the district to optimize their child's educational opportunities.
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. Help their children understand that in a democratic society, appropriate rules are required to maintain a safe, orderly environment.
6. Know school rules and help their children understand them so that their children can participate in a safe, supportive school environment.
7. Convey to their children a supportive attitude toward education and the district.
8. Build positive, constructive relationships with teachers, other parents/guardians, and their children's friends.
9. Tell school officials about any concerns or complaints in a respectful and timely manner.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.
13. Teach their children respect and dignity for themselves and for other students, regardless of actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, gender or gender identity or sex, or any other protected class status, which will strengthen their child's confidence and help promote learning in accordance with the Dignity for All Students Act.

B. Staff

The Code of Conduct is a guide for supporting positive student behavior at school. It is intended to help staff prevent student misconduct through the use of effective strategies and systems. It will provide guidance for intervening effectively and appropriately if students don't meet expected standards of behavior or violate the school rules and policies. Concerns about safety and school climate should be brought to the school principal so staff can work together to maintain a safe and orderly learning and work environment.

All staff are expected to understand that students may come to school having experienced trauma in their lives, which can impact their behavior in school (e.g., anger, outbursts, withdrawal, self-injury). All staff are expected to maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity or expression), or sex, which will strengthen students' self-worth and promote confidence to learn.

1. Teachers

- a. Be prepared to teach.
- b. Demonstrate interest in teaching and concern for students and student achievement.
- c. Know school policies and rules, and enforce them in a fair and consistent manner.
- d. Maintain confidentiality in conformity with federal and state law.
- e. Communicate to students and parents/guardians:

- i. Course objectives and requirements
 - ii. Marking/grading procedures
 - iii. Assignment deadlines
 - iv. Expectations for students
 - v. Classroom behavior and consequences plan
- f. Communicate regularly with students, parents/guardians, and other teachers concerning growth and achievement.
- g. Participate in school-wide efforts to provide adequate supervision in all school spaces, in conformity with the Taylor Law.
- h. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school activity.
- i. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- j. Be open to active participation in resolving conflicts through a restorative, trauma-informed process.

2. Pupil Personnel Service Providers

- a. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
- b. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
- c. Regularly review with students their educational progress and career plans.
- d. Maintain confidentiality in accordance with federal and state law.
- e. Provide information to assist students with career planning.
- f. Encourage students to benefit from the curriculum and extra-curricular programs.
- g. Make known to students and families the resources in the community that are available to meet their needs.
- h. Participate in school-wide efforts to provide adequate supervision in all school spaces.
- i. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school activity.
- j. Address personal biases that may prevent equal treatment of all students.
- k. Promote a trauma-responsive approach to addressing student behavior by supporting professional development, providing safe work environments, forming trusting relationships with students, allowing for student choice and autonomy, and encouraging student skill-building and competence.
- l. Be open to active participation in resolving conflicts through a restorative, trauma-informed process.

3. Coaches

- a. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school activity.
- b. Be sensitive to, and address as needed, personal biases that may prevent equal treatment of students in the school, classroom, or athletic setting.
- c. Report as soon as possible, incidents of harassment and discrimination that are witnessed or otherwise brought to a Coach's attention.
- d. Plan, coordinate, and supervise all activities in their respective sport.
- e. Support the Director of Athletics in conducting all activities related to that particular sport and team.
- f. Establish training rules and procedures beyond the administrative regulations of the school district and enforce them in a fair, consistent manner.
- g. Review and discuss with team members, parents/guardians, and assistant coaches prior to the first practice:

- 1. Hazing Policy
- 2. Bullying Prevention Policy
- 3. Harassment Policy
- 4. Administrative eligibility rules
- 5. Training rules, attendance (school, team, coaches) policies
- 6. Criteria for earning awards
- 7. Expectations for student-athletes (includes student extra-curricular code of conduct)
- 8. Transportation policies
- 9. All-state and section policies (i.e., NYSPHSAA)

- h. Establish good public relations and good working relations with parents/guardians, district administrators, faculty and staff, community members, and the media.
- i. Know school policies and rules, and enforce them in a fair and consistent manner.
- j. Abide by the guidelines in the Coach's Commitment.
- k. Be open to active participation in resolving conflicts through a restorative, trauma-informed process.

4. Bus Drivers

- a. Maintain a safe, orderly environment on school buses to help prevent bullying and harassment.
- c. Oversee practice drills for bus safety.
- d. Use student discipline forms when necessary.
- e. Maintain positive communication with students and parents/guardians.
- f. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school activity.
- g. Be sensitive to, and address as needed, personal biases that may prevent equal treatment of all students in the school or on the school bus.

- h. Report as soon as possible, incidents of harassment and discrimination that are witnessed or otherwise brought to a driver's attention.
- i. Know school policies and rules, and enforce them in a fair and consistent manner.
- j. Be open to active participation in resolving conflicts through a restorative, trauma-informed process.

5. Other School Personnel

- a. Maintain confidentiality in accordance with federal and state law.
- b. Be familiar with the code of conduct.
- c. Help children understand the district's expectations for maintaining a safe, orderly environment.
- d. Participate in school-wide efforts to provide adequate supervision in all school spaces.
- e. Confront issues of discrimination and harassment, hazing, or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school activity.
- f. Address personal biases that may prevent equal treatment of all students.
- g. Be open to active participation in resolving conflicts through a restorative, trauma-informed process.

6. Principals/Administrators

- a. Promote a safe, caring, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation (including gender identity and expression) or sex.
- b. Ensure that students and staff have the opportunity to communicate regularly with the principal/administrators and have access to the principal/administrators for redress of grievances.
- c. Maintain confidentiality in accordance with federal and state law.
- d. Evaluate regularly all instructional programs to ensure infusion of civility education in the curriculum.
- e. Support the development of and student participation in appropriate extra-curricular activities.
- f. Provide support in the development of the Code of Conduct, when called upon. Disseminate the Code of Conduct and anti-harassment policies.
- g. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
- h. Participate in school-wide efforts to provide adequate supervision in all school spaces.
- i. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school activity.
- j. Address personal biases that may prevent equal treatment of all students and staff.
- k. Promote a trauma-responsive approach to addressing student behavior by supporting professional development, providing safe work environments, forming trusting relationships with students, allowing for student choice and autonomy, and encouraging student skill-building and competence.

l. Be open to active participation in resolving conflicts through a restorative, trauma-informed process.

7. Dignity Act Coordinator(s)

The Dignity Act Coordinators are as follows:

District: Frank Macri at fmacri@voorheesville.org (518) 765-3314 ext. 1100

High School: Lisa Cardillo at Lcardillo@voorheesville.org (518) 765-3314 ext. 2000 and Cathleen Goodwin at Cgoodwin@voorheesville.org (518) 765-3314 ext. 2194

Middle School: Brianna Olsen at Bolsen@voorheesville.org (518) 765-3314 ext. 3000 and Cathleen Goodwin Cgoodwin@voorheesville.org (518) 765-3314 ext. 2194

Elementary School: Jeff Vivenzio at jvivenzio@voorheesville.org (518) 765-2382 ext. 4000 and Kristin Huntsman at khuntsman@voorheesville.org (518) 765-2382 ext. 4206

Their duties are as follows:

- a. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex.
- b. Oversee and coordinate the work of the district-wide and building-level efforts to create and maintain a safe, welcoming, and inclusive environment.
- c. Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources.
- d. Coordinate with the Director of Diversity, Equity, and Inclusion, alongside the Professional Development Committee, to foster safe, welcoming, and harassment free learning environments for all students.
- e. Be responsible for monitoring and reporting on the effectiveness of the district's efforts to support students in building social and behavioral skills, resolving conflicts in a non-violent manner, and creating safe, welcoming, and harassment free learning environments for all students.
- f. Confront and investigate issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student,

school employee, or any person who is lawfully on school property or at a school activity.

g. Address personal biases that may prevent equal treatment of all students and staff.

8. Superintendent

a. Promotes a safe, orderly and stimulating school environment that supports active teaching and learning for all students regardless of actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex.

b. Informs the Board about educational trends relating to student discipline.

c. Reviews with District administrators the policies of the Board of Education and state and federal laws relating to school operations and management.

d. Be familiar with the Code of Conduct.

e. Maintains confidentiality in accordance with federal and state law.

f. Know school policies and rules, and enforce them in a fair and consistent manner.

g. Works to create instructional programs that minimize incidents of inappropriate behavior and are sensitive to student and teacher needs.

h. Works with District administrators in encouraging a positive school climate, enforcing the Code of Conduct, and ensuring that all cases are resolved promptly and equitably.

i. Participates in school-wide efforts to provide adequate supervision in all school spaces.

j. Confronts issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school activity.

k. Addresses personal biases that may prevent equal treatment of all students and staff.

l. Promotes a trauma-responsive approach to addressing student behavior by supporting professional development and appropriate staffing.

9. Board of Education

a. Promotes a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists), color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

b. Maintains confidentiality in accordance with federal and state law.

- c. Develops and recommends a budget that provides programs and activities that support the achievement of the goals of the code of conduct.
- d. Collaborates 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 activities.
- e. Adopts and reviews at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
- f. Leads by example by conducting Board meetings in a professional, respectful, courteous manner.
- g. Refers to the Superintendent of Schools issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school activity.
- h. Addresses personal biases that may prevent equal treatment of all students and staff.
- i. Promotes a trauma-informed approach to addressing student behavior by supporting professional development, providing a safe school environment, encouraging the formation of trusting relationships with students, allowing for student choice and autonomy, and encouraging student skill-building and competence.
- j. Is open to active participation in resolving conflicts through a restorative, trauma-informed process.

III. PROHIBITED STUDENT CONDUCT

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel, and other members of the school community, and for the care of school facilities and equipment.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on educating students so that they may grow in self-discipline.

The board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school, when they:

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include, but are not limited to:
 - 1. Running or otherwise unsafe behavior in hallways.
 - 2. Making unreasonable noise.

3. Using language or gestures that are profane, lewd, vulgar, or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act that disrupts the normal operation of the school community.
6. Trespassing.

- Entering any school office or school building, other than the one they regularly attend, without permission from the faculty member in charge.
- Entering a building/facility after regular hours or using any facility for anything other than its intended purpose.

7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet accounts; accessing inappropriate websites; or any other violation of the district's acceptable use policy.

B. Engage in conduct that is insubordinate and/ or disruptive to student learning or teacher instruction. Examples of insubordinate and/ or disruptive conduct include, but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators, or other school employees in charge of students, or otherwise demonstrating disrespect.
2. Lateness, missing, or leaving school without permission.
3. Skipping detention.
4. Inappropriate contact of a sexual nature.
5. Display or use of personal electronic devices, such as, but not limited to, cell phones, iPods, and digital cameras, in a manner that violates district policy.

C. Engage in conduct that is violent. Examples of violent conduct include, but are not limited to:

1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator, or other school employee.
2. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
3. Displaying what appears to be a weapon.
4. Threatening to use any weapon.
5. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee, or any person lawfully on school property, including graffiti or arson.
6. Intentionally damaging or destroying school district property.

D. Engage in any conduct that endangers the safety, morals, physical, or mental health or welfare of others, or interferes with the school environment. Examples of such conduct include, but are not limited to:

1. Attempting to engage in or perform any act of violence noted in Section C.

2. Recklessly engaging in conduct that creates a substantial risk of physical injury or endangering other students, school personnel, or any other person lawfully on school property or attending a school function.
3. Stealing the property of other students, school personnel, or any other person on school property or while attending a school function.
4. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
5. Discrimination, which includes the use of real or perceived race, color, weight, national origin, ethnic group, religion, religious practice, economic status, disability, sexual orientation, gender, gender identity, gender expression, or sex as a basis for treating another in a negative manner, as defined in Policy # 0110 and 0110-R (for discrimination of employees) and Policy # 0115 and 0115-R (for discrimination of students).
6. Harassment – as defined in Policy # 0110 and 0110-R (for harassment of employees) and Policy # 0115 and 0115-R (for harassment of students).
7. Sexual Harassment, as defined in Policy # 0110 and 0110-R (for sexual harassment of employees) and Policy # 0115 and 0115-R (for sexual harassment of students).
8. Bullying, as defined in Policy # 0115 and 0115-R.
9. Cyberbullying, as defined in Policy # 0115 and 0115-R, is a form of harassment and bullying that is unacceptable and inappropriate.
10. Sexting, which is the sending of sexually explicit digital images, videos, text messages, or emails by electronic means, is a form of harassment and bullying that is unacceptable and inappropriate on school grounds or at school-sponsored events or functions, using either school or personal technology. Sexting incidents should be reported on the Violent and Disruptive Incident Reports (VADIR) in either intimidation, harassment, menacing or bullying (IHMB category 10) or other disruptive incidents (category 20), provided these reporting thresholds are met: the incident is violent/disruptive; it occurred on school property/school sponsored events; and it merits or could merit disciplinary actions.
11. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
12. Cyberthreat, which is online material that threatens or raises concerns about violence to others, or to one's self, through direct threats or distressing material. Direct threats are actual threats to hurt another person. Distressing material is online material that provides clues indicating that the person is emotionally upset, and that the person is contemplating hurting another person, one's self or committing suicide.
13. Other inappropriate acts using technology, including sanctioned and unsanctioned devices.
14. Physically detaining or restraining any other person.
15. Selling, using, or possessing obscene material on school property.
16. Using vulgar or abusive language, cursing, or swearing on school property.
17. Smoking a cigarette, e-cigarette (including, but not limited to, a vape or juul), cigar, pipe, using chewing or smokeless tobacco, or smoking/vaping/ingesting cannabis or concentrated cannabis (includes cannabis products) or smoking cannabinoid hemp (except for lawful medical cannabis use in compliance with

state law and regulation) on school property.

18. Possessing, consuming, selling, distributing, or exchanging alcoholic beverages, illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, opioids, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
 19. Inappropriately possessing, consuming, selling, distributing, or exchanging prescription and over-the-counter drugs.
 20. Gambling.
 21. Indecent exposure, which is exposure to the sight of the private parts of the body in a lewd or indecent manner.
 22. Initiating a report warning of fire, bomb threat, or other catastrophe without valid cause; misuse of 911 or discharging a fire extinguisher.
- E. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses and to remain seated, keep objects and body parts inside the bus, obey the directions from the bus driver or monitor to ensure their safety and that of other passengers, and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving, and fighting will not be tolerated.
- F. Engage in any form of academic misconduct. Examples of academic misconduct include, but are not limited to:
1. Plagiarism
 2. Cheating (including, but not limited to, handing in a document under the pretenses of it being your original work, and it is not. I.E., Artificial Intelligence)
 3. Copying
 4. Altering records
 5. Assisting another student in any of the above actions
- H. Engage in off-campus misconduct that interferes with, or can reasonably be expected to substantially disrupt the educational process in the school or at a school function. Examples of such misconduct include, but are not limited to:
1. Cyberbullying (i.e., inflicting willful and repeated harm through the use of electronic text).
 2. Threatening or harassing students or school personnel in person, over the phone, or any other electronic medium.

IV. Academic Integrity

A. Definitions:

1. Academic integrity governs the way in which a student writes, performs research, and fulfills the responsibilities of learning in a positive and constructive manner at the District. It is founded on the principles of respect for knowledge, truth, scholarship, and acting with honesty. These principles and values are the foundation of learning. The purpose of this section of the Code of Conduct is to outline the District's expectations regarding academic integrity.

2. Academic dishonesty/misconduct includes, but is not limited to: cheating, fabrication, plagiarism, altering records, copying, and facilitating dishonesty. Appropriate sanctions may be imposed on any student who has committed an act of academic dishonesty.
 - a. Academic dishonesty is the attempt to secure an unfair advantage for oneself or another in any academic exercise.

B. The following is an extensive, though not exhaustive, list of actions that are considered to be academically dishonest.

1. Cheating is the use or attempted use of deception, fraud, and/or misrepresentation of one's academic work.
2. Fabrication is the falsification or invention of any information or citation in any academic exercise.
3. Plagiarism is the intentional or negligent representation of the words or ideas of another as one's own work in any academic exercise. This includes, but is not limited to:
 - a. failing to properly identify direct quotations by quotation marks or appropriate indentation and formal citation;
 - b. failing to acknowledge and properly cite paraphrasing or summarizing material from another source;
 - c. failing to acknowledge and properly cite information obtained from the Internet or other electronic media, as well as other sources;
 - d. submitting research papers written by another, including those obtained from commercial term paper companies or the Internet;
4. Facilitating dishonesty is knowingly helping or attempting to help another commit any act of academic dishonesty.
5. Other prohibited actions:
 - a. submitting all or substantial portions of the same work to fulfill the requirements for more than one course without the prior permission of the instructor(s);
 - b. plagiarizing, forging, or otherwise altering grades, transcripts, course withdrawal forms, or other academic documents;
 - c. submitting all or substantial portions of work in the subject area of World Languages that utilized an online translator;
 - d. illegally accessing a computer drive, network folder, etc.;
 - e. stealing or destroying the academic work of another, either hard copy or electronic/digital copy, external storage drive, research paper, or notebook.

C. Consequences and Sanctions for Violations of Academic Integrity

1. A student implicated in any of the above will be required to redo the assignment for partial credit. The teacher will notify the parent/guardian, then submit a written student discipline referral, where the building administrator will then follow up with the student, the teacher, and the parent/guardian.
2. If teachers or staff members observe any form of cheating for any reason during a quiz, test, or exam, they will address the issue while upholding the integrity of the testing environment. Violation of these or any other testing procedures or rules announced by the proctor at the start of the examination will result in no grade on the exam and a parent meeting. Appeals must be made through the school

principal.

V. Computer and Internet Acceptable Use/Students and Personal Electronic Devices

- A. Voorheesville Central School District provides students with access to District computers and the Internet. Students' use of computers and access to the Internet while at school are privileges and are intended to be for educational purposes only.
- B. All parents and students are required to review the District's Technology User Agreement and Parent Permission Form.
- C. Failure to comply with the regulations may result in disciplinary action.
- D. The District's Technology User Agreement and Parent Permission Form is for educational use, and the District's regulations are not necessarily all-inclusive due to this rapidly changing field. The Technology User Agreement and Parent Permission Form references the following policies, which can be found on the VCSD website: Acceptable Use(4526), Internet Safety (4526.1), Code of Conduct (5300), and Harassment, Discrimination, Hazing, and Bullying (0115).
- E. Students and Personal Electronic Devices are prohibited per policy 5695. Devices restricted by this policy include "internet-enabled devices" and other personal electronic devices capable of receiving or sending calls or messages, collectively "Restricted Devices."

VI. STUDENT DRESS CODE

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents/guardians have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress. Nothing in this policy will be construed to limit the ability of students to express their gender identity through clothing, jewelry, makeup, or nail color or styles, or to discipline students for doing so. Likewise, nothing in this policy will be construed to restrict students from wearing hairstyles as a trait historically associated with race (such as hair texture and protective hairstyles like braids, locks, and twists) or to discipline them for doing so.

A student's dress, grooming, and appearance, including hairstyle, jewelry, accessories, make-up, and nails, shall:

1. Be safe and do not disrupt or interfere with the educational process.
2. Not expose private parts of the body. Clothing will fully cover these areas with opaque fabric.
3. Include a shirt (with fabric in the front, back, and on the sides under the arms) and pants/jeans or the equivalent (e.g., a skirt, sweatpants, leggings, shorts, dress).
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.

5. Not including the wearing of hats for grades K-5 in the classroom, except for a medical or religious purpose. Hats and hoodies may be worn in the classroom for grades 6-8 and 9-12.
6. Hats/Headwear must allow the face to be visible to staff, and should not interfere with the line of sight of any student to the teacher.
7. Not include items that are or allude to vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation, disability, or any protected class status.
8. Not promote and/or endorse the use of alcohol, tobacco, or illegal drugs and/or encourage other illegal, violent activities, or gang activities.

VCSD celebrates students' differences and individuality and encourages students to wear the clothing and styles they deem most reflective of their true selves, provided it does not violate this dress code. Each building principal or his or her designee shall be responsible for informing all students and their parents/guardians of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

If a student's dress or appearance in school is deemed questionable, the concern should be addressed to the administration. Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any individual who refuses to do so may be subject to discipline or removal from school grounds. Any individual who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out-of-school suspension, if, after restorative justice principles have been implemented, the student continues to refuse to cooperate.

Visitors are expected to abide by the school dress code; those who do not may be asked to leave the premises.

Specific Activity Dress Codes

The District recognizes that certain extracurricular activities may have different attire expectations. As such, while students are actively participating in such activities they may wear activity and/or weather specific attire, such as sports bras for outdoor sports practices, swimsuits for swimming, business attire for certain clubs, costumes for plays, protective eye wear and closed-toe shoes in certain CTE workshops and science labs, hairnets in culinary arts classes, etc. Once the student is no longer actively participating in such activities, they must continue to comply with the District's standard dress code requirements.

Notwithstanding, any activity and/or weather specific dress attire must be consistent with this policy, and to the extent any coach, teacher, or staff seeks to establish an activity and/or weather specific dress code, it must be shared in advance in writing with Building Administration for review.

VII. Transportation Code

- a. The safety of all students is our primary concern. All school buses are “school property” and are subject to all rules set forth in the District Code of Conduct. Each student has an individual responsibility to help ensure the safety of all students on the bus by following the rules. Coming to school, going home, and riding buses for extracurricular events or field trips, a student is expected to listen to and obey all instructions from transportation personnel.
- b. Examples of bus misconduct include, but are not limited to:
 - i. Bringing prohibited items onto a school bus. Prohibited items include, but are not limited to, skateboards, animals, flammable materials of any kind, medications that contain controlled substances except in compliance with District procedures and SED requirements for students who are authorized to carry and self-administer a lawfully prescribed medication, and weapons of any kind.
 - ii. Making threatening gestures and/or comments.
 - iii. Disregarding the instructions of the bus driver.
 - iv. Swearing or using inappropriate language.
 - v. Vaping or smoking on a school bus.
 - vi. Damaging or vandalizing any part of a school bus.
 - vii. Fighting, pushing, or shoving.
 - viii. Standing while the bus is moving.
 - ix. Failing to keep head, hands, feet, and other objects inside the bus at all times.
 - x. Use of flash photography

VIII. REPORTING VIOLATIONS

All students are expected to promptly report violations of the code of conduct to a teacher, school counselor, the building principal, or their designee. Any student observing a student possessing a weapon, alcohol, or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee, or the superintendent.

Students are prohibited from knowingly making false statements or knowingly submitting false information to school staff during a disciplinary process.

All district staff who are authorized to impose disciplinary sanctions 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, in turn, 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 of the student involved and the appropriate disciplinary sanction, if warranted, which may include permanent suspension and referral for prosecution.

The building principal or their 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 on the day the principal or their designee learns of the violation. 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.

IX. DISCIPLINARY PENALTIES

Historically, the discipline of students in schools has focused mainly on handing out punishments based on specific actions. These punishments include reprimands, loss of privileges, office referrals, detentions, and suspensions.

However, understanding discipline as a “teachable moment” is fundamental to a positive approach to discipline with the ultimate goal of teaching positive interpersonal behaviors. Therefore, the board authorizes restorative justice practices to be employed where appropriate, uses conflict resolution, restitution to those harmed, and group, classroom, community, and re-entry circles to address misbehaviors with the ultimate goal of teaching positive interpersonal behavior. This approach seeks concurrent accountability and behavioral change.

The main principles of restorative justice are valuing and restoring relationships, repairing the harm done to affected parties, respecting others’ opinions, and reintegrating into the school community.

Under this model, we ask:

- Who has been hurt?
- What are their needs?
- Whose obligations are these?

Essential to the implementation of restorative justice practices is helping students who have engaged in unacceptable behavior to:

- Understand why the behavior is unacceptable and the harm it caused;
- Understand what could have been done differently in the same situation;
- Take responsibility for their actions;
- Make reparations and or restitution to repair the harm done;
- Be given the opportunity to learn pro-social strategies/skills to use in the future; and
- Understand that the progression of increasingly punitive consequences may be imposed if the behavior recurs.

While there may be more traditional punishments in conjunction with teaching behavior expectations and treating disciplinary matters as teachable moments, this is a more effective approach than merely reacting to specific events unless student behaviors pose an immediate or

ongoing threat to the safety of other students and staff.

Procedures and Referrals

The Board directs staff and administration to utilize restorative justice practices where appropriate in addressing student disciplinary issues.

In the application of restorative principles, the process is always voluntary for the students. Any parent/guardian (or student over the age of 18) can request a traditional disciplinary route and not participate in the restorative process. This may happen at any time during the process, or if a student is unwilling to accept responsibility for their actions and is not demonstrating willingness to make amends.

Discipline Approach and Expectations for Early Intervention

Discipline is most effective when it addresses behavior promptly, in the environment where it occurs, and in a manner that students view as fair, consistent, and impartial. School personnel are expected to use disciplinary action only when necessary and to focus on supporting students in developing self-discipline and pro-social behavior.

Before initiating a formal referral or involving administration, teachers are expected to implement a range of classroom-based strategies designed to address and correct behavior, while maintaining a positive and supportive learning environment. These proactive approaches help prevent minor issues from escalating into more serious disciplinary matters.

Examples of appropriate early interventions include, but are not limited to:

- Private conversations with the student
- Providing the student with a break or time to de-escalate
- Verbal redirection or correction
- Adjusting seating arrangements
- Offering alternative tasks or choices
- Loss of classroom privileges
- Contacting parents or guardians
- Assigning teacher detention
- Creating a classroom behavior plan
- Using restorative practices
- Referring the student to the Multi-Tiered System of Support (MTSS)

These strategies are part of the teacher's professional responsibility and serve as the foundation for a consistent and constructive school-wide approach to behavior. Formal referrals should only occur after reasonable classroom interventions have been attempted and documented, unless the behavior is severe or poses an immediate safety concern.

Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age.
2. The nature of the offense and the circumstances that led to the offense.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents/guardians, 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 penalty 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 their disability, unless the discipline is consistent with the student's individualized education plan (IEP).

- A. Level I: Any misbehavior that represents an infraction of the established procedures that regulate the operation of the school and its educational process is considered a Level I infraction.

Level I Infractions: Level I Infractions may include, but are not limited to:

- Dress code violations;
- Inappropriate behavior in school, including on the bus and during lunch, recess, school assemblies, and other school-sponsored events or activities;
- Swearing/inappropriate language;
- Use of unapproved electronic devices (those with no educational purpose) such as radios, cell phones, video games, or laser pointers;
- Buying/selling items without prior approval of a District official;
- Abuse of student privileges;
- Minor class disruptions;
- Tardiness;
- Class cutting/leaving class without permission;
- Unexcused absence/truancy;
- Cheating/plagiarism;
- Insubordination.

Level I Disposition/Consequences: The teacher, building principal, or their designee may choose one or more of the following consequences and is not limited to using more severe consequences.

- Loss of privileges (such as, but not limited to, parking, participation in student activities and events);
- Counseling;
- Detention;

- Parents contact/conference;
- Verbal reprimand;
- Confiscation of electronic devices;
- Removal, replacement, or covering of an item that violates the dress code;
- Loss of student leadership position;
- In School Suspension;
- Restricted passes.

B. Level II: Any misbehavior whose frequency and/or seriousness disrupts the educational process or poses a threat to the health and safety of others is considered a Level II infraction. These infractions may be reported to the NYS Education Department as violent and disruptive incidents.

Level II Infractions: Level II Infractions may include, but are not limited to:

- Recurring or serious Level I infractions;
- Harassing/bullying/cyberbullying and cyberthreats/menacing;
- Physically aggressive behavior;
- Cutting detention;
- Physical altercation;
- Inappropriate use of computer or Internet access;
- Vandalism totaling less than \$100;
- Possession, use, sale, or distribution of tobacco products, an illegal substance, or alcohol;
- Gambling.

Level II Consequences: The building principal or their designee may choose one or more of the following consequences and are not limited from using more severe consequences.

- Continuation of Level I consequences;
- In-school suspension;
- Removal from class;
- Off-Campus Intervention Program;
- Out of School suspension;
- Suspension from transportation;
- Loss of computer or Internet privileges;
- Restitution;
- Principal's hearing;
- Filing of a Person in Need of Supervision (PINS) Petition.

C. Level III: Any misbehavior that poses an immediate threat to the health and safety of self or others in school and may require police intervention is considered a

Level III infractions: Level III Infractions may include, but are not limited to:

- Assault resulting in physical injury/serious physical injury;
- Vandalism totaling more than \$100;

- Possession, use, or threatened use of a weapon;
- Possession, use, sale, or distribution of illegal drugs or unauthorized prescription drugs;
- Burglary;
- Arson;
- Bomb threat/false fire alarm/false 911 call;
- Sexual offenses (forcible and other);
- Sexual Harassment under Policy # 0110 and 0110-R and 0115, and 0115-R;
- Title IX Sexual Harassment, under Policy # 0120;
- Robbery;
- Kidnapping;
- Reckless endangerment;
- Larceny;
- Rioting;
- Possession of fireworks;
- Extortion;
- Hazing;
- Trespassing.

Level III Consequences: The building principal or their designee may choose one or more of the following consequences and are not limited from using more severe consequences.

- Continuation of Level I or II consequences;
- Out of school suspension;
- Superintendent's hearing;

Should a parent/guardian or student over the age of 18 opt out of participating in the restorative practices, or if restorative practices have not been effective with the student in question, the list below will be utilized to determine consequences.

A. Consequences

Students who are found to have violated the district's Code of Conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose the penalty, consistent with the student's right to due process.

1. Verbal warning - any member of the district staff.
2. Written warning - bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, principal, superintendent.
3. Written notification to parent/guardian - bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, principal, superintendent.
4. Detention - teachers, principal, superintendent.
5. Suspension from transportation - director of transportation, principal, superintendent.
6. Suspension from athletic participation - coaches with school administration.

7. Suspension from social or extracurricular activities - activity director, principal, superintendent
8. Suspension of other privileges - principal, superintendent.
9. In-school suspension - principal, superintendent.
10. Removal from the classroom by teacher-teachers and, principal.
11. Short-term (five days or less) suspension from school - principal, superintendent, board of education.
12. Long-term (more than five days) suspension from school - superintendent, board of education.
13. Permanent suspension from school - superintendent, board of education.

B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty 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 penalty in connection with the imposition of the penalty.

Students who are to be given penalties other than a verbal warning, written warning, or written notification to their parent/guardians are entitled to additional rights before the penalty is imposed. These additional rights are explained below:

1. Detention - Teachers, principals, and the superintendent may use after-school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent/guardian has been notified to confirm that there is no parental/guardian objection to the penalty and the student has appropriate transportation home following detention.
2. Suspension from transportation - If a student does not conduct themselves properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent, or their designees. In such cases, the student's parent/guardian will become responsible for seeing that their 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 Section 3214. However, the student and the student's parent/guardian 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 penalty 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 Section 3214. However, the student and the

student's parent/guardian will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.

4. In-school suspension - 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 a result of a code of conduct violation in "in-school suspension."
5. A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law Section 3214. However, the student and the student's parent/guardian will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.
6. 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 their composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an elementary classroom or 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.

On occasion, a student's behavior may become disruptive. For purposes of this Code of Conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules. 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 they are being removed and an opportunity to explain their 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 an ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however,

explain to the student why they were removed from the classroom and give the student a chance to present their version of the relevant events within 24 hours.

The teacher must complete a district-established disciplinary removal form and meet with the principal or their designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24 hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents/guardians, in writing, that the student has been removed from class and why. The notice must also inform the parent/guardian that the student has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

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/guardians. 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/guardians.

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/guardians 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/guardian 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 the law, including the district's Code of Conduct.
3. The conduct warrants suspension from school pursuant to Education Law Section 3214, and a suspension will be imposed.

The principal or their 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 is removed from the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until they are permitted to return to the classroom.

Each teacher must keep a complete log (on a district-provided form) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from 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 their class until they have 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.

7. Suspension from School

Suspension from school is a penalty that may be imposed 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.

Any staff member may recommend to the superintendent or the principal that a student be suspended. 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 in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases, a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The superintendent or principal, upon receiving a recommendation or referral for suspension when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary. 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 five days or less pursuant to Education Law Section 3214(3), the suspending authority must immediately notify the student verbally. 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 may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, electronic mail, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. 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. 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 their 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 superintendent's 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.

a. Long-term (more than 5 days) suspension from school:

When the superintendent or building principal determines that a suspension for more than five days may be warranted, they 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 their behalf.

The superintendent shall personally hear and determine the proceeding or may, in their 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 them. 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, which 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 preclude 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.

b. 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.

C. Minimum Periods of Suspension

1. Students who bring a weapon to school:

Any student found guilty of bringing a weapon onto school property may 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 Section 3214. The superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:

- a. The student's age.
- b. The student's grade in school.
- c. The student's prior disciplinary record.
- d. The superintendent's belief that other forms of discipline may be more effective.
- e. Input from parents, teachers, and/or others.
- f. Other extenuating circumstances.

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

2. Students who commit violent acts other than bringing a weapon to school:

A student 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 up to five days. If the proposed penalty is a five-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. If the proposed penalty exceeds the minimum five-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/designee has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent/designee 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 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 five 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 a teacher(s) pursuant to Education Law Section 3214(3-a) and this Code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is a five-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 penalty exceeds the minimum five-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/designee has the authority to modify the five-day

suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent/designee may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

D. Referrals

1. Counseling and Other Remedial Responses - The Counseling Office shall handle all referrals of students to counseling, peer support groups, instruction, or other relevant learning experiences.
2. PINS Petitions - The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that they require supervision and treatment by:
 - a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
 - b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.
 - c. Knowingly and unlawfully possessing marijuana or any controlled substance will be a sufficient basis for filing a PINS petition.
3. Juvenile Delinquents and Juvenile Offenders - The superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:
 - a. Any student under the age of 16 who is found to have brought a weapon to school, or
 - b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law Section 1.20(42). The superintendent is required to refer students aged 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

X. 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. The Board of Education expects students, administrators, teachers, and parents to make every effort to maintain student academic progress in the event of removal or suspension, and support student re-entry to the classroom at the conclusion of the disciplinary action.

XI. DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities who violate the district's student code of conduct, and/or to temporarily remove a student with disabilities from his or her current placement because maintaining the student in that placement is substantially likely to result in injury to the student or others. The Board expects that this will be a sparingly used option and staff will employ conflict resolution meetings, restitution to those harmed, and group, classroom, or community circles as appropriate for a particular student. Restorative justice practices will be considered first

in dealing with disciplinary issues, as long as the student with disabilities is able to meaningfully participate in the process and such practices are allowable under their IEP.

The Board also recognizes that students with disabilities deemed eligible for special education services under the IDEA and Article 89 of New York's Education Law enjoy certain procedural protections that school authorities must observe when they decide to suspend or remove them. Under certain conditions, those protections extend, as well, to students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for discipline purposes.

Therefore, the Board is committed to ensuring that the district follows suspension and removal procedures that are consistent with those protections. The code of conduct for students is intended to afford students with disabilities and students presumed to have a disability for discipline purposes the express rights they enjoy under applicable law and regulations.

1. Definitions

For purposes of this portion of the code of conduct, and consistent with applicable law and regulations, the following definitions will apply:

- a. Behavioral intervention plan (BIP) means a plan that is based on the results of a functional behavioral assessment and that, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior.
- b. Controlled substance means a drug or other substance abuse identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c)).
- c. Disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - i. For more than 10 consecutive school days; or
 - ii. For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another.
- d. An illegal drug means a controlled substance, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional, or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of federal law.
- e. Interim alternative educational setting (IAES) means a temporary educational placement, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. An IAES must allow a student to continue to receive educational services that

enable him or her to continue to participate in the general curriculum and progress toward meeting the goals set out in the student's individualized education program; as well as to receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

- f. Manifestation review means a review of the relationship between the student's disability and the behavior subject to disciplinary action required when the disciplinary action results in a disciplinary change of placement, and is conducted in accordance with requirements set forth later in this policy.
- g. Manifestation team means a district representative knowledgeable about the student and the interpretation of information about child behavior, the parent, and relevant members of the committee on special education, as determined by the parent and the district.
- h. Removal means the removal of a student with a disability for disciplinary reasons from his or her current educational placement, other than a suspension, and a change in the placement of a student with a disability to an IAES.
- i. School day means any day, including a partial day, that students are in attendance at school for instructional purposes.
- j. Serious bodily injury means bodily injury that involves a substantial risk of death, extreme physical pain, protracted obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
- k. Student presumed to have a disability for discipline purposes means a student who, under the conditions set forth later in this policy, the district is deemed to have had knowledge was a student with a disability before the behavior that precipitated the disciplinary action.
- l. Suspension means a suspension pursuant to §3214 of New York's Education Law.
- m. Weapon means the same as the term "dangerous weapon" under 18 USC §930(g)(2) which includes a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except a pocket knife with a blade of less than two and one-half inches in length.

- 2. Authority of School Personnel to Suspend or Remove Students with Disabilities
The Board, District Superintendent, Superintendent of Schools, or a Building Principal with authority to suspend students under the Education Law may order the placement of a student with a disability into an IAES, another setting, or suspension for a period not to exceed five consecutive school days.
The Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed ten consecutive school days inclusive of any period in which the student has been suspended or removed for the same behavior pursuant to the above paragraph, if the Superintendent

determines that the student's behavior warrants the suspension. The Superintendent also may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misbehavior, as long as the suspensions do not constitute a disciplinary change of placement.

In addition, the Superintendent may order the placement of a student with a disability into an IAES, another setting, or suspension for a period in excess of ten consecutive school days if the manifestation team determines that the student's behavior was not a manifestation of the student's disability. In such an instance, the Superintendent may discipline the student in the same manner and for the same duration as a non-disabled student.

Furthermore, the Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability in an IAES to be determined by the committee on special education for a period of up to 45 school days if the student either:

- a. Carries or possesses a weapon to or at school, on school premises, or to a school function, or
 - b. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the district's jurisdiction, or
 - c. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the district's jurisdiction.
- The Superintendent may order the placement of a student with a disability to an IAES under such circumstances, whether or not the student's behavior is a manifestation of the student's disability. However, the committee on special education will determine the IAES. Procedures for the Suspension or Removal of Students with Disabilities by School Personnel

- i. In cases involving the suspension or removal of a student with a disability for a period of five consecutive school days or less, the student's parents or persons in parental relation to the student will be notified of the suspension and given an opportunity for an informal conference in accordance with the same procedures that apply to such short term suspensions of non-disabled students.
- ii. The suspension of students with disabilities for a period in excess of five school days will be subject to the same due process procedures applicable to non-disabled students, except that the student disciplinary hearing conducted by the Superintendent or a designated hearing officer shall be bifurcated into a guilt phase and a penalty phase. Upon a finding of guilt, the Superintendent or the designated hearing officer will await notification of the determination by the manifestation team as to whether the student's behavior was a manifestation of his or her disability. The penalty phase of the

hearing may proceed after receipt of that notification. If the manifestation team determined that the behavior was not a manifestation of the student's disability, the student may be disciplined in the same manner as a non-disabled student, except that he or she will continue to receive services as set forth below. However, if the behavior was deemed a manifestation of the student's disability, the hearing will be dismissed, unless the behavior involved concerned weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, in which case the student may still be placed in an IAES.

3. Limitation on Authority of School Personnel to Suspend or Remove Students with Disabilities

The imposition of a suspension or removal by authorized school personnel may not result in a disciplinary change of placement of a student with a disability that is based on a pattern of suspensions or removals as set forth above in the Definitions section of this policy, unless:

- a. The manifestation team determines that the student's behavior was not a manifestation of the student's disability, or
- b. The student is removed to an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury as set forth above.

School personnel will consider any unique circumstances on a case-by-case basis when determining whether a disciplinary change in placement is appropriate for a student with a disability who violates the district's code of conduct.

In addition, school personnel may not suspend or remove a student with a disability in excess of the amount of time that a non-disabled student would be suspended for the same behavior.

4. Parental Notification of a Disciplinary Change of Placement

The district will provide the parents of a student with a disability notice of any decision to make a removal that constitutes a disciplinary change of placement because of a violation of the student code of conduct. Such notice will be accompanied by a copy of the procedural safeguards notice.

5. Authority of an Impartial Hearing Officer to Remove a Student with a Disability

An impartial hearing officer may order the placement of a student with a disability to an IAES for up to 45 school days at a time if he or she determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others. This authority applies whether or not the student's behavior is a manifestation of the student's disability.

6. Manifestation Review

A review of the relationship between a student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the student's disability will be made by the manifestation team immediately, if possible, but in no case later than 10 school days after a decision is made by:

- a. The Superintendent to change the placement of a student to an IAES;
- b. An impartial hearing officer to place a student in an IAES; or

- c. The Board, the Superintendent, or the Building Principal to impose a suspension that constitutes a disciplinary change in placement. The manifestation team must determine that the student's conduct was a manifestation of the student's disability if it concludes that the conduct in question was either:

- i. Caused by or had a direct or substantial relationship to the student's disability, or
- ii. The direct result of the district's failure to implement the student's individualized education program.

The manifestation team must base its determination on a review of all relevant information in the student's file, including the student's individualized education program, any teacher observations, and any relevant information provided by the parents.

If the manifestation team determines that the student's conduct is a manifestation of the student's disability, the district will:

1. Have the committee on special education conduct a functional behavioral assessment of the student and implement a behavioral intervention plan, unless the district had already done so prior to the behavior that resulted in the disciplinary change of placement occurred. However, if the student already has a behavioral intervention plan, the CSE will review the plan and its implementation, and modify it as necessary to address the behavior.
2. Return the student to the placement from which he or she was removed, unless the change in placement was to an IAES for conduct involving weapons, illegal drugs, or controlled substances or the infliction of serious bodily injury, or the parents and the district agree to a change in placement as part of the modification of the behavioral intervention plan.

If the manifestation team determines that the conduct in question was the direct result of the district's failure to implement the student's individualized education program, the district will take immediate steps to remedy those deficiencies.

7. Services for Students with Disabilities during Periods of Suspension or Removal
- Students with disabilities who are suspended or removed from their current educational setting in accordance with the provisions of this policy and applicable law and regulation will continue to receive services as follows:
- a. During suspensions or removals of up to 10 school days in a school year that do not constitute a disciplinary change in placement, the district will provide alternative instruction to students with disabilities of compulsory attendance age on the same basis as non-disabled students. Students with disabilities who are not of compulsory attendance age will receive services during such periods of suspension or removal only to the same extent as non-disabled students of the same age would if similarly suspended.
 - b. During subsequent suspensions or removals of up to 10 school days that in the aggregate total more than 10 school days in a school year but do not

constitute a disciplinary change in placement, the district will provide students with disabilities services necessary to enable them to continue to participate in the general education curriculum and to progress toward meeting the goals set out in their respective individualized education program. School personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed to comply with this requirement.

In addition, during such periods of suspension or removal, the district will also provide students with disabilities services necessary for them to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

- c. During suspensions or removals in excess of 10 school days in a school year that constitute a disciplinary change in placement, including placement in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, the district will provide students with disabilities services necessary to enable them to continue to participate in the general curriculum, to progress toward meeting the goals set out in their respective individualized education program, and to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so it does not recur.

In such an instance, the committee on special education will determine the appropriate services to be provided.

8. Students Presumed to Have a Disability for Discipline Purposes

The parent of a student who is facing disciplinary action but who was not identified as a student with a disability at the time of misbehaviors has the right to invoke any of the protections set forth in this policy in accordance with applicable law and regulations, if the district is deemed to have had knowledge that the student was a student with a disability before the behavior precipitating disciplinary action occurred and the student is therefore a student presumed to have a disability for discipline purposes.

If it is claimed that the district had such knowledge, it will be the responsibility of the Superintendent, Building Principal, or other authorized school official imposing the suspension or removal in question to determine whether the student is a student presumed to have a disability for discipline purposes. The district will be deemed to have had such knowledge if:

- a. The student's parent expressed concern in writing to supervisory or administrative personnel, or a teacher of the student, that the student is in need of special education. Such expression may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
- b. The student's parent has requested an evaluation of the student; or
- c. A teacher of the student or other school personnel has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the district's director of special education or other supervisory personnel.

Nonetheless, a student will not be considered a student presumed to have a

disability for discipline purposes if, notwithstanding the district's receipt of information supporting a claim that it had knowledge that the student has a disability,

- i. The student's parent has not allowed an evaluation of the student; or
- ii. The student's parent has refused services; or
- iii. The District conducted an evaluation of the student and determined that the student is not a student with a disability.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if the district receives a request for an individual evaluation while the student is subjected to a disciplinary removal, the district will conduct an expedited evaluation of the student in accordance with applicable law and regulations. Until the expedited evaluation is completed, the student shall remain in the educational placement determined by the district, which can include suspension.

9. Expedited Due Process Hearings

The district will arrange for an expedited due process hearing upon receipt of or filing of a due process complaint notice for such a hearing by:

- a. The district to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement;
- b. The district, during the pendency of due process hearings, where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings;
- c. The student's parent regarding a determination that the student's behavior was not a manifestation of the student's disability; or
- d. The student's parent relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES. The district will arrange for, and an impartial hearing officer will conduct, an expedited due process hearing in accordance with the procedures established in Commissioner's regulations. Those procedures include, but are not limited to, convening a resolution meeting and initiating and completing the hearing within the timelines specified in those regulations. When an expedited due process hearing has been requested because of a disciplinary change in placement, a manifestation determination, or because the district believes that maintaining the student in the current placement is likely to result in injury to the student or others, the student will remain in the IAES pending the decision of the impartial hearing officer or until the expiration of the period of removal, whichever occurs first unless the student's parent and the district agree otherwise.

10. Referral to Law Enforcement and Judicial Authorities

Consistent with its authority under applicable law and regulations, the district will report a crime committed by a student with a disability to appropriate law

enforcement and judicial authorities. In such an instance, the Superintendent will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration to the appropriate authorities to whom the crime is reported, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

XII. CORPORAL PUNISHMENT

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher, or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers, and duties, if that student has refused to refrain from further disruptive acts.

The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with the Commissioner's regulations.

XIII. STUDENT SEARCHES AND INTERROGATIONS

The Board of Education is committed to ensuring a safe and orderly atmosphere on school property and at school functions. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the board authorizes the superintendent, school administration, the school nurse, and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district Code of Conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search. An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official should inquire with the student if they possess physical evidence that they violated the law or the district Code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices, and students will be present when their possessions are being searched.

A. Student Lockers, Desks, and Other School Storage Places

Student lockers and desks are purchased and maintained by the District and remain the property of the District. However, the District is not responsible for books, clothing, or valuables left in lockers or desks. A student shall not place, keep, or maintain in a school-owned locker or desk any article or material of a nonschool nature that may cause or tend to cause the disruption of the lawful mission of the school.

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks, and other school storage places. Students have no reasonable expectation of privacy with respect to these places, and school officials retain complete control over them. This means that student lockers, desks, and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

B. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

1. Name, age, and grade of the student searched.
2. Reasons for the search.
3. Name of any informant(s).
4. Purpose of search (that is, what item(s) were being sought).
5. Type of scope of search.
6. Person conducting the search and his or her title and position.
7. Witnesses, if any, to the search.
8. Time and location of the search.
9. Results of search (that is, what item(s) were found).
10. Disposition of items found.
11. Time, manner, and results of parental notification.

The building principal or the principal's designee shall be responsible for the custody, control, and disposition of any illegal or dangerous item taken from a student.

The principal or their designee shall clearly label each item taken from the student and retain control of the item(s) until the item(s) is turned over to the police. The principal or their designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

C. Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school

functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Been invited by school officials.

Before police officials are permitted to question or search any student, the building principal or their designee shall first try to notify the student's parent/guardian to give the parent/guardian the opportunity to be present during the police questioning or search. If the student's parent/guardian cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

D. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

1. All requests by child protective services to interview a student on school property shall be made directly to the building principal or his or her designee. The principal or their designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview.

No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if they were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent/guardian's consent.

XIV. VISITORS TO THE SCHOOL

The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the main building office upon arrival at the school. There, they will be required to provide government-issued identification. Visitors will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Any unauthorized person on school property will be reported to the principal or their designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
5. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

XV. PUBLIC CONDUCT ON SCHOOL PROPERTY

The district is committed to providing an orderly, respectful, welcoming environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the Code, "public" shall mean all persons when on school property or attending a school function, including students, teachers, and district personnel.

The restrictions on public conduct on school property and at school functions contained in this Code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this Code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee, or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs, or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass, or bully any person, or discriminate against any person on the basis of actual or perceived race, color, creed, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender (including gender identity and expression), or any other protected class status.

6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this Code applies.
8. Violate traffic laws, parking regulations, or other restrictions on vehicles;
9. Possess, consume, sell, distribute, or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Illegal gambling on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance, or board policy while on school property or while at a school function.
16. Smoke a cigarette, cigar, pipe, electronic cigarette (i.e., vape), or use chewing or smokeless tobacco, or smoke/vape/ingest cannabis or concentrated cannabis (includes cannabis products) or smoking cannabinoid hemp (except for lawful medical cannabis use in compliance with state law and regulation).

B. Consequences

Persons who violate this Code shall be subject to the following penalties:

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn, and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law Section 3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service are entitled to the protection of Civil Service Law Section 75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law Section 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 4 and 5. They shall be subject to warning, reprimand, suspension, or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The building principal or their designee shall be responsible for enforcing the conduct required by this Code.

When the building principal or their designee sees an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, the principal or their designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or

their designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or their designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue civil or criminal legal action against any person violating the Code.

XVI. TITLE IX

It is the policy of the Voorheesville Central School District that no person shall be subjected to discrimination on the basis of race, creed, color, national origin, sexual orientation, gender identity or expression, disability, or any other protected class status. The Title IX and Section 504 Compliance Officer is the Superintendent of Schools, Voorheesville Central School District, 432 New Salem Road, Voorheesville, New York 12186, telephone (518) 765-3314 ext. 104.

XVII. DISSEMINATION AND REVIEW

A. Dissemination of Code of Conduct

The board will work to ensure that the community is aware of this Code of Conduct by:

1. Providing students, parents/guardians, and staff with the ability to review online
2. Providing a plain language summary to all parents/guardians at the beginning of the school year, and thereafter on request.
3. Making copies of the Code available for review by students, parents, guardians, staff, and other community members, including posting a copy of the Code on the District's website.

All district staff members will participate in an in-service education program to ensure the effective implementation of the Code of Conduct. The superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students. Ongoing professional development will be included in the district's professional development plan, as needed.

B. Review of the Code of Conduct

The board of education will review this Code of Conduct every year and update it as necessary. In conducting the review, the board will consider how effective the Code's provisions have been and whether the Code has been applied fairly and consistently.

The board may appoint an advisory committee to assist in reviewing the Code and the district's response to Code of Conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel, and other school personnel.

Before adopting any revisions to the Code, the board will hold at least one public hearing at which school personnel, parents/guardians, students, and any other interested party may participate.

The Code of Conduct and any amendments to it will be filed with the Commissioner, in a manner prescribed by the Commissioner, no later than 30 days after adoption.

Adoption date:	April 7, 2003
Revised:	January 10, 2011
Revised:	July 16, 2012
Revised:	October 20, 2015
Revised:	January 11, 2016
Revised:	July 12, 2021
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