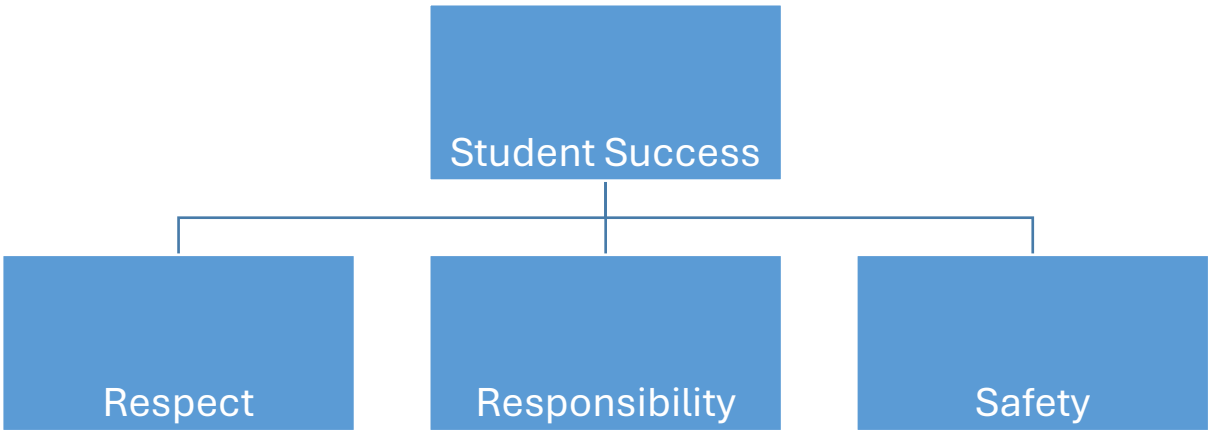
Holley Central School

2026/2027

Code of Conduct

INCLUDING:

DIGNITIY FOR ALL STUDENTS ACT



District Wide Pre-K – 12

Holley Central Schools
Table of Contents

Dignity for All Students Act……4-10

I. INTRODUCTION……11

II. DEFINITIONS……12-13

III. STUDENT RIGHTS AND RESPONSIBILITIES……13-14

IV. ESSENTIAL PARTNERS……14-17

A. PARENTS……14-15

B. FACULTY MEMBERS……15

C. SUPPORT STAFF……16

D. Security Officers……16

E. Building Administrators……16

F. SUPERINTENDENT……17

G. BOARD OF EDUCATION……17

V. STUDENT DRESS CODE……18-19

VI. STUDENT ELECTRONIC DEVICE CODE……20

VII. BEVERAGES……20

VIII. PROHIBITED STUDENT CONDUCT……21-28

A. DISORDERLY CONDUCT……21

B. INSUBORDINATE BEHAVIOR……21

C. DISRUPTIVE BEHAVIOR……22

D. VIOLENT BEHAVIOR……22

E. CONDUCT THAT ENDANGERS SELF AND OTHERS……22-23

F. CONDUCT THAT IS ACADEMICALLY INSUBORDINATE 24
G. Documentation 24
H. Minor Behavior Descriptors with Possible Responses 25
I. Major Behavior Descriptors 26-28

IX. REPORTING VIOLATIONS 28
X. DISCIPLINARY CONSEQUENCES, PROCEDURES AND REFERRALS 29-34
A. CONSEQUENCES 29-30
B. PROCEDURES 30-33
1. DETENTION 30
2. Extended Detention 30
3. SUSPENSION FROM TRANSPORTATION 31
4. SUSPENSION FROM ATHLETICS, EXTRACURRICULAR, OTHER 31
5. IN-SCHOOL SUSPENSION 31
6. TEACHER DISCIPLINARY REMOVAL OF DISRUPTIVE STUDENT 31-32
7. SUSPENSION FROM SCHOOL 32-33
C. REFERRALS FOR SERVICES 34
XI. ALTERNATIVE INSTRUCTION 34
XII. DISCIPLINE OF STUDENTS WITH DISABILITIES 35-39
A. AUTHORIZED SUSPENSIONS OR REMOVALS OF STUDENTS WITH DISABILITIES 35
B. CHANGE OF PLACEMENT RULE 35
C. SPECIAL RULES REGARDING THE SUSPENSION OR REMOVAL OF STUDENTS WITH DISABILITIES 36-38
D. EXPEDITED DUE PROCESS HEARINGS 38-39
E. REFERRAL TO LAW ENFORCEMENT AND JUDICIAL AUTHORITIES 39
XIII. CORPORAL PUNISHMENT 39
XIV. STUDENT SEARCHES AND INTERROGATIONS 40-42
A. SEARCHES. 40-41
B. INTERROGATIONS 41-42
XV. VISITORS TO THE SCHOOLS 43
XVI. PUBLIC CONDUCT ON SCHOOL PROPERTY 43-45
A. PROHIBITED CONDUCT 44
B. CONSEQUENCES 45
C. ENFORCEMENT 45

XVII. DISSEMINATION AND REVIEW OF CODE OF CONDUCT **46**

XVIII. Addenda **47-51**

A. Acceptable Use Policy 47

B. Virtual/Distance Learning Code of Conduct 48-51

Dignity for All Students Act

The board of education of the Holley Central School District is committed to providing an educational environment that promotes respect, dignity, and equality. The board recognizes that acts of discrimination and harassment, including bullying, taunting, or intimidation, are detrimental to student learning and achievement. These behaviors interfere with the mission of the Holley Central School District to educate its students and disrupt the operation of its schools. Such behavior affects not only the students who are its targets, but also those individuals who participate in, and witness such acts.

To this end, the board condemns and strictly prohibits all forms of discrimination and harassment, including bullying, taunting or intimidation, against students by students and/or employees on school property, which includes (among other things) school buses, and at school functions, which means school-sponsored, extra-curricular events or activities.

> *NOTE: The Dignity Act prohibits discrimination and/or harassment of students on school property and at school functions by students and/or employees. However, harassment can include, among other things, the use, both on and off school property, of information technology, including, but not limited to, email, instant messaging, blogs, chat rooms, pagers, cell phones, gaming systems and social media websites, to deliberately harass or threaten others. This type of harassment is generally referred to as cyberbullying. Although the Dignity Act does not specifically address cyberbullying, it is considered a form of harassment, like bullying.*

DEFINITIONS

Harassment

Harassment has been defined in various ways in state and federal law and regulation. The Board recognizes that these definitions are important standards and it will develop its policy to comply with them. It is also the Board's goal, in developing its policy, to prevent incidents of misbehavior from occurring and/or escalating, to promote a positive school environment, and to limit liability.

The Dignity Act (Education Law §11[7]) defines harassment as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. Such conduct, verbal threats, intimidation or abuse,

includes, but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived:

- race
- color
- weight
- national origin
- ethnic group
- religion
- religious practice
- disability
- sex
- sexual orientation
- gender (which includes a person's actual or perceived sex, as well as gender identity and expression).

Bullying

Bullying has been described by the USDE as unwanted, aggressive behavior among school-aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying can occur before and after school hours, in a school building or places like a playground or bus, while a child is traveling to or from school or on the Internet (cyber-bullying). Children who are bullied and those who bully others could have serious, lasting problems. Additionally, according to the USDE, bullying generally involves the following characteristics:

- An Imbalance of Power: Children who bully use their power, such as physical strength, access to embarrassing information, or popularity, to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.

- The Intent to Cause Harm: The person bullying has a goal of causing harm

- Repetition: Bullying behaviors generally happen more than once or have the potential to happen more than once.

Examples of bullying include, but are not limited to:

- Verbal: Name-calling, teasing, inappropriate sexual comments, taunting, and threatening to cause harm. Examples of the aforementioned through the internet, social media, gaming, text messaging, etc are considered forms of cyber-bullying.

- Social: Spreading rumors about someone, excluding others on purpose, telling other children not to be friends with someone, and embarrassing someone in public. Examples of the aforementioned through the internet, social media, gaming, text messaging, etc are considered forms of cyber-bullying.

- Physical: Hitting, punching, shoving, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's things, and making mean or rude hand gestures.

Hazing

The Penal Law defines hazing as a person intentionally or recklessly engaging in conduct during the course of another person's initiation into or affiliation with any organization, which creates a

substantial risk of physical injury to such other person or a third person and thereby causes such injury (Penal Law §120.16).

Under the Penal Law, it is also considered hazing, even when physical injury does not occur, if a person intentionally or recklessly engaged in conduct during the course of another person's initiation into or affiliation with any organization, which created a substantial risk of physical injury to such other person or a third person (Penal Law §120.17).

Discrimination
Discrimination is not specifically defined in the Dignity Act. However, for reference purposes, it should be noted that Education Law §§3201 and 3201-a prohibit discrimination in the form of denial of admission into or exclusion from any public school on the basis of race, creed, color, national origin, or and gender.

Prevention
The school setting provides an opportunity to teach children, and emphasize among staff, that cooperation with and respect for others is a key value of all schools. A program geared to prevention is designed to not only decrease incidents of discrimination, harassment, bullying, taunting or intimidation, but to help students build more supportive relationships with one another by integrating the prevention and intervention program into classroom instruction. Staff members and students will be sensitized, through district-wide professional development and instruction, to the warning signs of discrimination, harassment, bullying, taunting or intimidation, as well as to their responsibility to become actively involved in the prevention of such acts before they occur. The components of such an effort involve the following:

- Learning about and identifying the early warning signs and precursor behaviors that can lead to discrimination, harassment, bullying, taunting or intimidation.

- Gathering information about discrimination, harassment, bullying, taunting or intimidation on school property or at school functions directly from students (through surveys and other mechanisms); analyzing and using the data gathered to assist in decision-making about programming and resource allocation.

- Establishing clear school-wide and classroom rules about discrimination, harassment, bullying, taunting or intimidation through a district code of conduct developed in accordance with the requirements contained in Education Law §§12(2) and 2801 and 8 NYCRR §100.2(l)

- Training adults in the school community to respond sensitively and consistently to discrimination, harassment, bullying, taunting or intimidation.

- Raising awareness among school staff, through training, of the school experiences of student populations specified in the Dignity for All Students Act, including but not limited to; students of different races, weights, national origins, ethnic groups, religions,

religious practices, mental or physical abilities, sexual orientations, gender or gender expression, and sex; social stigma in the school environment, gender norms in the school environment, and strategies for preventing and responding to discrimination, harassment, bullying, taunting or intimidation and/or other forms of anti-social and/or violent behavior.

- Providing adequate supervision, particularly in less structured areas, including, but not limited to, hallways, cafeterias, school buses and playgrounds.

- Raising parental awareness and involvement in discrimination, harassment, bullying, taunting or intimidation prevention and intervention.

- Providing examples of positive behaviors that are age appropriate.

- Instituting policies and practices that create a positive school climate.
- Using educational opportunities or curricula, including, if applicable, the Individual Educational Program (IEP), to address the underlying causes and effects of discrimination, harassment, bullying, taunting or intimidation.

Intervention
Intervention by adults and bystanders with proper training can be an important step in preventing escalation and resolving issues at the earliest stages.
Remedial responses to discrimination or harassment, including bullying, taunting, or intimidation, could be associated with staff intervention. This might include measures designed to correct the problem behavior, prevent another occurrence of the problem behavior, and protect the targeted student. Remediation can be targeted to the individual(s) involved in the aforementioned behavioral approaches, which are targeted to the school as a whole.

In addition, intervention will focus upon the safety of the targeted student. When aware of incidents of discrimination, harassment or bullying, as well as intimidation or taunting, staff are expected either to refer the targeted student to designated resources for assistance, or to intervene in accordance with this policy and the relevant provisions of the code of conduct.

Provisions for Students Who Do Not Feel Safe at School
The Board acknowledges that, notwithstanding actions taken by the district, intervention might require a specific, coordinated approach, if a student does not feel safe at school. Students who do not feel safe at school are limited in their capacity to learn and reach their academic potential. Staff, when aware of incidents of discrimination, harassment, bullying, taunting or intimidation should determine if accommodations are needed in order to help ensure the safety of the student and bring this to the attention of the building principal or other appropriate or designated staff. The building principal, other appropriate or designated staff, the student and the student's parent/guardian will work together to define and implement any needed accommodations. The district recognizes that there is a need to balance accommodations that enhance student safety against the potential of further stigmatizing the targeted student. Therefore, each case will be handled individually, and the student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up

discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

Training
The Board recognizes that professional development is needed in order to implement an effective discrimination, harassment, and bullying prevention and intervention program. The Superintendent will incorporate training to support this program in new teacher orientation and the annual professional development plan, as needed. Training opportunities will be provided for all staff, including, but not limited to, bus drivers, cafeteria staff and hall monitors, and all staff who have contact with students.

In compliance with Education Law §13(3), at least one staff member at every school must be thoroughly trained in human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes a person's actual or perceived sex, and gender identity and expression), and sex. This staff member should be referred to as the Dignity Act Coordinator (DAC). For Holley CSD, our Middle School/High School DAC is Matt Feldman, MS/HS Principal (mfeldman@holleycsd.org), and our Elementary School DAC is Tim Artessa, ES Principal (tartessa@holleycsd.org).

Reporting and Investigation
Students who have been subjected to discrimination or harassment, parents whose children have been subjected to such behavior, or other students or staff who observe such behavior, are encouraged and expected to make verbal and/or written complaints to the appropriate and/or designated school personnel in accordance with the training and guidelines provided and the relevant provisions of the district's code of conduct. At all times, complaints will be documented, tracked and handled in accordance with the regulations and procedures accompanying this policy and the district's code of conduct. If a staff person is unsure of the reporting procedure, he or she is expected to inquire about how to proceed by speaking with his or her supervisor.

There shall be a duty for all school personnel to report incidents of student-to-student and/or staff-to-student discrimination, harassment and bullying that they observe on school property or at school functions to their building principal or other administrator who supervises their employment. In addition, there shall be a further duty for all school personnel to report any incidents of student-to-student and/or staff-to-student discrimination, harassment and bullying of which they are made aware by students, staff, or persons in parental relation to their building principals or other administrator who supervises their employment. Supervisors may choose to refer the information to appropriate staff, which may include, among others, the DAC, for investigation as designated in the policy and/or code of conduct.

Defined types of incidents of harassment, bullying and/or discrimination, which must be reported to the principal, superintendent or designee when reported to or witnessed by a school employee **include, but not be limited to**, the following examples:
• a report regarding the denial of access to school facilities including, but not limited to, restrooms, changing rooms, locker rooms, and/or field trips, based on a person's actual or

perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex; or
• a report regarding application of a dress code, specific grooming (including hairstyles) or appearance standards that is based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex; or
• a report regarding the use of name(s) and pronoun(s) or the pronunciation of name(s) that is based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex; or
• a report regarding any other form of harassment, bullying, and/or discrimination, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex.

The results of any such investigation shall be reported to both the targeted student and the alleged offender, as well as their respective parents or guardians, in accordance with the policy and/or the district's code of conduct. Local policies should be followed regarding communicating the results of the investigation. If either party and/or their respective parents or guardians disagrees with the results of the investigation, that party should be advised of any local policies regarding how to proceed in such instances.

Student Disciplinary Consequences/Remediation
While the primary focus of this policy is on prevention, acts of discrimination, harassment and bullying may still occur. When such acts occur, student offenders will be given the clear message that their actions are inappropriate and will not be tolerated because they are inconsistent with the concepts of tolerance and respect for others and the fostering of civility in public schools in order to provide a safe and supportive school environment for all students. Student offenders must further be advised that their behavior must improve. Student offenders will receive in-school guidance on making positive choices in their relationships with others, opportunities and strategies to help self-correct, problem solve, make amends, repair harm, learn new behaviors, and restore their good standing. If appropriate, disciplinary action will be taken by the administration in accordance with the district's conduct. If the behavior rises to the level of criminal activity, law enforcement will be contacted.
This policy is meant to promote discipline and intervention that is restorative in nature, as opposed to a "zero tolerance" approach. Responses to students' violations of the policy shall be age-appropriate and include both consequences and appropriate remedial responses to a student who commits one or more acts of discrimination, harassment and/or bullying. Consequences for a student who commits an act or acts of discrimination, harassment and/or bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, the student's history of problem behaviors, and must be consistent with the district's code of conduct.

Investigating and Responding to Allegations of Staff-to-Student Harassment and/or Discrimination

In the case of a report of alleged staff-to-student harassment and/or discrimination, reporting, investigation, and response must follow all applicable school and/or district policies and procedures, including contractual provisions and due process obligations related to staff-to-student misconduct.

Non-Retaliation

Any person having reasonable cause to suspect that a student has been subjected to discrimination or harassment by a student and/or an employee, on school grounds or at school functions, who, acting reasonably and in good faith, either reports such information to school officials, to the Commissioner, or to law enforcement authorities or otherwise initiates, testifies, participates or assists in any formal or informal proceedings, will have immunity from any civil liability that may arise from the making of such a report or from initiating, testifying, participating or assisting in such formal or informal proceedings. Districts and their respective employees are prohibited from taking, requesting or causing a retaliatory action against any such person, who, acting reasonably and in good faith, either makes such a report or initiates, testifies, participates or assists in such formal or informal proceedings (Education Law §16).

Dissemination, Monitoring, Review, and Reporting

Pursuant to Section 100.2(l)(b)(1) of Commissioner's Regulations, each school district, must post their complete code of conduct and any updates on their website, if available, and must provide copies of a summary of the code written in plain language in an age-appropriate version to all students at an assembly at the beginning of each school year. Schools must also provide a plain language summary to all parents and guardians of students at the beginning of each school year. All teachers must also receive a complete copy of the Code of Conduct. Copies of the Code of Conduct must also be made available for review by other school staff and community members. Schools may voluntarily opt to develop a local complaint form to assist in the reporting of material incidents of discrimination, harassment, and bullying.

Each year, as a part of the required annual review of the code of conduct, this policy may be reviewed to assess its effectiveness and compliance with state and federal law. If changes are needed, the proposed policy revisions could be recommended to the Board for its consideration. In addition, the Board will receive the annual VADIR report, as well as other relevant data, for each school and for the district as whole, with particular attention to the trends in incidents of discrimination, harassment and bullying. Based on the review of the data, the Board may consider further action, including but not limited to modification of this policy and additional training. Districts should ensure that they report such information to the public in a manner that complies with student privacy rights under the Family Educational Rights and Privacy Act (FERPA).

CODE OF CONDUCT

I. Introduction

Holley Central School District Board of Education, faculty, staff and parents are committed to increasing responsibility for learning and providing a safe and orderly school environment in which to learn. Behavior conducive to a productive learning environment, without disruption or interference, is necessary for learning to take place. Responsible behavior by students, teachers, other district personnel, parents and visitors is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. Each year school plans reflect the Safe and Orderly Environment correlate of effective schools with a goal related to discipline. These goals are based on the principles of civility, mutual respect, dignity, citizenship, character, tolerance, honesty, integrity, and safety.

The Board recognizes the need to clearly define and publicize these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly. This code will be enforced as consistently as possible, however it is important to recognize that in extreme cases extenuating circumstances may need to be taken into account. To this end, the Board adopts this Code of Conduct.

Unless otherwise indicated, this Code of Conduct and anything stated in the Dignity for All Students Act applies to all students, school personnel, parents and visitors when on school property or attending a school function.

In the event of any engagement of virtual/distance learning, the Code of Conduct is still applicable. Additionally, our Virtual Learning Code of Conduct will be enforced. Please refer to addendum B, Virtual Learning Code of Conduct, for further specifics.

The intent of the Holley Code of Conduct is to promote and follow the 3 Be's throughout the school day: Be Safe, Be Responsible, and Be Respectful. Following these three behavioral expectations will lead to the greatest success for all learners in the school community. To achieve this goal, all members of the school community will exhibit the following characteristics:

Be Safe

Contributing to a safe and orderly environment that is free from harm

Taking care of yourself and others

Understanding that safety is each individual's personal responsibility

Be Responsible

Contributing to a productive learning environment

Maintaining a healthy lifestyle

Putting forth best effort in whatever one attempts

Communicating needs that relate to learning

Valuing lifelong learning

Be Respectful

Respecting themselves and others

Respecting school property, and the property of others

Respecting differences in others

Showing compassion and consideration for others

II. Definitions

For purposes of this Code of Conduct, the following definitions apply (in addition to the definitions from the Dignity for All Student Act).

"**Disruptive student**" means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

"**Parent**" means parent, guardian or person in parental relation to a student.

"**Restorative Practices**" refers to methods utilized in helping all students learn to resolve disagreements, take ownership of their behavior, and engage in acts of empathy and forgiveness, with the ultimate goal of repairing relationships.

"**School property**" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the school district, or in a school bus, as defined in Vehicle and Traffic Law §142.

"**School function**" means any school-sponsored or school authorized extra-curricular event or activity on or off school property.

"**Violent student**" means a student under the age of 21 who:

- Commits an act of violence upon a school employee, or attempts to do so.
- Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
- Possesses, while on school property or at a school function, a weapon.
- Displays, while on school property or at a school function, what appears to be a weapon.
- Threatens, while on school property or at a school function, to use a weapon or cause bodily harm or death.
- Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
- Knowingly and intentionally damages or destroys school district property.

"**Weapon**" means a firearm as defined in 18 USC §921; 18 USC §930 (g) (2), for purposes of the Gun-Free Schools Act. It also means any other gun, included but not limited to, air gun, BB gun, handgun, pistol, revolver, shotgun, rifle, machine gun, disguised gun; slingshot, silencer, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, metal knuckle knife, box cutter, utility knife, cane sword, electronic dart gun, Kung Fu star, or other Martial Arts instruments, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb including fireworks; loaded or blank cartridges or ammunition or any other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death. Any look-a-like device will be treated the same.

"Sexual harassment" is defined as un-welcomed sexual advances, requests for sexual favors, and any words, actions or dress that makes you feel uncomfortable. This includes obscene pictures, lewd jokes, sexual advances, request for sexual favors, harassing activities of a sexual nature that create an intimidating, hostile or offensive environment

that interferes with a course of study, educational or extracurricular activity or one's ability to learn or perform their job.

III. Student Rights and Responsibilities

The district is committed to safeguarding the rights given to all students under state and federal law. In addition, to promote a safe, healthy, orderly and civil school environment, all district students have the following rights and corresponding responsibilities:

It is the student's right:	***It is the students responsibility:***
1. To attend school in the district in which one's parent or legal guardian resides.	To attend school daily, regularly and on time and be prepared to learn, perform assignments, and strive to do the highest quality work possible.
2. To expect that school will be a safe, orderly and purposeful place for all students to gain an education and to be treated fairly.	To be aware of and abide by all rules and expectations regulating student's behavior and conduct oneself in accordance with these guidelines. To seek help in solving problems that might lead to disciplinary action. To contribute to maintaining a safe and orderly school environment that is conducive to learning.
3. To be respected as an individual.	To respect one another and to treat others in the manner that one would want to be treated. To react to direction of teachers, administrators, and other school personnel in a respectful, positive manner. To show respect to others and person and to property.
4. To express one's opinions verbally or in writing.	To express opinions and ideas in a respectful manner so as not to offend, slander, or restrict the rights and privileges of others.
5. To dress in such a way as to express one's personality.	To dress appropriately in accordance with the dress code, so as not to endanger physical health, safety, limit participation in school activities or be unduly distracting.
6. To be afforded equal and appropriate educational opportunities.	To be aware of available educational programs in order to use and develop one's capabilities to their maximum. To ask questions when one does not understand. To accept responsibility for one's learning.

7. To take part in all school activities on an equal basis regardless of actual or perceived race, color, weight (size), national origin, ethnic group, religion or religious practice, sex, gender identity, sexual orientation, disability, creed, political affiliation, age, or marital status.	To work to the best of one's ability in all academic and extracurricular activities, as well as being fair and supportive of others. To conduct oneself as a representative of the District when participating in or attending school-sponsored extracurricular events and to hold oneself to the highest standards of conduct, demeanor and sportsmanship.
8. To have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance to students with serious personal problems.	To be aware of the information and services available and to seek assistance in dealing with personal problems, when appropriate. To come forward when one has knowledge that someone might hurt themselves or others.
9. To be protected from intimidation, harassment/bullying, or discrimination based on actual or perceived race, color, weight (size), national origin, ethnic group, religion, or religious practice, sex, gender identity, sexual orientation or disability, by employees or students on school property or at a school-sponsored event, function or activity.	To respect one another and treat others fairly in accordance with the District *Code of Conduct* and the provisions of the Dignity Act. To conduct oneself in a manner that fosters an environment that is free from intimidation, harassment/bullying, or discrimination. To report and encourage others to report any incidents of intimidation, harassment/bullying or discrimination.

IV. Essential Partners

A. Parents

All parents are expected to work as partners with the school district to:

- Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
- Send their children to school ready to participate and learn, well-rested, well-nourished, with necessary supplies.
- Ensure their children attend school regularly/daily and on time.
- Ensure their children be dressed and groomed in a manner consistent with the student dress code, remembering the school is a place for learning and work.
- Know school rules and help their children understand and abide by them.
- Convey to their children a positive attitude toward education, the district, and support high academic expectations.
- Build good relationships with school personnel, other parents and students, and communicate regularly with teachers.

- Help their children deal effectively with peer pressure.
- Inform school officials of changes in the home and/or personal situations that may affect student conduct or performance.
- Provide a place for study and ensure homework assignments are completed.
- Know the standards and graduation requirements for their children.
- Be responsible for their child's behavior and safety to, at, and from the bus stop.

B. Faculty Members

All district faculty are expected to:

- Model and maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
- Be prepared to teach the district's curriculum and to accommodate a variety of learning styles.
- Demonstrate interest in teaching and concern for student achievement.
- Know school policies and rules, and enforce them in a fair and consistent manner.
- Communicate to students and/or parents:
    - Course standards, objectives and requirements
    - Marking/grading procedures
    - Assignment deadlines
    - Classroom discipline plans
- Communicate regularly with students, parents and other teachers concerning growth and achievement.
- Act in a manner that fosters and builds positive trusting relationships with ~~others~~ students/families/staff.
- Assist students in coping with peer pressure and emerging personal, social and emotional problems.
- Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
- Counselor to regularly review with students their educational progress and career plans.
- Counselor to provide information to assist students with career planning.
- Encourage students to achieve high expectations to benefit from the curriculum and extracurricular programs.
- Request or seek out professional development in areas they deem appropriate to improve professional practice.

C. Support Staff

All support staff are expected to:

- Model and maintain a climate of mutual respect and dignity.
- Act in a manner that fosters and builds positive trusting relationships with ~~others~~ students/families/staff.
- Know school policies and rules and enforce them in a fair and consistent manner.
- Act in a manner to build a trusting relationship with essential partners.
- Support a positive attitude to the learning process.

D. Security Officer

- Ensure the safety and well-being of students and staff and the security of the facility.
- Maintains relationship with police, fire and other municipal departments to insure maximum use of their services in order to provide adequate security and safety.
- Promote student responsibility for behavior and attitude by serving as a role model.
- Creating and maintain effective relationships with school administrators, teacher, students, and parents.

E. Building Administrators

All building level administrators are expected to:

- Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
- Provide professional development and/or training for school staff members to support educational best practices.
- Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
- Evaluate all instructional programs on a regular basis.
- Support the development of and student participation in appropriate extracurricular activities.
- Act in a manner that fosters and builds positive trusting relationships with students/families/staff.
- Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly, fairly, and consistently.

F. Superintendent

The Superintendent is expected to:

- Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
- Provide professional development and/or training for school staff members to support educational best practices.
- Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
- Inform the Board about educational trends relating to student discipline.
- Work to create instructional programs that emphasize high standards, minimize problems of misconduct, and are sensitive to student and teacher needs.
- Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly, fairly, and consistently.

G. Board of Education

The Board of Education is expected to:

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

V. Student Dress Code

Dress Code Philosophy

Holley School's student dress code supports equitable educational access and is written in a manner that does not reinforce stereotypes. To ensure effective and equitable enforcement of this dress code, school staff shall enforce the dress code consistently and in a manner that does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type/size.

Our values are:

● All students should be able to dress comfortably for school and engage in the educational environment without fear of or actual unnecessary discipline or body shaming.
● All students and staff should understand that they are responsible for managing their own personal "distractions" without regulating individual students' clothing/self-expression.
● Student dress code enforcement should not result in unnecessary barriers to school attendance.
● Teachers should focus on teaching without the additional and often uncomfortable burden of dress code enforcement.

Our student dress code is designed to accomplish several goals:

● Maintain a safe learning environment in classes where protective or supportive clothing is needed, such as chemistry/biology (eye or body protection), dance (bare feet, tights/leotards), or PE (athletic attire/shoes).
● Allow students to wear clothing of their choice that is comfortable.
regardless of race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type/size.

The following dress code shall apply to regular school days and summer school days, as well as any school-related events and activities, such as graduation ceremonies, dances and prom.

Dress Code

1. **Basic Principle: Certain body parts must be covered for all students at all times.**

Clothes must be worn in a way such that genitals, buttocks, breasts, and nipples are fully covered with opaque fabric. However, cleavage should not have coverage requirements. All items listed in the "must wear" and "may wear" categories below must meet this basic principle.

2. **Students Must Wear*,** while following the basic principle of Section 1 above:

● A Shirt (with fabric in the front, back, and on the sides under the arms), AND
● Pants/jeans or the equivalent (for example, a skirt, sweatpants, leggings, a dress or shorts), AND
● Shoes.

*Courses that include attire as part of the curriculum (for example, professionalism, public speaking, and job readiness) may include assignment-specific dress, but should not focus on covering bodies in a particular way or promoting culturally-specific attire. Activity-specific shoes requirements are permitted (for example, athletic shoes for PE).

3. **Students May Wear**, as long as these items do not violate Section 1 above:

● Hats facing straight forward or straight backward. Hats must allow the face to be visible to staff, and not interfere with the line of sight of any student or staff.
● Religious headwear
● Hoodie sweatshirts (wearing the hood overhead is allowed, but the face and ears must be visible to school staff).
● Fitted pants, including opaque leggings, yoga pants and "skinny jeans"
● Pajamas
● Ripped jeans, as long as underwear and buttocks are not exposed.
● Tank tops, including spaghetti straps; halter tops
● Athletic attire
● Visible waistbands on undergarments or visible straps on undergarments worn under other clothing (as long as this is done in a way that does not violate Section 1 above).

4. Students Cannot Wear:

● Violent language or images.
● Images or language depicting/suggesting drugs, alcohol, vaping or paraphernalia (or any illegal item or activity).
● Bullet proof vest, body armor, tactical gear, or facsimile.
● Hate speech, profanity, pornography.
● Images or language that creates a hostile or intimidating environment based on any protected class or consistently marginalized groups.
● Any clothing that reveals visible undergarments (visible waistbands and visible straps are allowed)
● Swimsuits (except as required in class or athletic practice).
● Accessories that could be considered unsafe, dangerous, or could be used as a weapon.
● Any item that obscures the face or ears (except as a religious observance).

5. Dress Code Enforcement

To ensure effective and equitable enforcement of this dress code, school staff shall enforce the dress code consistently using the requirements below. School administration and staff shall not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
● Students will only be removed from spaces, hallways, or classrooms as a result of a dress code violation as outlined in Sections 1 and 4 above. Students in violation of Section 1 and/or 4 will be provided three (3) options to be dressed more to code during the school day:
 ○ Students will be asked to put on their own alternative clothing.
 ○ Students will be provided with temporary school clothing.
 ○ If necessary, students' parents may be called during the school day to bring alternative clothing.
● No student should be affected by dress code enforcement because of racial identity, sex assigned at birth, gender identity or expression, sexual orientation, ethnicity, cultural or religious identity, household income, body size/type, or body maturity.
● Students should not be shamed or required to display their body in front of others (students, parents, or staff) in school.

Students who feel they have been subject to discriminatory enforcement of the dress code should contact the building Principal or Assistant Principal.

VI. Student Use of Cell Phones and Electronic Devices

- Students will agree to and follow the Acceptable Use Policy for any and all electronic device usage (see AUP addendum).
- The District is not responsible for loss, damages, or theft of any electronic device brought to school.
- Electronic devices/cell phones/internet-enabled devices may be used by students while on school buses. If using the electronic device causes safety/privacy concerns or interferes with the normal operations, it will be confiscated and the privilege may be suspended or revoked.
- Cameras, video, and music functions on an electronic device/internet-enabled devices are not allowed to be used in school unless part of an authorized school activity. (ie: yearbook, class project, etc.)
- Electronic devices/internet-enabled devices are NOT permitted in bathroom/locker room at any time.

The use of personal electronic devices/internet-enabled devices not provided by the school (cell phones, iPods, iPads, tablets, smart watches, etc.) is prohibited in school. **If a parent or guardian needs to contact a student during school hours, they should call the office.**

- **Elementary students' electronic devices**/internet-enabled devices **need to be off and away all day.** Electronic devices/internet-enabled devices need to be stored and away prior to students unloading the school bus, and when leaving school, they are not permitted for use until students are on the school bus.
- **Middle/High School students' electronic devices**/internet-enabled devices **need to be off and away all day.** Electronic devices need to be stored and away prior to the start of first period. Electronic devices/internet-enabled devices are not permitted for use until the conclusion of the last period.
- Students who violate this policy will be referred to administration for a disciplinary referral.

Not giving an electronic device/internet-enabled devices***, such as a cell phone or smart watch, to a staff member who requests it is insubordination and will result in the student facing further disciplinary consequences.***

"Sexting" is an unacceptable (and potentially illegal) use of technology. Parents and law enforcement will be contacted as warranted. Consequences will be given for a disruption to the educational process.

VII. Beverages

Students are allowed to bring school appropriate beverages in a personal sized, reseal-able container for personal consumption throughout the school day. Beverages brought into school may be subject to random testing.

VIII. 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, equipment and property. 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 the students' ability to grow in self-discipline. This will be accomplished by encouraging restorative practices, with the ultimate goal being that of fostering an understanding of the impact of behavior and seeking to repair the harm that was done.

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 others and their property. 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.

Just as every student is unique, so is every disciplinary circumstance. Each disciplinary situation will be handled on an individual basis. Furthermore, consequences will be progressive in nature.

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

A. Engage in conduct that is <u>disorderly</u>. Examples of disorderly conduct include, but are not limited to:

- Dress Code
- Running in hallways.
- Making unreasonable noise.
- Horseplay
- Using language or gestures that are profane, lewd, vulgar or abusive(swearing)
- Obstructing vehicular or pedestrian traffic.
- Engaging in any willful act which disrupts the normal operation of the school community.
- Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
- Bus misconduct - Acting in a manner that distracts the school bus driver, standing/getting out of seat while it is in motion, etc.
- Cafeteria misconduct – Each incident (throwing items, not cleaning up area, being too loud, etc.,) of misconduct can result in removal from the cafeteria for up to 5 days.

B. Engage in conduct that is behaviorally <u>insubordinate</u>. Examples of insubordinate conduct include, but are not limited to:

- Refusing to comply with the reasonable directions of teachers, school administrators, bus drivers or other school employees in charge of students or otherwise demonstrating disrespect.
- Lateness for, missing (truancy) or leaving school without permission.

- Failing to fulfill disciplinary consequences for violations to the Code of Conduct.

C. Engage in conduct that is <u>disruptive</u>. Examples of disruptive conduct include, but are not limited to:

- Disruptive classroom behavior that disrupts the learning process for self or others.
- Assisting others in prohibited conduct.
- Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use regulation.
- Violation of the use of electronic device portion of this code.

D. Engage in conduct that is <u>violent</u>. Examples of violent conduct include, but are not limited to:

- Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student, teacher, administrator, bus driver, other school employee, or any other person lawfully on school property, or attempting to do so.
- Threatening (direct or indirect) including electronic to commit an act of violence upon another student, teacher, administrator, bus driver, other school employee, or any other person lawfully on school property, at a school function or in the commission of one's duties as an employee of the District.
- Threatening to use or displaying what appears to be a weapon.
- 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.
- Intentionally damaging or destroying school district property.
- Utilizing any form of social media to cause fear or harm, even if done outside of school, is inappropriate and may be subject to consequences.

E. Engage in any conduct that <u>endangers the safety, morals, health or welfare of themselves or others</u>. Examples of such conduct including, but are not limited to:

- Lying to school personnel.
- Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
- 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.
- Willfully reporting false information to a student, teacher, administrator, other school employee, or any other person lawfully on school property that endangers the safety, morals, health or welfare of others.
- Discrimination, which includes the use of an individual's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex as a basis for treating another in a negative manner.

- Harassment, including sexual harassment, bullying, and cyber bullying, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be or which a reasonable person would perceive as ridiculing or demeaning.
- Intimidation, which includes engaging in actions or statements that, put an individual in fear of bodily harm or reprisal.
- Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
- Selling, using, possessing or distributing obscene material.
- Using vulgar or abusive language, cursing or swearing.
- Possessing, smoking, using or distributing tobacco products. This includes e-cigarettes, vaporizers, etc.
- Possessing anything that is illegal for minors to possess.
- Possessing, consuming, selling, distributing or exchanging alcoholic beverages, illegal substances or drug paraphernalia, or being under the influence of either. “Illegal substances” include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as “designer drugs.”
- 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.
- Possession of empty shot gun shells or discharged ammunition of any type.
- Inappropriately using, selling or distributing prescription or over-the-counter drugs.
- Gambling.
- Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
- Inappropriate or unwanted physical contact or displays of affection.
- Initiating a report warning of fire or other catastrophes without valid cause, misuse of 911, falsely reporting a bomb threat, discharging a fire extinguisher or tampering with door alarms.
- Assisting others in prohibited conduct or serving as a “look-out.”
- Unauthorized use of skateboards, roller blades/skates, hoverboards, or “heelies” on school property.
- Unauthorized driving to and parking of cars/trucks/vans/motorcycles on school grounds without permission and a parking permit during school hours.
- Engage in unauthorized solicitation of money (i.e. non-sanctioned fund raising, pressure borrowing).
- Bringing a lighter or matches to school.

F. Engage in any conduct that is <u>academically insubordinate</u>. Examples of such conduct include, but are not limited to:

- Plagiarism – stealing or taking credit for another person's words or ideas; using another person's work without crediting the source.
- Cheating/Copying – violating academic rules through dishonesty or deception; using unauthorized resources to complete an assignment or test, or to provide unauthorized assistance to another student.
- Altering records.
- Assisting another student in any of the above actions.
    - For the first incident of academic misconduct in a class the student will receive a zero for the test/quiz/assignment, a warning from the administrator, and the teacher will make contact home.
    - For subsequent incidents of academic misconduct in a class the student will receive a zero for the test/quiz/assignment, teacher will make contact home, and a referral will be made to the administrator for additional consequence.

G. Documentation – minor offences

- This is used by teachers and the office to document behaviors that occur in the classroom.
- This is used by the office to document that the referral has been seen but needs no further action, or may be attached to another referral for consequences.
- Data Collection – helps us see patterns.

H. Minor Infraction Descriptors and Descriptors of Disciplinary Responses

Minor Infraction	Description	Possible Consequences/ Restorative Practices/ Disciplinary Responses
Defiance/Non-Compliance / Insubordination	Student engages in brief or low-intensity failure to respond to adult requests.	May include the following: • **Conference with Student**- Consequences for referral results in student meeting with administrator, teacher, staff member, and/or parent or any combination thereof. • **Loss of Privilege-** Consequence for referral results in student being unable to participate in some type of classroom/teacher privilege. • **Parent Contact**- Consequence for referral results in parent communication by e-mail, phone, or person-to-person about the problem. • **Teacher Detention**- Consequence for referral results in student spending time in a specified area away from scheduled activities during lunches or before/after school. • **Time Out of Class**- Consequence for referral results in a period of time spent away from scheduled activities/classes during the school day. If sent to ISS by two or more teachers, student will serve the next 9 periods in ISS. If in ISS a student does not participate in extra-curricular activities that day. • **Individualized Instruction**-Consequences for referral results in student receiving individualized instruction specifically related to the student's problem behaviors. (This may be provided directly or indirectly, orally, or in writing.) • **Other Teacher Consequence**-Consequence for referral results in a teacher decision that is not listed. The teacher will specify the teacher action taken (i.e. move seat, assign seating, written assignment, etc…) • **Restorative Conversations or Projects**- consequence for referral results in student meeting with adults or students impacted
Disruption	Student engages in low-intensity, but inappropriate disruption to others that takes away from others learning that requires student to receive multiple warnings, change in seating, or taken out into the hall.	
Inappropriate Language	Student engages in low-intensity instance of inappropriate language in conversation.	
Physical Contact	Horseplay, Rough housing	
Inappropriate Displays of Affection	Student engages in inappropriate, consensual verbal and/or physical gestures/contact, of a sexual nature to another student or adult	
Technology Violation	Misuse of cell phone policy or other electronic devices (i.e.: music player)	
Tardiness to School or Class	Student arrives to school after the starting bell. For a tardy to be excused the student must have a verifiable legitimate reason (doctor, dentist, funeral, college visit, etc.) and a doctor or parent/guardian note.	
No pass	Student is found out of an assigned area without an appropriate pass	
Property Misuse	Student engages in low-intensity misuse of property	

		and/or completing activities to target making amends

I. Major Behavior Referral Descriptors (with **possible** consequences)

Major Behavior Problem	Description	Possible Consequences/ Restorative Practices/ Disciplinary Responses
Multiple infractions of minor behavior problems		In addition to the minor disciplinary responses, behaviors categorized as major could also include any of the following responses as well: • **Loss of Privilege**- Consequence for referral results in student being unable to participate in some type of school privilege (i.e. parking privileges, pass privileges, computer privileges, extracurricular activites.) • **Time- In –Office**- Consequence for referral will result in student spending time in the office away from scheduled activities/classes. • **Time-Out/Detention**- Consequence for referral results in student spending time in a specified area away from scheduled activities/classes before, during, or after the school day.
Defiance/Non-Compliance	Student engages in high-intensity or extended period of defiance towards others including adults and school property and failure to respond to adult requests, especially if posing a safety issue.	
Disruption	Student engages in high-intensity episode of inappropriate disruption to others that requires the removal of others or offending student to an alternative setting. (sustained yelling, loud talking, or screaming, noise with materials; horseplay or roughhousing; and/or sustained out of seat behavior)	
Abusive Language	Student engages in high-intensity instances of inappropriate/verbally abusive language directed at another person, including peers and adults.	
Physical Aggression/Fighting	Student engages in actions involving serious physical contact where injury may occur (i.e. hitting, punching, hitting with an object, kicking, hair pulling, scratching, biting, etc…)	
Technology Violation	Misuse of computers and/or any other electronic device, i.e. getting on site through the "back door", hacking into school systems, illegally obtaining others' passwords, distributing inappropriate content, failure to follow the district's Acceptable Use Policy, etc…	
Tardiness to School or Class	Multiple unexcused offenses, depending on circumstance, could be treated as a major infraction.	

Harassment	Student directs disrespectful verbal or gestural messages to another person that includes threats and intimidation, obscene gestures, pictures, electronic or social media posts and/or written notes based on race, religion, gender, age, national origin, sexual orientation, ability, disability or other personal matters. (Be specific for type observed) Taunting, egging on, etc.	• **Extended Detention** Consequence for continued referrals results in students serving a detention until 5:00PM or serving detention on Saturday mornings. • **Bus Suspension**- Consequence for referral results in 1 or more day period when student is not allowed on the bus. • **In-School Suspension**- Consequence for referral results in 1-5 day period of time spent away from scheduled activities/classes during the school day. Students serving time in ISS will not be able to participate in any extra-curricular/sporting activity during the dates served. • **Out-of-School Suspension**- Consequence for referral results in a 1-5 day period when student is not allowed on campus. • **Other Administrative Decision**-Consequence for referral results in an administrative decision that is not listed. The administrator will specify the action taken.
Hazing	Any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.	
Hate Speech	Any abusive or threatening speech or writing that expresses prejudice against a particular group, especially on the basis of race, religion, or sexual orientation. This can include posting or publishing video, photos, audio recordings or pictures.	
Bullying/Founded DASA violation	Continual, repeated, pervasive harassment of another person (based on the definition of harassment in this document) Can be reported on the Holley Central School District website bully report form.	
Forgery/ Lying/Cheating/ Academic Misconduct	Student is in possession of, having passed on, or being responsible for removing someone else's property or has signed another person's name without that person's permission. Student delivers message that is untrue and/or deliberately violates rules. Student cheats or willfully allows another to cheat or plagiarizes work (including doing another student's work for them). Student uses AI inappropriately or against teacher instruction in accordance with District AI policy.	
Theft	Taking something that does not belong to you without permission, or being in possession of stolen property.	
Possession of Weapon or Combustibles	Student is in possession of substances that can catch fire, objects readily capable of causing bodily harm and/or property damage or knives or guns* (real or look alike) *Police may be contacted	
Possession, sale and/or use of Alcohol and/or Drugs	Student is in possession of or using alcohol, illegal substances/drugs* or look a-likes. This includes any intention of inappropriate sale or use of over the counter and prescription medication. *Police may be contacted	

		• **Superintendent Hearing Decision-** Consequence for referral results in student being dismissed from school by the superintendent for 1 or more days, beyond the original 5 day out of school suspension.
Under the influence of drugs, alcohol, or other illegal substances.	Student is under the influence of drugs, alcohol, or other illegal substances during school hours or on school grounds or during a school sponsored event.	
Possession, sale and/or use of tobacco or tobacco products, including but not limited to e-cigarettes, vapes, etc.	Student is in possession of tobacco or tobacco product, or "vape" or vaping product or vaping paraphernalia, even if of legal age, in school or on school property. Substance may be tested to determine if it's a "drug".	
Threat	Student threatens (direct or indirect) to commit an act of violence upon another student, teacher, administrator, bus driver, other school employee, or any other person.	
Truancy/Skip Class	Student leaves or misses class without permission.	
Property Damage/Vandalism	Student participates in an activity that results in the destruction or disfigurement of property	
Other Behavior	Student engages in problem behavior not listed.	

IX. Reporting Violations

All staff members are obligated to immediately report a violent student to the school principal, assistant principal, or office.

All students are expected to promptly report violations of the code of conduct to a bus driver, teacher, school counselor, staff member, the school principal or his or her 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 school principal, the principal's designee or the Superintendent.

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, which may include permanent suspension and referral for prosecution.

The school principal or his or her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of school or school function as soon as practical, but in no event later than the close of business the day the principal or his or her 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.

The reporting of prohibited student conduct is a shared responsibility by all members of the school. Students can expect to have a conference with their teacher, and/or building administrator when they have violated the code of conduct. Parents can expect notification from either the teacher or building administrator in most cases. In some instances, conferences will be scheduled including the student, teacher, parent(s), and building administrator (optional). Additionally, some violations of the code of conduct may be reported to support agencies within the community.

X. Disciplinary Consequences, Procedures and Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair, impartial, and dignified. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair, and consistent, so as to be the most effective in changing student behavior. Fairness means that all students will be held accountable for all aspects of student conduct and will be afforded "due process" as defined in this document. Consistency is defined as the school's process of addressing all instances of misconduct in a firm and fair manner.

In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary consequences will consider the following:

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

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter consequence than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education. A student identified as having a disability shall not be disciplined for behavior related to his/her disability. 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. Consequences

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

- Oral warning – any member of the district staff
- Written warning – cafeteria staff, bus drivers, teacher aides, coaches, school counselors, teachers, teaching assistants, administrators, Superintendent

- Written notification to parent – transportation supervisor, coaches, teacher aides, teaching assistants, school counselors, teachers, administrators, Superintendent
- Lunch Detention – teachers, administrators
- Detention – teacher aides, teaching assistants, teachers, administrators, Superintendent
- Extended Detention/Saturday Detention – administrators, Superintendent
- Suspension from transportation – Director of Transportation, transportation supervisor, administrators, Superintendent
- Suspension from athletic participation – coaches, administrators, Director of Athletics, Superintendent
- Suspension from social or extracurricular activities – activity advisor/director, administrators, Superintendent
- Suspension of other privileges –administrators, Superintendent
- In-school suspension –administrators, Superintendent
- Removal from classroom– teacher aides, teaching assistants, teachers, administrators
- Short-term (five days or less) suspension from school – principal, Superintendent, Board of Education
- Long-term (more than five days) suspension from school – Superintendent, Board of Education
- Permanent suspension from school – Superintendent, Board of Education.

B. Procedures

Violations will be documented in a timely manner, with a written referral.

The amount of due process a student is entitled to receive before a consequence is imposed depends on the consequence being imposed. In all cases, regardless of the consequence imposed, the school personnel authorized to impose the consequence must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary consequence in connection with the imposition of the consequence.

Students who are to be given consequences other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the consequence is imposed. These additional rights are explained below.

1. Detention

Teacher aides, teaching assistants, teachers, assistant principals, principals and the Superintendent may use after school or lunch detention as a consequence for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a consequence provided there are no parental objections after notification, and the student has appropriate transportation home.

2. Extended Detention

The principal and the Superintendent may use extended detention, until 5: 00 PM, as a consequence for student misconduct in situations where removal from the classroom,

detention, or suspension would be inappropriate. Extended detention will be imposed as a consequence provided there are no parental objections after notification, and the student has appropriate transportation home.

3. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the attention of the transportation supervisor or the Director of Transportation. If appropriate, the transportation supervisor or the Director of Transportation will communicate with school personnel to relay information on bus misbehavior. Students who become a serious disciplinary problem may have their riding privileges suspended by the transportation supervisor or Director of Transportation. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with transportation supervisor or the Director of Transportation to discuss the conduct and the consequence involved.

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

Activity directors, coaches, advisors, assistant principals, principals and the Superintendent may suspend a student from athletic participation or extracurricular activities, or suspend other privileges. A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the consequence involved.

5. 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 school principals and the Superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension."

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the consequence involved.

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. Such practices may include, but are not limited to sending a student into the hallway briefly (supervised) or to the office for the remainder of the period. Teachers should write a documentation referral for this removal.

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 their class for one to five days. The removal from class applies to the class of the removing teacher only. The teacher must provide work for the student while they are out of class. A teacher will submit a discipline referral and will work together with administration to effectively remove the disruptive student.

7. Suspension from school

Suspension from school is a severe consequence, and is reserved for serious offences.

Any staff member may recommend to the principal (or Superintendent if not available) that a student be suspended. All staff members must immediately report and refer a violent student to the principal 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 principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

a) Short-term (5 days or less) suspension from school

When the Superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt 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 his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the district clerk within 10 business days of the date of the Superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board of Education may be appealed to the Commissioner within 30 days of the decision.

b) Long-term (more than 5 days) suspension from school

Only the Superintendent may suspend a student for longer than five days.

When the Superintendent or school principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The Superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no steno-graphic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within 30 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

c) Permanent suspension

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of

other students, school personnel or any other person lawfully on school property or attending a school function.

C. Referrals for Services

1. Counseling

All referrals for counseling shall start with the school counseling office.

2. Response to Intervention team (RTI) Referral (MTSS)

Students should be referred to the Response to Intervention Team (MTSS team) for repeated behavior problems which would then be cause for conducting an assessment of behavior and design and implementation of a behavior plan in accordance with established district procedures.

3. PINS Petitions

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

a) Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.

b) Knowingly and unlawfully possesses illegal drugs in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.

4. 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 §1.20 (42).

The Superintendent is required to refer students age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities or District Attorney or County Attorney.

XI. Alternative Instruction (Tutoring)

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. It is the student's responsibility to attend this alternative instruction. Failure to attend would be treated as an absence from the assigned instructional program.

XII. Discipline of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities are afforded certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the code of conduct, the following definitions apply.

- A "suspension" means a suspension pursuant to Education Law § 3214.
- A "removal" means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.
- An "Interim Alternative Education Setting" (IAES) means a temporary educational placement for a period of up to 45 school days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that

  a) Enables the student to continue to progress in the general curriculum, although in another setting,

  b) to continue to receive those services and modifications, including those described on the student's current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and

  c) Include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:

a) The Board, the district (BOCES) Superintendent of Schools or a school principal 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 and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.

b) The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension

and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.

c) The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.

d) The Superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 school days, if the student carries or possesses a weapon to or at school or to or at a school function, or the student knowingly possesses or uses illegal drugs or sells, distributes or solicits the sale of a controlled substance while at school or a school function.

e) Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 school days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:

a) for more than 10 consecutive school days; or

b) 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 accumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.

2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

C. Special Rules Regarding the Suspension or Removal of Students with Disabilities

1. The district's Committee on Special Education shall:

a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances or the infliction of serious bodily harm.

If subsequently, a student with a disability who has a Behavioral Intervention Plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either

1) for misconduct involving weapons, illegal drugs or controlled substances or

2) because maintaining the student in his current educational setting poses a risk of harm to the student or others;

3) or a decision is made to impose a suspension that constitutes a disciplinary change in placement.

2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.

a. The Superintendent, school principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.

b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:

1) conducted an individual evaluation and determined that the student is not a student with a disability, or

2) determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

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 a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

3. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.

   The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.

4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.

5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a consequence phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.

6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.

7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearings

An expedited due process hearing is an impartial hearing conducted under the procedures specified in S200.5 of regulations of the Commissioner when there is a dispute between parents and school personnel regarding disciplinary actions and to initiate temporary removals of a student in a dangerous situation. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:

1. The district requests such a hearing 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, or 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.

2. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

   a) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.

   b) If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

3. An expedited due process hearing shall be completed within 20 school days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within 10 school days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to law enforcement and judicial authorities

In accordance with the provisions of IDEA and its implementing regulations:

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The Superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

XIII. Corporal Punishment

Corporal punishment is defined as act of physical force, used by a district employee, upon a student, for the sole purpose of punishing that student, and is strictly forbidden.

However, if alternative procedures and methods which would not involve physical force do not work, then the use of reasonable force is not prohibited for the following reasons:

- Protect oneself, another student, teacher or any person from physical injury.
- 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 acts that potentially endanger the safety of self or others.

All complaints regarding the use of corporal punishment will be reported by the District, with the Commissioner of Education, in accordance with the Commissioner's regulations.

XIV. Student Searches and Interrogations

A. Searches

The Board of Education authorizes the Superintendent and designated district employees to conduct searches of students and their belongings when the authorized school employee 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 employee may search a student or the student's belongings based upon information received from a reliable informant. Searches will be limited to the extent necessary to locate the evidence sought.

1. Student Lockers, Desks and other School Storage Places

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.

2. Searches of a Student's Person and/or Belongings

The authorized school employee may conduct a search of a student's person or belongings when they have reasonable suspicion to believe the student is concealing evidence of a violation of law or the district code. It is noted, however, that as the level of intrusiveness increases, a higher standard of suspicion is required.

When sufficient cause exists, an administrator may conduct a more intrusive search requiring a student to remove any or all of his or her clothing, other than an outer coat or jacket or footwear (socks and shoes). When an authorized school official believes it is necessary to conduct such a search of a student, the school official may do so only when the search is authorized in advance by the Superintendent or the school attorney. The only exception to requiring advanced authorization is when the authorized school employee has probable cause to believe there is an emergency situation that could threaten the safety of the student or others.

Searches requiring the removal of clothing may only be conducted by authorized school employees of the same sex as the student being searched and in the presence of another district professional employee who is also of the same sex as the student. Authorized school employees will attempt to notify the student's parent by telephone before conducting such a search or in writing after the fact if the parent could not be reached by telephone.

3. Regulation Pertaining to Vehicles

Student use of a motor vehicle on school property is a privilege. Motor vehicles driven onto school property by students are subject to search by school officials without notice or consent, if the school official reasonably suspects that the student or his/her passenger has

engaged in activity which is in violation of school rules and/or is illegal, or that the contents of the motor vehicle may present a threat or potential threat to the health, safety, or welfare of students, staff, or the school in general.

4. Regulation Pertaining to Cell Phones, Pagers, and other Personal Electronic Signaling Devices

Student cell phones, pagers, and other personal electronic signaling devices, and their contents, including, but not limited to, text messages, video/picture messages, and digital photos, may be searched by school officials who have a reasonable suspicion that the search will provide evidence that a student has violated either the law or a school rule.

5. Documentation of Searches

The authorized school employee initiating the search shall be responsible for recording the following information about each search:

- Name, age and grade of student searched.
- Reasons for the search.
- Name of any informant(s).
- Type and scope of search.
- Person conducting search and his or her title and position.
- Witnesses, if any, to the search.
- Time and location of search.
- Results of search (that is, what items(s) were found).
- Disposition of items found.
- Time, manner and results of parental notification.

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

6. Police Involvement in Searches

Police must have a search warrant or have been invited by the school in order to conduct searches on school property. Before police officials are permitted to search any student, the principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police search. If the student's parent cannot be contacted prior to the police search, the search shall not be conducted. The principal or designee will also be present during any police search of a student on school property or at a school function.

B. Interrogations

1. District employee

School officials have the right to question students for the reasons including, but not limited to any violation of school rules or code of conduct, and/or illegal activity. Authorized school

employees are not required to administer “Miranda” warnings or contact parents/guardians before questioning a student.

2. Law Enforcement

Police officials 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:

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

Before law enforcement officials are permitted to question any student, the school principal or his or her designee shall first try to notify the student’s parents/guardians to give the parent the opportunity to be present during the police questioning. If the student’s parents/guardians cannot be contacted prior to the police questioning, the questioning shall not be conducted. The principal or designee will also be present during any police questioning of a student on school property or at a school function. Generally, police authorities may only interview students on school premises without the permission of the parent/guardian in situations where a warrant has been issued for the student’s arrest (or removal) or the questioning of students concerns a crime committed on school property.

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.

3. 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 interview with students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by child protective services to interview a student on school property shall be made directly to the school principal or his or her designee. The principal or his or her 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 not he or she were 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's consent.

XV. Visitors to the Schools

The Board encourages parents and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The school 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:

- Anyone who is not a regular staff member or student of the school will be considered a visitor.
- All visitors to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building.
- Visitors attending school functions that are open to the public after the end of the school day, such as parent-teacher organization meetings or public gatherings, are not required to register.
- Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the school principal and the classroom teacher(s), so that class disruption is kept to a minimum.
- Teachers are expected not to take class time to discuss individual matters with visitors.
- Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
- All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.
- At any time, the school district has the right to modify visitation rules. Prior notice will be provided when possible. Such instances could be but are not limited to: a school emergency, fire/emergency drill, requirements and guidance in accordance with governing bodies, etc.

XVI. Public Conduct on School Property

The district is committed to providing an orderly, respectful 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:

- Use tobacco and/or e-cigarettes/vaping products while on school grounds or at school sponsored activities.
- Intentionally injure any person or threaten to do so.
- 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.
- Disrupt the orderly conduct of classes, transportation/buses, school programs or other school activities (i.e. cafeteria functions, gym, playground, etc).
- 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.
- Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation, languages spoken, or disability.
- Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
- Obstruct the free movement of any person in any place to which this code applies.
- Violate the traffic laws, parking regulations or other restrictions on vehicles.
- Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, illegal drugs, or be under the influence on school property or at a school function.
- 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.
- Loiter on or about school property.
- Gamble on school property or at school functions.
- Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
- Willfully incite others to commit any of the acts prohibited by this code.
- Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

B. Consequences

Persons who violate this code shall be subject to the following consequences:

- 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.
- Students: They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
- Tenured faculty members: They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
- Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75: They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
- 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 school principal or his or her designee shall be responsible for enforcing the conduct required by this code.

When the school principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her 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 his or her 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 "Consequences" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

XVII. Dissemination and Review of Code of Conduct

The Board will work to ensure that the community is aware of this code of conduct by:

1. Posting the entire code on the school district web site.
2. Providing copies of a summary of the code to all students at the beginning of each school year.
3. Mailing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the school year.
4. Making copies of the code and summary available to all parents, students and members of the community in each school building at the beginning of the school year.
5. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
6. Providing all new employees with a copy of the current code of conduct when they are first hired.

The Board of Education will review this code of conduct every year. This review shall be completed no later than July 30 of each school year.

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

The code of conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

XVIII. Addenda

A. Acceptable Use Policy

AUP- ACCEPTABLE USE POLICY

HCSD Computer Network/Internet Use Agreement

1. I will use the computers and internet only when my teacher gives me permission and for purposes that my teacher has requested.
2. I understand that my computer files are not private and my teacher and systems manager may see them at any time.
3. I will respect the copyright laws: I will not copy materials without permission and will be sure to tell where I found my information.
4. I will not give out my user login credentials to the computers.
5. I will not enter personal information such as my address, telephone number, parent work number/address or name and location of my school without permission of my parents and teacher. In addition I will not enter personal information about another person.
6. I will tell my teacher right away if I come across any information that makes me feel uncomfortable or uses offensive or abusive language, swear words or expressions of hate.
7. I will respect the property of the school district including computers and other equipment and will not try to cause damage or harm to any of it.
8. I agree to tell the teacher or an administrator if I see anyone else doing anything that maybe inappropriate or unacceptable in using the computers or Internet.
9. I will be a good citizen online and not do anything that hurts other people or is against the law. I understand and will abide by the above Computer Network/Internet Use Agreement and the Student Code of Conduct. I further understand that any violation of the regulations and Code of Conduct described above is unethical and may constitute a criminal offense. Should I commit a violation, my access privileges will be subject to appropriate legal action by our school district or others.

_____

B. Virtual/Distance Learning Code of Conduct

Virtual Learning Code of Conduct

All Holley Central School District students receiving online instruction are subject to any applicable District policies and this Student Virtual Learning Code of Conduct. As a virtual learning student, there are additional rules and expectations regarding prior online etiquette in place in order to protect all students and all staff members. Access to remote learning must be used in a responsible, respectful, safe, efficient, ethical, and legal manner. With expanded access to electronic information, availability of inappropriate material is not uncommon. Some sites contain illegal, defamatory, inaccurate, or offensive information. We especially appreciate working with parents to teach students responsible internet use.

- Students are responsible for proper behavior during online learning. Always use a computer in a way that shows consideration and respect. It is not acceptable to use obscene, profane, threatening, or disrespectful language.
- We take integrity and authenticity of student work very seriously. Do not cut, copy, or plagiarize Internet content or the work of your online classmates. Teachers do utilize technologies to check for authenticity. Copying, knowingly allowing others to copy from you, and/or misusing Internet content will result in disciplinary action.
- Security and Safety is a high priority, especially when the system involves many users. If you identify a security and/or safety problem in the school's computers and/or educational platform, notify your building principal.
    - Elementary School: Mr. Artessa (tartessa@holleycsd.org)
    - Middle School/High School: Mr. Feldman (mfeldman@holleycsd.org)
    - Alternative High School: Ms. Sanchez (ssanchez@holleycsd.org)
- It is illegal to create harmful computer viruses.
- Remote Learning correspondence is not private. Never say, write, or record anything that will earn you a consequence.
- Protect your passwords. Keep it secret from anyone except your parents.

INTERNET USAGE POLICY

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of Holley Central School District and, as such, is subject to disclosure to the parent, parents, administration or other third parties. Consequently, the Holley Central School District expects both students and parents to abide by the school's Internet usage policy:

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any other person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, languages spoken, or any other characteristic protected by law.
Abuse of Internet platforms and tools in violation of school policies will result in disciplinary action. Below are examples of poor behaviors that are prohibited, but are not limited to this list.

- Sending or posting discriminatory, harassing, or threatening messages or images.
- Stealing, using, or disclosing someone else's code or password without authorization.
- Copying, pirating, or downloading software and electronic files without permission.
- Sending or posting confidential material, trade secrets, or proprietary information outside of the organization.
- Violating copyright law.
- Engaging in unauthorized transactions that may incur a cost to the school or initiate unwanted Internet services and transmissions.
- Participating in the viewing or exchange of pornography or obscene materials.
- Sending or posting messages that defame or slander other individuals.
- Attempting to break into the computer system of the Holley Central School District, another organization, or person.
- Refusing to cooperate with a security investigation.
- Using the Education Portal for political causes or activities, religious activities, or any sort of gambling.
- Jeopardizing the security of the organization's electronic communications systems.
- Sending or posting messages that disparages the Holley Central School District or another organization's products or services.
- Passing off personal views as representing those of the Holley Central School District.
- Sending anonymous e-mail messages.
- Engaging in any other illegal activities.
- Disturbing the virtual Learning Environment.
- Refusing to follow the rules of the specific Virtual Learning Classroom.
- Unmuting yourself when your teacher has placed you on mute.
- Recording any class session and transmitting it.
- Recording your teacher and/or classmates.
- Not dressed properly for class (examples: dressed in revealing clothes, dressed in clothes with inappropriate sayings).
- Participation in Cyber bullying and/or Harassment.
- Cheating and/or Plagiarism.

These behaviors will result in disciplinary action in accordance with the district Code of Conduct. However, it is understood that the nature of distance learning does not allow for

all consequences to be utilized as methods for addressing misconduct. The partnership between school and home is magnified in any situation that involves distance/virtual learning.

STUDENT EXPECTATIONS AND CONSEQUENCES OF MISCONDUCT

In the virtual environment there is a set of non-traditional types of misconduct that must be regularly monitored and, if not hopefully eliminated altogether, then disciplined in an appropriate manner. Accordingly, in addition to district applicable policies, the Virtual Learning Code of Conduct incorporates expectations of conduct specific to virtual/remote learning classrooms. For example, Internet access is required for all students, but access must be used in a responsible, safe, efficient, ethical, and legal manner. With expanded access to electronic information, availability of inappropriate material is not uncommon. Some sites contain illegal, defamatory, inaccurate, or offensive information. Although it is impossible to control such misuses, we believe that with responsible use, the benefits of the Internet as an educational tool outweigh the negatives.

BULLYING AND HARASSMENT POLICY

Harassment is prohibited between members of the school community, including communication of any form between students, parents, faculty and/or staff, and any third parties directly or indirectly.

We are committed to maintaining a working and learning environment in which students, faculty, and staff can develop intellectually, professionally, personally and socially. Such an atmosphere must be free of intimidation, fear, coercion and reprisal.

It is an expectation that all students and employees shall use all equipment and programs for the intended educational purpose. We are committed to protecting students and employees from bullying, harassment or inappropriate uses of computers or programs to participate in bullying behavior. Bullying and Harassment will not be tolerated and shall be just cause for disciplinary action.

Conduct that constitutes bullying or harassment, as defined herein, is prohibited. Bullying, harassment, and cyber stalking are defined as inflicting physical or psychological distress, and/or communicating words, images or language electronically that causes emotional distress and for which there is no legitimate purpose. Any action by a student or parent deemed inappropriate will be fully investigated by the appropriate school administrator.

Virtual Learning ACADEMIC INTEGRITY POLICY

What is academic integrity?

- Academic integrity is an ethical code, whereby the student guarantees that all work submitted is the student's own work.

Why is academic integrity important?

When students submit an assignment that is not their own original work, there are two issues involved:

- Students are earning credit for learning material for which they have not demonstrated mastery.
- They may be violating the policies of the school.

What are some examples of academic integrity violations?
There are two kinds of academic integrity violations. One is "plagiarism" and the other is "cheating."

- Plagiarism - To steal and pass off (the ideas or words of another) as one's own: use (another's production) without crediting the source. Some examples are, but not limited to the following:
    - Copying and pasting a report from the Internet and representing it as your own work
    - Copying any other work and not properly citing authorship
- Cheating
    - To influence or lead by deceit, trick, or artifice
    - To practice fraud or trickery to violate rules dishonestly
    - Providing questions/answers/ work to another student
    - Receiving questions/answers/work from another student

Consequences of Violation of this Policy:
A variety of consequences will be administered when students are discovered cheating or plagiarizing. Additionally, final grades may be rescinded if a student is found to have cheated or plagiarized after the grade has been posted.
Parents, as partners in supporting student learning, you are encouraged to:

- Ensure that your child's work is authentic and original.
- Monitor, via your parent account.
- Ask any questions regarding plagiarism or cheating if you are unsure.
- Report any suspicious activity.

PARENT/GUARDIAN'S RESPONSIBILITIES

As a parent/guardian of a virtual school student, it is very important to understand the responsibilities associated with that role. With the many distractions students have today, it can be difficult for some students to set aside time to work on courses when not in school. It is the responsibility of the parent/guardian to encourage the student to manage their time in an effective way.
Teachers will keep the parent/guardian apprised of the student's progress and will initiate contact if they fall behind in their coursework.
Parents are expected to supervise and monitor their student's progress throughout the duration of the course, just as you would in a regular learning setting. This can be accomplished by accessing the parental account periodically to monitor student progress.
Parents should support Academic Integrity. Academic Integrity is one of our core values and one of the most important areas of focus as a learning organization. Students with Academic

Integrity make decisions based on ethics and values that will prepare them to be productive and ethical citizens.
You may contact your child’s teacher directly via email to answer questions about the course that you may have. When a parent/guardian has a concern about the child's performance or behavior, the parent/guardian should set up a conference with the child's teacher.