# Sherburne-Earlville Central School District

# Code of Conduct

## K-12

**January 2015**

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# CODE OF CONDUCT

## I. INTRODUCTION/DASA

The Sherburne-Earlville Central School District Board of Education is committed to providing a safe and orderly learning environment where students may receive and Sherburne- Earlville Central School District personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other Sherburne- Earlville Central School District personnel, parents, and visitors is essential to achieving this goal.

Sherburne-Earlville Central School District has a long-standing set of expectations for conduct on school property and at its functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, integrity, and the belief in the educational goals of the organization.

In accordance with the Dignity for All Students Act and the District's Dignity for All Students Act Policy 7580 and Regulation 7580R, students have a right to be free from harassment, bullying, including cyberbullying and/or discrimination, including but not limited to harassment, bullying, including cyberbullying 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/gender identity or sex, by school employees or students on school property, at a school function and/or off school property where such harassment, bullying, including cyberbullying and/or discrimination creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, at school functions, or off school property where such conduct creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly.

Accordingly, in collaboration with students, parents, teachers, and administrators, the Board of Education has established this Code of Conduct.

Unless otherwise indicated, this code applies to all students, teachers, school personnel, parents, and visitors when on Sherburne-Earlville Central School District property or attending a Sherburne-Earlville Central School District function.

## II. DEFINITIONS

For purposes of this code, the following definitions apply.

A. "SECSD" means Sherburne-Earlville Central School District

B. "Disruptive student" means a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantially disruptive student is a student who affects the teacher's ability to teach and/or can make it difficult for other students in the classroom to learn.

C. "Parent" means the biological, adoptive or foster parent, guardian, or person in parental relation to a student.

D. "SECSD property" means in or within any building, structure, play area, parking lot, or land contained within the real property boundary line of a Sherburne-Earlville Central School District facility, or in or on a school bus as defined in Vehicle and Traffic Law 142.5.

E. "SECSD function" means any Sherburne-Earlville Central School District sponsored field trip, instructional activity, sports activity or extra-curricular event or activity.

F. "Weapon" means a firearm as defined in 18 USC 921 for purposes of the Gun Free Schools Act. It also means any rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, air gun, spring gun, BB/pellet gun, or paintball gun. Other weapons include, but are not limited to: a switchblade knife, gravity knife, pilum ballistic knife, cane sword, dagger, stiletto, dirk, razor, box cutter, metal knuckle knife, utility knife, or any other dangerous knife; a billy club, blackjack, bludgeon, chukka stick, or metal knuckles; a sandbag or sand club; a slingshot or slung shot; a martial arts instrument, including, but not limited to, a kung fu star, ninja star, nun-chuck, or shirken; a deadly or dangerous chemical, including, but not limited to, a strong acid or base, mace, or pepper spray; loaded or blank cartridges or other ammunition or any other deadly or dangerous instrument that can be used with the intention of causing physical injury or death.

G. "Violent student" means a student who does one or more of the following:

1. Commits an act of violence upon an SECSD employee.

2. Commits, while on SECSD property or at an SECSD function, an act of violence upon another student or any other person lawfully on SECSD property or at an SECSD function.

3. Possesses, while on SECSD property or at an SECSD function, a weapon.

4. Displays, while on SECSD property, or at an SECSD function, what appears to be a weapon.

5. Threatens, while on SECSD property or at an SECSD function, to use a weapon.

6. Knowingly and intentionally damages or destroys the personal property of any SECSD employee or of any person lawfully on SECSD property or at an SECSD function.

7. Knowingly and intentionally damages or destroys SECSD property.

## III. STUDENT RIGHTS AND RESPONSIBILITIES

A. STUDENT RIGHTS

Although the rights of students are not identical to the rights of adults, SECSD is committed to safeguarding the rights given to all students under state and federal law. In addition to those rights, all Sherburne-Earlville Central School District students have the right to:

1. A safe, healthy, orderly and civil learning environment.

2. Participation in all SECSD activities on an equal basis regardless of age, race, religion, color, national origin, gender, sexual orientation or disability.

3. Present their version of the relevant events to SECSD personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.

4. Access to SECSD rules and, when necessary, to receive an explanation of those rules from SECSD personnel.

## B. STUDENT RESPONSIBILITIES

All SECSD students have the responsibility to:

1. Contribute to maintaining a safe and orderly learning environment that is conducive to learning and show respect to other persons and to property.

2. Be familiar with and abide by all SECSD policies, rules, and regulations dealing with student conduct.

3. Attend classes every scheduled day and period unless legally excused, and be on time and prepared to learn.

4. Work to the best of their ability in all academic and extra-curricular pursuits, and strive toward their highest level of achievement possible.

5. React to direction given by teachers, administrators, and other SECSD personnel in a respectful, positive manner.

6. Work to develop mechanisms to control their anger.

7. Ask questions when they do not understand.

8. Seek help in solving problems that might lead to discipline.

9. Dress appropriately for school and SECSD functions.

10. Accept responsibility for their actions.

11. Conduct themselves as representatives of SECSD when participating in or attending SECSD-sponsored extracurricular events, and hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

12. Notify a teacher or school official if they have knowledge of any student being harassed or abused.

13. Tell a responsible adult if they have knowledge of any planned violence.

## IV. ESSENTIAL PARTNERS IN EDUCATION

### A. PARENTS

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.

2. Send their children to school ready to participate and learn.

3. Ensure their children attend school regularly and on time.

4. Ensure that all legal absences are accompanied by written excuses.

5. Insist that their children be dressed and groomed in a manner consistent with the student dress code.

6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment, and instill in them respect for law, authority, and the rights of others.

7. Know SECSD rules and help their children understand them.

8. Convey to their children a supportive attitude toward education and toward our district.

9. Build good relationships with teachers, other parents, and their children's friends.

10. Help their children deal effectively with peer pressure.

11. Inform school officials of changes in the home situation that may affect student conduct or performance.

12. Provide a place for study and ensure homework assignments are completed.

13. Initiate contact with teachers, counselors, and school officials as a way to resolve problems.

14. Attend parent-teacher conferences.

15. Model appropriate standards of conduct, dress, language, and respectful treatment of others.

B. TEACHERS

All SECSD teachers are expected to:

1. Maintain a climate of mutual respect and dignity, reinforcing desired behavior, which will strengthen students' self-concept and promote confidence to learn.

2. Be prepared to teach.

3. Demonstrate interest in teaching and concern for student achievement.

4. Know SECSD policies and rules, explain rules of behavior to students, and enforce them in a consistent manner.

5. Communicate the following to parents:
   a. Course objectives and requirements.
   b. Marking/grading procedures.
   c. Assignment deadlines.
   d. Expectations for students.

6. Communicate regularly with students, parents and other teachers concerning growth and achievement.

7. Model appropriate standards of conduct, dress, language, and respectful treatment of others.

8. Refer students to counselors when appropriate.

C. NON-TEACHING FACULTY AND STAFF

All non-teaching faculty and staff are expected to:

1. Maintain a climate of mutual respect and dignity, reinforcing desired behavior, which will strengthen students' self-concept and promote confidence to learn.

2. Know SECSD policies and rules, explain the rules of behavior to students, and enforce them in a fair and consistent manner.

3. Maintain a supportive attitude toward education and SECSD.

4. Build good relationships with teachers, parents, and students.

5. Help students deal effectively with peer pressure.

6. Communicate concerns to appropriate faculty members.

7. Model appropriate standards of conduct, dress, language, and respectful treatment of others.

D. SCHOOL COUNSELORS

All school counselors are expected to:

1. Assist and educate students in coping with peer pressure and emerging personal, social, and emotional problems.

2. Initiate conferences with parents, students, teachers, and counselors, as necessary, as a way to resolve problems.

3. Regularly review with students their educational progress and career plans.

4. Provide information to assist students with career planning.

5. Encourage students to benefit from the curriculum and extracurricular programs.

6. Assist faculty/staff in resolving concerns with students.

7. Act as a resource to parents.

E. ADMINISTRATORS

All school administrators are expected to:

1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.

2. Afford students and staff with the opportunity to communicate regularly with the principal and approach him or her for redress of grievances.

3. Evaluate all instructional programs.

4. Support the development of and student participation in appropriate extracurricular activities.

5. Be responsible for enforcing the Code of Conduct.

F. SUPERINTENDENT

The superintendent is expected to:

1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.

2. Review with district administrators the policies of the SECSD Board of Education and state and federal laws relating to school operations and management.

3. Inform the Board of Education about educational trends relating to student discipline.

4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.

5. Work with SECSD administrators in enforcing the Code of Conduct.

G. BOARD OF EDUCATION

The SECSD Board of Education is expected to:

1. Collaborate with student, teacher, administrator, and parent organizations, SECSD safety personnel and other SECSD personnel to develop a code of conduct that clearly defines expectations for the conduct of students, SECSD personnel, and visitors on school property and at SECSD-sponsored functions.

2. Adopt and review at least annually the SECSD Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.

3. Lead by example by conducting SECSD board meetings in a professional, respectful, courteous manner.

## V. STUDENT DRESS CODE

All students are expected to give proper attention to personal cleanliness and to dress appropriately for SECSD programs. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other SECSD personnel should exemplify and reinforce acceptable attire, and help students develop an understanding of appropriate appearance in the educational setting.

Student clothing, jewelry, grooming, and appearance shall:

A. Be safe, appropriate, and not interfere with the educational process.

B. Exclude brief garments such as short shirts (no portion of the midriff will be exposed at any time), tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back), see-through garments, short shorts and short skirts, etc.

C. Ensure that underwear is completely covered with outer clothing.

D. Include footwear at all times. Footwear determined by school officials to be a safety hazard will not be allowed.

E. Exclude the wearing of outdoor clothing (coats, vests, etc.)

F. Exclude head dressings, including, but not limited to hats, hoods, bandanas (worn other than headband), visors, sunglasses, etc. Exemptions can be made according to religious/medical need.

G. Exclude "weapon jewelry," spikes, dog chains, choke chains, chains that hang from belts or pockets, or other such things worn on the body that could injure oneself or others.

H. Exclude items which school personnel determine to be vulgar, obscene, libelous, or that denigrate others on account of race, color, religion, ancestry, national origin, gender/gender identity/expression, sexual orientation, or disability.

I. Exclude the endorsement of alcohol, tobacco, or illegal drugs and/or the encouragement of other illegal or violent activities.

J. Exclude electronic devices. For specific details, please refer to each school's individual student handbook. We do not recommend that these items be brought to school, and SECSD will not be responsible for their theft or damage. Refer to discipline offenses for usage.

K. Exclude the carrying of backpacks, string bags and/or anything but a small purse. These items will be stored in students' personal storage during the school day, with the exception being for medical need or carrying items to and from PE class.

L. Swimwear must be appropriate, and not cause a distraction.

Each building principal or his or her designee will be responsible for informing all students and their parents of any revisions to the dress code made during the school year.

Students who violate the dress code will be required to modify their appearance by covering or removing the offending item and, possibly replacing it with an acceptable item. Any student who refuses to do so will be subject to discipline, up to and including suspension.

## VI. STUDENT BEHAVIOR: MISCONDUCT AND CONSEQUENCES

All SECSD students are expected to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel, and other members of the school community, and for the care of school facilities and equipment.

The rules listed in this Code of Conduct are intended to focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate or attempt to violate these school rules will be required to accept the consequences for their conduct.

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

A. The student's age
B. The nature of the offense and the circumstances which led to the offense.
C. The student's prior disciplinary record
D. The effectiveness of prior disciplinary attempts
E. Information from parents, teachers and /or others, as appropriate
F. Other extenuating circumstances

As a general rule, discipline will be progressive.

If the conduct of a student is related to a disability or suspected disability, the Committee on Special Education will be notified. All notices and procedures for disabled students will be followed.

## THE RANGE OF CONSEQUENCES

Includes, but is not limited to:
Written Warning/Verbal Reprimand
Time-out
Loss of Privileges
Change of Schedule to Omit Free Time or Reduce Disturbance
Conference with Student
Communication with Parent
Confiscation of Prohibited Substance
Detention After School
Counseling
Restitution
Lunch Detention
Extra Activity/Special Project Assignment
Removal from Class
Suspension from Bus Transportation
In-School Short Term Suspension
In-School Long Term Suspension
Out of School Suspension
Suspension from Athletic Participation
Suspension from Social or Extracurricular Activities
Suspension of Other Privileges
Probation
Alternative Placement/Involuntary Transfer
Notification of Law Enforcement
Superintendent's Hearing
Permanent Suspension

## OFFENSES AND THEIR DEFINITIONS

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| (1) Alcohol Violation | Possessing, consuming, selling, distributing, or exchanging alcoholic beverages or being under the influence of alcohol. |
| (2) Arson/Fire | Attempting to, or assisting in any attempt or plan to set fire to anything in a school building or the building itself. |
| (3) Bomb Threat/ False alarm | Initiating a report or warning of fire or catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher. |
| (4) Bullying | A variety of negative acts carried out repeatedly over time. This involves a real or perceived imbalance of power, with a more powerful individual or group attacking those who are less powerful. These negative acts include physical, verbal or psychological incidents. |

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| (5) Bus Misbehavior | All school rules also apply to the bus. Failing to promptly take seat upon boarding a school bus; Failure to remain seated while bus is in motion; Bothering other students; Use of vulgar or profane language on the bus; Failure to comply with any request or directive of the bus driver; Eating or drinking on the school bus; Creating excessive noise, including verbal abuse; Causing damage to the vehicle (students responsible for damages will be billed for repair costs); Violation of any other bus rule as listed in the student handbook or posted on the bus itself. (Note: Eating or drinking on the bus may be approved by the transportation director on special occasions). |
| (6) Cheating/ Academic Dishonesty | Copying, plagiarizing, altering records, or assisting another student in such action (including giving one's own work to another student for the purpose of allowing that student to present that work as his or her own). This includes the use of electronic or communication devices. |
| (7) Computer/ Electronic Communication Misuse | Any unauthorized use of computers, software, internet, email misuse of a web site; use of technology to defame, harass, embarrass, or vilify any member of the school community. This includes, but is not limited to, the taking or distribution of videos/pictures without all parties consent. |
| (8) Cutting Class | Unexcused absence from a class or school activity, or failing to inform the appropriate adult of an excused absence. |
| (9) Disrespect Toward Others | Inappropriate comment, taunting, or physical gesture to a student, teacher, staff member, or other adult. |
| (10) Disruption-Classroom | Behavior that is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. |
| (11) Disruption-School Environment | Behavior that interferes with the safe and orderly environment of the school or school activity, including waiting on school property for a bus and the obstruction or restraining the authorized or lawful movement or participation of another. |
| (12) Disruptive Items-Possession | Possession of a sound box, laser pointer, squirt gun, water balloon, snowball, lighter, or any other disruptive item. |

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| (13) Driving/Parking Violations | Failure to obey all state, district, and campus traffic and parking signs and rules; as listed on the parking application form. |
| (14) Drug Violation | Possessing, consuming, selling, distributing, or exchanging unauthorized prescription or non-prescription drugs, or drug paraphernalia on SECSD property, at an SECSD function, on a school bus, or in a school vehicle. This includes solvents/chemical used for intoxicating effects (i.e. –huffing, snorting, inhalation, etc.). Violations include the possession and/or misuse of over-the -counter medications, or look a likes. |
| (15) Failure to Serve Assigned Consequences | Failure to serve lunch detention, after-school detention, short term or long-term in-school suspension, or any other assigned consequence. |
| (16) Fighting | A hostile confrontation with physical contact involving two or more students. |
| (17) Fireworks or Explosives | Possession, use and/or threat to use fireworks, smoke bomb, flare, or combustible or explosive substance. |
| (18) Forgery | Signing the name of a staff member, parent, or anyone other than oneself on any document, or the use of a document with an unauthorized signature. |
| (19) Gambling | Wagering (betting) money or property. |
| (20) Hands On/ Physical Contact | Minor physical contact such as pushing, striking, kicking or other unwanted minor physical contact. |
| (21) Harassment/ Hate Speech | An action or pattern of actions or statements directed at an identifiable individual or group which is intended to be, or which a reasonable person would perceive as ridiculing, demeaning, or offensive. These actions may result in the individual or group feeling fearful of bodily harm. |
| (22) Hazing | Negative or reckless act required for the purpose of initiating into, affiliating with, or maintaining membership in any activity, organization, or team. |
| (23) Indecent Exposure | Exposing the body in a lewd or what school officials believe is an indecent manner. |

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| (24) Insubordination | Refusing to follow school rules or reasonable requests of teachers, staff, or administration, including failure to identify self or knowingly providing false information (lying). |
| (25) Intimidation | Engaging in actions or statements that put an individual in fear of bodily harm. |
| (26) Leaving School Grounds Without Permission | Leaving school grounds during regular school hours without written or verbal permission from parent, administrator, or someone listed on the emergency procedure card. |
| (27) Loitering | Idle presence in an area without authorization. |
| (28) Lookout | Facilitating the violation of school rules. |
| (29) Physical Attack | Assault, or aggressive physical action, directed at students, staff, or others, including a situation where a staff member is intervening in a fight or other disruptive activity. |
| (30) Profanity | Using vulgar or abusive language, cursing, or swearing in words, clothing or written form. The selling, use, or possession of obscene materials. |
| (31) Public Displays of Affection (PDA) | Any display of affection between two consenting students which extends beyond holding hands, a single, brief kiss, or brief embrace. |
| (32) Reckless Endangerment | The commission of any act that has the potential to cause bodily harm to another individual or oneself. |
| (33) Repeatedly Disruptive Conduct | Misconduct that results in the student being removed from the classroom by teacher(s) on four or more occasions during a semester. |
| (34) Sexual Harassment | Unwanted and inappropriate verbal, written, or physical conduct of a sexual nature. |
| (35) Sexual Misconduct | Inappropriate sexual activity. |
| (36)Skateboards/ Scooter/Roller blades- Unauthorized Use | Unauthorized use of a skateboard, scooter, snowboards or roller blades on school property. |
| (37) Tardiness | Arriving late to school or class. |

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| (38) Theft | Taking or obtaining property of another without permission of the owner. Possession of stolen property. |
| (39) Threat | Expression, conveyed by word or action, of intent to abuse, intimidate, coerce, or injure a staff member, student, or other person. |
| (40) Tobacco Violation | Possession, use, sale, or distribution of any tobacco product or delivery system; this is to include any e-cigarette, vaporizer, and chemicals used with these items. |
| (41) Trespassing | Unauthorized presence on school property, including while on suspension. Presence in parts of the school which are normally off-limits to students. |
| (42) Truancy | Unexcused absence for a day or a portion of a day and without parental knowledge. |
| (43) Vandalism | Damage, destruction or defacement (graffiti) of property belonging to another or to the school. |
| (44) Weapons Possession | Possession of any item defined as a weapon under Part II (DEFINITIONS)of this Code of Conduct. |
| (45) In Unauthorized Area | Unauthorized presence in an area of the school building or property. |

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the authorized school personnel must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty. In the absence of the principal, the assistant principal is the designated "acting principal."

## VII. MINIMUM PENALTIES FOR STUDENTS

A. Students Who Bring A Weapon To School

The minimum period of suspension from school for any student, other than a student with a disability, who is found guilty of bringing a weapon onto district property will be at least one calendar year.

B. Students Who Commit Other Violent Acts

The minimum period of suspension from school for any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto district property, shall be five (5) days.

C. Students Who Are Repeatedly Disruptive

The minimum period of suspension from school for any student, other than a student with a disability, who engages in conduct which results in the student being removed from the classroom by teacher(s) on four or more occasions during a semester shall be five (5) days.

D. Students who make false reports or bomb threats

The minimum period of suspension from school for any student, other than a student with a disability, who is found guilty of making a false report or a bomb threat, may be one calendar year. In addition, all threats and reports will be reported to the NYS Police and students will be prosecuted to the fullest extent of the law.

E. Reports By Teachers/Staff

All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of this Code. 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 making the referral.

F. Review By Superintendent

The superintendent may reduce the minimum penalties established above on a case-by-case basis. In deciding whether to modify the penalty, the superintendent will determine if a lesser suspension period or some other form of discipline may be more effective considering the following:

1. The student's age
2. The student's grade in school
3. The student's prior disciplinary record
4. Input from parents, teachers and/or others
5. Other extenuating circumstances.

## VIII. REPORTING VIOLATIONS OF LAW AND THE CODE OF CONDUCT

A. Any student observing another student possessing a weapon, alcohol or illegal substance on SECSD property should report this information immediately to a teacher, support staff, the building principal, the principal's designee, or the superintendent.

B. Any weapons, alcohol, or illegal substances found shall be confiscated immediately, followed by notification of the parent of the student involved and the appropriate disciplinary action taken, up to and including permanent suspension and referral for prosecution.

C. School administrators may interview and question students regarding violations of the Sherburne-Earlville Code of Conduct, school rules, and about violations of laws committed on school grounds or at school events.

Administrators may also interview students when conduct at any other time or place has a direct and/or immediate effect on maintaining order and discipline or protecting the safety and welfare of the students or staff in the school

Students are not entitled to any sort of Miranda-type warnings before being questioned by school officials, nor are school officials required to contact a student's parents before questioning the student. Sherburne-Earlville Central School officials will tell a student why he or she is being questioned.

Searches of student lockers, desks, and other school storage places by school officials are permissible, as students should have no reasonable expectations of privacy with respect to these places. In addition, the Board of Education authorizes Sherburne-Earlville Central School administrators to conduct a search of a student's book bag and belongings and request that a student empty his or her pockets if the school official has reasonable suspicion to believe that the search will result in evidence that the student violated school rules or State/Federal Law. Students' book bags or other belongings may be searched whenever school officials are concerned about an immediate threat to student safety.

D. An administrator, program supervisor, and 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 a school as soon as practical, but in no event later than the close of business the day the Administrator 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.

Sherburne-Earlville Central School officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in Sherburne-Earlville Central School buildings or at Sherburne-Earlville Central School functions, or to use our facilities in connection with police work.

Police officials may enter Sherburne-Earlville Central School property or a Sherburne-Earlville Central School function to question or search a student or to conduct a formal investigation involving students only if they have been invited by Sherburne-Earlville Central School officials.

If the student's parent cannot be contacted prior to the police questioning or search, the parent shall be informed of the questioning or search by the administrator, program supervisor, or his or her designee as soon thereafter as possible. The administrator, program supervisor, or his or her designee will also be present during any police questioning or search of a student on Sherburne-Earlville Central School property or at a Sherburne-Earlville Central School function.

## IX. REMOVAL OF SUBSTANTIALLY DISRUPTIVE STUDENTS

A substantially disruptive student 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 shall control substantially disruptive student behavior by using good management techniques. These techniques do not constitute disciplinary removal for purposes of this code. In some instances, however, it may be necessary for a teacher to remove a disruptive student from the classroom to ensure that the other students continue to learn.

The Sherburne-Earlville Central School District has a vested interest in maintaining a safe and orderly classroom environment and in supporting teachers with disciplinary concerns.

A. Traditional Means for Handling a Substantially Disruptive Student

Teachers may handle substantially disruptive students in their classes by following current behavior management procedures.

At the Elementary level, one of these procedures is "time out" in the principal's or the assistant principal's office until the teacher contacts the office to have the student returned to class or to his or her next class.

Another procedure is to send the substantially disruptive student to the office, where the student remains until the teacher can contact the administrator in charge. Parental notification, detention, in-school suspension and out-of-school suspension are some of the consequences that may be initiated by the administrator after conferring with the teacher and the student.

At the Middle School/High School level, "time-out" involves the student's going directly to the short-term room.

Whenever a student is assigned to detention or in-school suspension, by an administrator, the parent will receive a letter from the administrator.

Whenever a substantially disruptive student is suspended out-of-school, the parent will be notified in person or by telephone prior to the effective date of the suspension. Parents may request an informal conference, which could include the student, parent, teacher, and principal.

In all disciplinary cases, except where a substantially disruptive student is a danger to himself/herself or to others, the student will be told the reasons for being asked to leave class.

B. Teacher Removal of a Substantially Disruptive Student

A teacher may remove a substantially disruptive student from class for up to three (3) instructional periods of that class. An instructional period is defined per class period at the Middle and High School.

A class at the K-5 level is the interval of time devoted to instruction in a specific subject matter area.

If the class is less than 25% over when the student is removed, then that counts as one instructional period of removal.

If, in the teacher's opinion, a student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student, before the student is removed, with an explanation of why he or she is being removed. The student must also be given the opportunity to present his or her version of the relevant events. Only after this informal discussion may a teacher remove a student from class.

If, in the teacher's opinion, the student does pose a danger or ongoing threat of disruption, the teacher may order the student from the classroom and give the student a chance to present his or her version of the relevant events within one full school day.

The removing teacher must fill out an SECSD discipline referral and meet with the principal or program supervisor as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the referral forms. If the principal or supervisor is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or supervisor prior to the beginning of classes on the next school day. Additionally, within twenty-four hours, the teacher must notify the student's parents of the removal and the reasons for it by telephone.

If a student is removed from instruction for a half school day or more, the principal, or another SECSD administrator designated by the principal must inform the student's parents, by phone or in writing, that the student has been removed from class and why, within twenty-four hours after the student's removal. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal, supervisor, or the designated administrator to discuss the reasons for the removal and behavior modification(s) to remedy the cause for the removal.

**Where possible, notice should be provided by telephone if SECSD has been provided with a correct telephone number for the purpose of contacting parents.** Written notice will be required when telephone notification is not available. At the informal conference, the teacher will present reasons for the removal.

If at the informal meeting the student denies the charges, the teacher, the principal, or the designated administrator must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within two school days of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent, teacher and principal.

The unavailability of the parent for telephone contact or informal conference shall not impede the removal process. In this case, the student maintains the right to an informal conference.

The principal, or the designee may overturn the removal of the student from class if the principal, supervisor, or designee finds any one of the following:

1. The charges against the student are not supported by substantial evidence.

2. The student's removal is otherwise in violation of law.

3. The conduct warrants in-school or out-of-school suspension.

4. The conduct warrants suspension from school pursuant to Education Law 3214, and a suspension will be imposed.

5. The removal is inconsistent with the Code of Conduct.

The principal or his or her designee must make a determination as to whether to overturn the removal before the close of business on the day after the day of the informal hearing. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal, supervisor, or designee makes a final determination, or the period of removal expires, whichever is less. **At the teacher's discretion, he or she may rescind the removal prior to the expiration of the full period of removal.**

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued behavioral and/or educational programming and activities until he or she is permitted to return to the classroom. **As soon as possible, but no later than the beginning of the next school day, the removing teacher must provide a guide for instruction and appropriate instructional materials for the student.**

Each teacher must keep a complete log (on a SECSD provided form) for all cases of removal of students from his/her class. The principal, or supervisor must keep a log of all removals of students from class. Removal of a student with a disability may, under certain circumstances, constitute a change in the student's placement.

Nothing in this section of the Code of Conduct abridges the customary right or responsibility of a principal to suspend a student. Further, nothing in this Code abridges the customary right and responsibility of a teacher to manage student behavior in the classroom. Short-term, time-honored classroom management techniques such as "time-out" in an elementary classroom or in an administrator's office or sending students briefly out of the classroom are not considered removals from class. The removal process should not become a substitute for good classroom management.

## X. DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board of Education 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 enjoy certain procedural protections whenever SECSD 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.

Should removal become necessary, teachers will inform the principal and the Chair of the Committee on Special Education to ensure proper procedure.

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, (I.D.E.A. and New York State Education Law).

## XI. CORPORAL PUNISHMENT

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

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

A. Protect oneself, another student, teacher or any person from physical injury.

B. Protect the property of the SECSD or others.

C. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of SECSD functions, powers and duties, if that student has refused to refrain from further disruptive acts.

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

## XII. VISITORS TO THE SCHOOL

Parents and other district citizens are encouraged to visit the district's schools. Since schools are places of work and learning, however, certain limits must be set for such visits. For these reasons, the following rules apply to visitors to the schools:

A. Anyone who is not a regular staff member or student of the school is considered a "visitor".

B. Except for those who are attending public gatherings or meetings, visitors must report to the main office upon arrival at the school. Visitors will then receive a tag identifying them as visitors.

C. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.

D. All visitors are expected to abide by the rules for conduct on school property contained in the Board of Education policy and this Code of Conduct, failure to do so may result in removal from school property.

The administration has authority to determine whether the visitor has an appropriate reason for being in the building. If the visitor is judged by the administrator not to have an appropriate reason, the visitor will be asked to leave. The police may be called if the situation warrants.

## XIII. PUBLIC CONDUCT ON SCHOOL PROPERTY

SECSD is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of environment, it is necessary to establish rules for public conduct on school property and at school functions. Such rules, as well as consequences for violation of such rules, are contained in this code, as well as Board of Education Policy.

## XIV. PUBLICATION, DISTRIBUTION AND REVIEW

Each year the District will:

A. Provide copies of the Code, or a summary of the Code, to all students at the beginning of the school year.

B. Publish in an issue of the *Maroon and White* newsletter a summary of the Code, and make this summary and the code available for review by students, parents, and other community members in each school building.

C. Provide all staff members with a copy of the Code and a copy of any amendments to the Code as soon as practical after adoption.

D. The Board of Education will review this Code of Conduct every year and update it as necessary, following all rules of the Commissioner of Education and the S.A.V.E. laws.