

Alexandria Central

Code of Conduct

FINAL DRAFT

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ALEXANDRIA CENTRAL SCHOOL DISTRICT CODE OF CONDUCT

I. INTRODUCTION

The Alexandria Central School District (Board of Education, Administration, Faculty & All Other Staff), is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

The Mission of Alexandria Central School District is to ensure that all students become responsible lifelong learners in a positive and safe environment that promotes academic excellence.

The District has a long-standing set of expectations for conduct on school property and at school functions.

These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The District recognizes the need to clearly define 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. To this end, the Alexandria Central Board of Education adopts this code of conduct (“code”).

Unless otherwise indicated, all policies of the Alexandria Central School District are in effect and apply to everyone on school property or attending a school event. This does not rule out the possibility of discipline for off-campus conduct in violation of this code when such conduct endangers the health or safety of pupils within the educational system or adversely affect the educative process. The District reserves the right to discipline in appropriate cases for such off-campus conduct.

II. DEFINITIONS

For purposes of this Code, the following words and phrases shall have the meanings set forth below:

1. **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 a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142.

2. **School Function** means any school-sponsored curricular or extra-curricular event or activity, whether on or off school property, if sanctioned or approved by the school, including but not limited to off-site athletic events, school dances, field trips, or any other school-sponsored activity.

3. **“Disruptive Student”** means an elementary or secondary student under twenty-one years of age who interrupts or stops the normal flow of activity or substantially interferes with the teacher's or staff member's authority in the classroom or school sponsored related activity.

4. **“Violent Student”** means an elementary or secondary student under twenty-one years of age who:

1. commits an act of violence upon a teacher, administrator, or other school employee, or attempts to do so.
2. commits an act while on school property or at a school function, of violence upon another student, or any other person lawfully on school property, or a school function, or attempts to do so.
3. possesses or displays, while on school property or school function, or what appears to be, a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death.
4. threatens, while on school property or at a school function, to use any instrument that appears capable of causing physical injury or death.
5. knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other school District employee, or any person lawfully on school District property.
6. knowingly and intentionally damages or destroys school District property.

5. **Harassment/Bullying** means the creation of a hostile environment by conduct or threats, intimidation or abuse, including cyberbullying as defined in Education Law § 11[8], that have 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,

1. reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or,
2. reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
3. occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

For purposes of this definition, the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. (Education Law § 11[7])

6. **Vandalism** means intentional destruction or defacing of property.

7. **Insubordination** means overt or covert refusal to comply with authority.

8. **"Inappropriate"** means any action or verbalization that does not fit the particular situation, circumstance, or standard.

9. **Threat** means a stated or implied intent to do harm.

10. **"Disruptive"** means any act that interrupts or stops the normal flow of activity.

11. **Hazing** means committing an act against a student, or coercing a student into committing an act that creates a risk of emotional, physical, or psychological harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:

1. any humiliating, degrading or dangerous activity demanded of a student to join a group, regardless of the student's willingness to participate (conduct has the potential to endanger the mental or physical health or safety of a student).
2. any hurtful, aggressive, destructive, or disruptive behavior, such as striking, whipping, sleep deprivation, restraint or confinement, calisthenics, or other activity that subjects the student to an unreasonable risk of harm, or that adversely affects the mental or physical health or safety of the student.
3. any activity that intimidates or threatens the student with ostracism, that subjects a student to emotional, physical or psychological stress, embarrassment, shame or humiliation that adversely affects the health or dignity of the students, or discourages the student from remaining in school.
4. any activity that causes or requires the student to perform a task or act that involves violation of state or federal law or of school District policies or regulations.

12. **Assault** means the physical and verbal abuse, or infliction of personal injury, or unlawful detention of any person and the intentional use of physical force, or the threat thereof, that places, or attempts to place another person in well-founded fear of personal injury.

13. **Civil Rights** are rights, benefits or protection that is guaranteed to an individual by either the federal or New York State Constitution of statute.

14. **Controlled Substance** means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law regulations that apply to this Code.

15. **Substance Abuse** means use or abuse of tobacco, alcohol, banned substances or illegal drugs.

16. **Cyberbullying** means harassment/bullying, as defined by above, through any form or electronic communication.

Acts of harassment and bullying that are prohibited include those acts based on a person's real or perceived membership in the following groups including, but not limited to:

1. race
2. color
3. weight
4. national origin
5. ethnic group
6. religion
7. religious practice
8. disability
9. sex
10. sexual orientation
11. gender (which includes a person's actual or perceived sex, as well as a gender identity and expression)

17. **"Disabled Student"** shall mean a student who has been classified as from a disability pursuant to the provisions of IDEA and Article 89 of the Education Law, or one who the District is deemed to know has a disability within the meaning of 34 CFR § 300.527.

18. **Disability means** (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not

prevent the complaint from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law § 11[4] and Executive Law § 292[21])

19. **Discrimination** means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based upon a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

20. **District Function** means any District-sponsored curricular or extracurricular event or activity on or off school property.

21. **"Emotional Harm"** that takes place in the context of "harassment or bullying" means harm to a student's emotional well-being through creation of a hostile school environment that is so severe and pervasive as to unreasonably and substantially interfere with a student's education.

22. **Employee** means any person receiving compensation from a school district or employee of a contracted service provider or worked placed within a school under a public assistance employment program, pursuant to title 9-B of article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §§ 11[4] and 1125[3]).

23. **Explosive** means an explosive device of a nature or in a quantity that is sufficient to cause any injury to a person or property of others, including the District property.

24. **Gender** means a person's actual or perceived sex and includes a person's gender identity or expression (Education Law § 11[6]).

25. **Illegal Drugs** means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional, or those legally possessed or used under any other authority under the Controlled Substances Act or any other federal or New York State law.

26. **Illegal Substances** means alcohol, narcotic drugs, inhalants, stimulants, depressants, hallucinogens, marijuana, synthetic marijuana, bath salts, cocaine, heroin, steroids, look-alike drugs, over the counter substances, and any substances commonly referred to as designer drugs (ecstasy, ketamine, methamphetamines) or other illegal substances.

27. **Interim Alternative Educational Setting ("IAES")** means a temporary educational placement for a disabled student for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum to continue to receive appropriate services and modifications, including those described on the student's current individualized

education program ("IEP"), and to meet the goals set out in such IEP, and includes services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent such behavior from recurring.

28. **In-School Suspension** means the temporary removal of a student from the classroom and the placement of that student in another designated area of the school building where the student will receive substantially equivalent, alternative education.

29. **Intimidation** means engaging in actions or statements that put an individual in fear of bodily or emotional harm.

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

31. **Removal** means, as it relates to a disabled student, the 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/herself or others.

32. **Removal** means, as it relates to a non-disabled student who is disruptive or disorderly in class, the removal from the classroom to ensure that the other students continue to learn.. The removal from class applies to the class of the removing teacher only. For purposes of this Code, the removal commences on the second consecutive day that a student is asked to leave a teacher's classroom (the first day being considered the discretionary use of a classroom management technique by the teacher). Detention can be considered during the removal period.

33. **School Bus** means any motor vehicle owned by a public or government agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned or operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law § 11[1] and Vehicle and Traffic Law § 11[2]).

34. **Sexual Orientation** means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]).

35. **Suspension** means the disciplinary removal of a student from his or her regular educational program and activities in accordance with the Education Law §3214.

36. **Threat** means stated or implied intent to do harm.

37. **Visitor** means anyone on District Property or at a District Function who is not a District employee or a District student in which the individual is physically present.

38. **Weapon** means a firearm as defined in 18 USC § 921 for purposes of the Gun Free Schools Act, and any device, instrument, material or substance, animate or inanimate, that is used for or what appears to be a weapon, or is readily capable of causing death or serious bodily injury, and any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, BB gun, starter gun, pellet gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, pocket knife, brass knuckles, slingshot, metal knuckle knife, box cutters, cane sword, electronic dart gun, throwing star, club, electronic stun gun, craft knife, pepper spray, ammunition or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause serious physical injury or death when used as a weapon.

1. a firearm, including, but not limited to, a rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, air gun, spring gun, BB gun, or paintball gun;
2. 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;
3. a billy club, blackjack, bludgeon, chukka stick, or metal knuckles;
4. a sandbag or sandclub;
5. a slingshot or slungshot;
6. a martial arts instrument, including, but not limited to, a kung fu star, ninja star, nun-chuck, or shiriken;
7. an explosive, including but not limited to, a firecracker or other fireworks;
8. a deadly or dangerous chemical, including, but not limited to, a strong acid or base, mace, or pepper spray;
9. an imitation gun;
10. loaded or blank cartridges or other ammunition; or
11. any other deadly or dangerous instrument

III. STUDENT RIGHTS AND RESPONSIBILITIES

A. Student Rights

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 right to:

1. Take part in District activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation, or disability.

2. Present their version of the relevant events to school personnel authorized to impose a disciplinary consequence in connection with the imposition of the Consequence.

3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

4. Be free from bullying, discrimination and harassment on school property or school functions including but not limited to educational programming, activities, or admission policies of their school. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, gender or any other legally protected status.

B. Student Responsibilities

All District students have the responsibility to:

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

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

3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.

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

5. React to direction given by teachers, administrators and other school 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 school functions. (As per dress code)

10. Accept responsibility for their actions.

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

12. Adhere to the District's Electronic/ Technology acceptable use policy and cell phone policy

IV. ESSENTIAL PARTNERS

A. Parent Responsibilities

All parents are expected to:

1. Maintain a climate of mutual respect and dignity for all students and staff regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status, which will strengthen students' confidence and promote learning.
2. Understands the definitions of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
3. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
4. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise bring such to the attention of an employee in a timely manner.
5. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
6. Send their child(ren) to school ready to participate and learn.
7. Ensure their child(ren) attend school regularly and on time.
8. Ensure absences are excused.
9. Insist their child(ren) be dressed and groomed in a manner consistent with the student dress code.
10. Help their child(ren) understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
11. Know school rules and help their child(ren) understand them.
12. Convey to their child(ren) a supportive attitude toward education and the district.

13. Build good relationships with teachers, other parents and their child(ren)'s friends by communicating effectively and appropriately with others.
14. Help their child(ren) deal effectively with peer pressure.
15. Inform school officials of changes in the home situation that may affect student conduct or performance.
16. Provide a place for study and ensure homework assignments are completed.
17. Support the Districts Electronic/Technology Acceptable Use Policy and cell phone policy such that:
 - Devices are used for instructional purposes
 - Devices do not disrupt the instructional process, compromise safety, or interfere with the learning environment.

B. Staff Responsibilities (Including Instructional, Support, Administration, Board of Education)

All staff members are expected to:

1. Maintain a climate of mutual respect and dignity for all students, faculty and staff, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status, which will strengthen students' confidence and promote learning.
2. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
3. Address personal biases that may prevent equal treatment of all students and staff in the school or classroom setting.
4. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to a staff member's attention in a timely manner.

5. Provide instruction consistent with District policies and regulations, as well as NYS standards and State and Federal Law by:
- a. demonstrating an interest in teaching and concern for student achievement
 - b. remaining current in their subject or certification area(s)
 - c. knowing school policies and rules, and enforcing the Code of Conduct in a fair and consistent manner
 - d. utilizing effective, proactive student and classroom management techniques that attempt to resolve potential student disciplinary situations at the lowest possible level
 - e. communicating to students, parents and other instructional staff, effectively and appropriately with regard to the following: course objectives and requirements, marking/grading procedures, assignment deadlines, expectations for students, classroom discipline plan, student growth and achievement
 - f. following the District's electronic technology acceptable use policy (provided in section XVII)

C. Pupil Personnel Services Responsibilities

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, 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. Provide information regarding outside agencies and resources in order to assist students and their families in coping with personal, social, emotional, and mental health problems.
7. Address personal biases that may prevent equal treatment of all students and staff in the school or classroom setting.

D. Superintendent and Administration Responsibilities

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Review (with district administrators) the policies of the Board of Education, (and) State and Federal laws relating to school operations and management.
3. Inform the Board of Education about educational trends relating to student discipline.
4. Evaluate, on a regular basis, all instructional programs.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Ensure that students and staff have the opportunity to communicate regularly with administration and approach administration for redress issues or concerns..
7. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
8. Encourage and provide opportunities for parent and community involvement.
9. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students and/or staff in the school or classroom setting.
11. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to an administrator's attention in a timely manner.

E. Board of Education

1. Adopt and review at least once a year the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
2. Encourage and provide opportunity for parent and community involvement.
3. Lead by example by conducting board meetings in a professional respectful, courteous manner.

V. DIGNITY FOR ALL STUDENTS ACT

Prevention is the cornerstone of the district's effort to address bullying and harassment. In order to implement this anti-bullying prevention program, the Board will designate, at its annual organizational meeting, appropriately certified staff at each school to act as the Dignity for All Students Act Coordinator (DASA Coordinator).

In addition, the Board will designate the DASA Coordinator for the district to assist in the implementation of this policy and regulation from the district perspective. The Coordinator shall be employed by the District and be licensed and/or certified by the Commissioner as a classroom teacher, school counselor, school psychologist, school nurse, school social worker, school administrator or supervisor, or superintendent of schools. The DASA Coordinator is:

Patricia Wagoner, Alexandria Central School, pwagoner@acsghosts.org, 315-482-9971

The DASA Coordinator will be responsible for assisting in coordinating and enforcing the student harassment and bullying prevention and intervention policy and regulation at the district level and in each school building, including but not limited to coordination of:

- Professional development for staff members

- The complaint process

- Management of the Dignity Act's civility curriculum components.

Intervention by adults and bystanders is an important step in preventing escalation and resolving issues at the earliest stages. Intervention will emphasize education and skill-building.

Successful intervention may involve remediation as outlined below. Remedial responses to bullying and harassment include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target. Remediation may be targeted to the individual(s) involved in the bullying behavior or environmental approaches which are targeted to the school or district as a whole.

In addition, intervention will focus upon the safety of the target. Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with the student harassment and bullying prevention and intervention policy and regulation.

VI. DISTRICT'S (STUDENT) DRESS CODE

The intent of the dress code is to foster an environment that is sanitary, safe, and conducive to teaching and student learning. It also is intended to provide guidance to prepare students for their role in the workplace and society. The District's employees and students shall be appropriately groomed and dressed while on District property and at District functions. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting. District instructional and support staff are to be appropriately dressed for their responsibilities, per the terms and conditions of their applicable collective bargaining agreements. Students and their parents have the primary responsibility for acceptable student dress and appearance. Also, visitors are to be appropriately attired while on District property and at District functions.

An individual's dress, grooming and appearance, including hair style/color, jewelry, make-up and nails, shall:

1. Be safe, appropriate, and not reasonably likely to disrupt or interfere with the educational process.
2. Be appropriate for the function – i.e. field trips, athletic events, class activity, etc.
3. Recognize that brief garments such as: tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back), short shorts and/or skirts, see-through garments, and other garments that expose the midriff, lower abdominal area, gluteal area or chest are not appropriate. Midriffs must be covered and tops and bottoms must touch. This list is not all-inclusive.
4. Ensure that undergarments are completely covered by the outermost garment at all times. This includes bra straps and boxer shorts.
5. Include pants being worn at waist level. Pants should not be worn at hip level or below hip level.
6. Include the wearing of appropriate footwear at all times. Certain classes require a particular type of shoe - for example, sneakers for PE and closed-toed shoes for labs, art, technology, recess, etc. Bedroom shoes are not appropriate school attire. Footwear that is a safety hazard will not be allowed.
7. The wearing of hats, caps, bandanas, or other head coverings in school building is not allowed, except for medical or religious purposes, and school sanctioned events

8. Items that are vulgar, obscene, libelous, or denigrate others on account of race, age, color, religion, creed, national origin, gender, sexual orientation, disability or any other legally protected status are not allowed.
9. Items that promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities, including that which is indicative of involvement in or affiliation with an organized group or movement that advocates and practices hatred, hostility, or violence toward others are not allowed.
10. Loose hanging objects that pose a safety hazard to self and/or others (i.e. chains) are not allowed (excludes items commonly recognized as items of jewelry).
11. Clothing that intimidates or poses a threat to others, including that which is indicative of involvement in or affiliation with an organized group or movement that advocates and practices hatred, hostility, or violence toward others is not allowed.
12. The wearing of roller shoes (Heeleys), metal cleats, hoods, outdoor coats, and the wearing or carrying of blankets or other distracting items during the school day is not allowed unless authorized by the school administration. In addition, wearing scents that have a negative impact (health, safety, or otherwise) on others or are distracting to the learning environment is not allowed.

The building principal or his or her designee shall be responsible for informing all students and their parents of the student dress code before the beginning of the school year and any revisions to the dress code made during the school year. Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out-of-school suspension.

The building principal or designee shall have the right to use the above as guidelines.

VII. PROHIBITED CONDUCT

The Board of Education expects individuals to conduct themselves in an appropriate and civil manner with proper regard for the rights and welfare of others, District personnel and other members of the school community, and for the care of school facilities and equipment. No person, alone or with others, shall engage in the following conduct:

A. Most Serious: Engage in Conduct that is Violent

1. Committing or threatening an act of violence (assault such as hitting, kicking, punching, scratching, biting, spitting, using a weapon, or any assault with physical injury) upon a student, teacher, administrator, or other school employee or any other person lawfully on school property or attempting to do so with the intent to cause harm. Threatening to use, possessing, or displaying 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.
2. Displaying what appears to be a weapon.
3. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property. This includes arson.

B. Engage in any Conduct that Endangers the Safety, Morals, Health or Welfare of Others

1. Discrimination, as defined in the definitions section of this code.
2. Harassment, as defined in the definitions section of this code.
3. Intimidation which includes harassing or discriminating against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation, disability or any other legally protected status.
4. Hazing, as defined in the definitions section of this code.
5. Bullying (including Cyberbullying), as defined in the definitions section of this code.
6. 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.
7. Retaliation, as defined in the definitions section of this code.
8. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
9. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
10. Sexual acts, including engaging in any type of a sexual act (engaging or violating another person).
11. Lying to school personnel.

12. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
13. Possession, consumption, sale, distribution or exchange of alcoholic beverages, controlled substances, or Illegal Substances, or be under the influence (a student shall be considered “under the influence” if he or she has used any quantity of an illegal substance or alcohol within a time period reasonably proximate to his or her presence on school property, on a school bus, or school vehicle, or at a school sponsored function and/or exhibits symptoms of such use as to lead to the reasonable conclusion of such consumption) of any of these substances on school property or at a school function.
14. Possessing or smoking cigarettes, cigars, pipes, chewing tobacco, snuff, herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, e-cigarettes, vapes, cloves, bidis and kreteks as well as matches and lighters.
15. The inappropriate use, sharing or possession of prescription or over-the-counter substance unless it is ordered by a Physician and cleared through the Nurse’s Office is prohibited.
16. The inappropriate use, sharing or possession of any substance with the intent of trying to achieve intoxication, a “high” or a “buzz” is prohibited.
17. Using vulgar or abusive language, cursing or swearing.
18. Gambling.
19. Selling, using or possessing obscene material.
20. Violation of another student’s civil rights.

C. Disorderly and Insubordinate Conduct on School Property to include all Buildings and School

**Vehicle
s**

1. Willfully incite others to commit any acts prohibited by the code.
2. Engaging in any act which disrupts the normal operation of the school community or compromises safety (real or perceived).
3. Refusal to comply with any reasonable directive of teachers, school administrators or other school employees.
4. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

D. Disorderly, disruptive, dishonest, violent and other threatening behavior off-campus

Individuals need to realize that they can and will be held accountable for conduct off-campus that is deemed to be disorderly, disruptive or in any way poses a threat to the educational process, mission or safety of students and staff of the District. This includes conduct of this nature that is purported or produced by any electronic means.

E. Academic Misconduct

1. Engage in any form of academic misconduct. Examples of academic misconduct include:
 - a. Plagiarism
 - b. Cheating
 - c. Copying
 - d. Altering a grade or other student record(s) on paper or in electronic form.
 - e. Taking works or resources from the internet or any other such electronic form and using them as your own work.
 - f. Assisting another student in any of the above actions.
2. 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 Policy.

F. Trespassing, lateness, vehicle violations

1. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
2. Lateness for, missing or leaving school without permission.
3. Skipping detention.
4. Obstructing vehicular or pedestrian traffic.
5. Violate the traffic laws, parking regulations or other restrictions on vehicles.

G. Additional infractions

1. 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. (Reference to #8 & #9 in Dress Code)
2. Run in the hallways.
3. Loiter on or about school property.
4. Make unreasonable noise.
5. Leave school grounds during the school day without authorization.
6. Display or use of personal electronic devices during the school day, in accordance with district electronic policy.
7. Public displays of affection.
8. Candy and gum consumption in class without teacher permission.
9. Possess beverage in glass containers.

VIII. REPORTING VIOLATIONS

Any person observing an individual engaging in inappropriate behavior as previously defined on school property or at a school function shall report this information immediately to a teacher, the building principal or the superintendent. Any weapons, alcohol or illegal substances found shall be confiscated immediately. The parent of the student involved will be notified and the appropriate disciplinary action will be taken, up to and including permanent suspension and referral for prosecution.

A. Reporting Discrimination, Harassment and Bullying

The school DASA Coordinator is the school employee charged with receiving all reports of harassment, bullying and discrimination; however, students and parents may make an oral or written complaint of harassment, bullying or discrimination to any teacher, administrator or school employee. The District will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment and bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment and bullying.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of,

or witnesses any possible occurrence, immediately report same to any staff member or administrator. The staff member/administrator to whom the report is made (or the staff member/administrator who witnesses or suspects bullying/cyberbullying behavior) shall document and take appropriate action to address then immediacy of the situation and shall promptly report in accordance with the following paragraphs.

Upon receipt of a complaint (even an anonymous complaint), or if a District official otherwise learns of any occurrence of possible conduct prohibited by this policy, the school employee shall promptly and orally notify the DASA coordinator no later than one school day after such school employee witnesses or receives the complaint or learns of such conduct. Such school employee shall also file a written report with the DASA coordinator no later than two school days after making such oral report.

After receipt of a complaint, the DASA coordinator shall lead or supervise a thorough investigation of the alleged harassing, bullying and/or retaliatory conduct. The DASA coordinator shall ensure that such investigation is completed promptly and in accordance with the terms of District policy. All complaints shall be treated as confidential and private to the extent possible within legal constraints.

Based upon the results of this investigation, if the District determines that a District official, employee, volunteer, vendor, visitor and/or student has violated the District's Code of Conduct or a material incident of harassment, bullying and/ discrimination has occurred, immediate corrective action will be taken as warranted, the District will take prompt action, reasonably calculated, to end the violation, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such violation was directed.

As a general rule, responses to acts of harassment, bullying, and/or discrimination against students by students shall incorporate a progressive model of student discipline that includes measured, balanced and age-appropriate resolutions and procedures that make appropriate use of prevention, education, intervention and discipline, and considers among other things, the nature and severity of the offending student's behavior(s), the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the student's behaviors had on the individual(s) who was physically injured and/or emotionally harmed. Responses shall be reasonably calculated to end the harassment, bullying, and/or discrimination, prevent recurrence, and eliminate the hostile environment.

Parents shall be notified of their right to attend any meeting with their child to review a complaint.

All complaints of alleged harassing, bullying and/or retaliatory conduct shall be:

- a. promptly investigated in accordance with the terms of district policy;
- b. forwarded to the school building's Dignity Act Coordinator for monitoring; and
- c. treated as confidential and private to the extent possible within legal constraints.

The Principal must notify promptly the Superintendent of Schools and the appropriate local law enforcement agency when he/she believes that any harassment, bullying or discrimination constitutes criminal conduct.

IX. DISCIPLINARY PENALTIES, 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 and impartial. 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. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

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

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

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

A. Penalties

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

- Verbal warning
- Written warning
- Structured Studies
- Verbal notification to parent
- Restitution
- Written notification to parent
- Removal from classroom by teacher
- Detention (lunch & after-school)
- In-school suspension
- Confiscation of contraband
- Suspension from transportation
- Suspension from athletic participation
- Suspension from social or extracurricular activities
- Suspension of other privileges
- Short-term (five days or less) suspension from school
- Long-term (more than five days) suspension from school
- Permanent suspension from school (Superintendent's Hearing)

- Other penalties as deemed appropriate
- Involvement of law enforcement or referral
- The listed sanctions are advisory, and as a general rule, discipline will be progressive.

However, the District may impose any level of discipline, even for a first violation, that is proportionate to the misconduct at issue.

B. Procedures The amount of due process a student is entitled to before a penalty is imposed will depend on the type of penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must let the student know what misconduct the student is alleged to have committed, and must investigate the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

1. Detention

Administrators may use detention, whether it be after school, office, or lunch detention, as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate.

2. Suspension from Transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building administrator's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal and required to have alternative transportation.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal to discuss the conduct and the penalty involved.

3. Suspension from Athletic Participation, Extracurricular Activities and Other Privileges

A student subjected to a suspension from athletic participation, extracurricular activities or other privileges is not entitled to a full hearing pursuant to Education Law 3214. Specific expectations for Athletic and

Extracurricular participation (including procedures and potential penalties for violations) are detailed in additional administrative or athletic department approved documents. These documents will be shared with students and parents by respective teachers, advisors and/or coaches.

4. In-School Suspension/ Structured Studies

The Board recognizes that 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 the building principal, superintendent and director of curriculum and instruction to place students who would otherwise be suspended from school as the result of a code of conduct violation in “in-school suspension.”

“In-school suspension” is the temporary removal of students from the classroom and their placement in another area of the school building designated for such a suspension. This is commonly referred to as structured studies at Alexandria Central. Appropriate classroom work and instructional support is supplied to students placed on structured studies.

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 officials imposing the in-school suspension to discuss the conduct and the penalty involved.

Nothing in this section of the code of conduct abridges the customary right or responsibility of a principal. 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 removal from activities in an elementary classroom or in an administrator’s office (or sending students briefly into the hallway) are not considered removals from class.

6. Suspension from School

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

a. Short Term (five 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 is being suspended from school. The written notice must be provided by the school district. 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 that parent of the right to request an informal meeting with the principal. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

b. Long Term (more than five days) Suspension from School

When the superintendent or building 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, at his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. An audio (tape/digital) recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.

An appeal of the decision of the superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within 10 business days of the date of the superintendent's decision unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt, in whole or in part, the decision of the superintendent. Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

Any student suspended from school for any duration by administration is not permitted on District property unless granted permission by administration.

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.

X. Remedial Responses to Violations of the Code of Conduct

Students who violate this Code may also be referred to remedial action as the facts may warrant, including but not limited to any of the measures listed below:

- a. peer support groups, corrective instruction or other relevant learning or service experience
- b. supportive intervention
- c. behavioral assessment or evaluation
- d. behavioral management plans, with benchmarks that are closely monitored
- e. student counseling and parent conferences
- f. referral to appropriate human service agencies as needed
- g. the District may work with parents to file a PINS (person in need of supervision) petition in Family Court

Beyond these individual-focused remedial responses, school-wide or environmental remediation may also be utilized. These strategies may include:

- a. school and community surveys or other strategies for determining the conditions contributing to the relevant behavior
- b. adoption of research-based prevention programs
- c. modification of schedules
- d. adjustment in hallway traffic and other student routes of travel
- f. targeted use of monitors
- g. staff professional development
- h. parent conferences
- i. involvement of parent-teacher organizations
- j. peer support groups.

XI. ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or when a student of compulsory attendance age is suspended from school pursuant to Education Law 3214, the district will take immediate steps to provide alternative instruction for the student (i.e. providing work, tutor, electronic/online instruction).

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 enjoy 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 Removal 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 "IAES" means a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, 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 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 building 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 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.

1) "Weapon" means the same as "dangerous weapon" under 18 U.S.C. § 930(g) (w) which includes "a weapon, device, instrument, material or substance animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except... [for] a pocket knife with a blade of less than 2 1/2 inches in length."

2) "Controlled substance" means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.

3) "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

4) 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 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 cumulate 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.

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 for misconduct involving weapons, illegal drugs, or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; 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, building 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

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
 - a) 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.
 - b) 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.
 - 1) 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.
 - 2) 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.

2. An expedited due process hearing shall be completed within 15 business 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 five business 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.

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 have certain procedural protections whenever school authorities intend to impose a disciplinary change in placement. 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 State and Federal laws and regulations.

This Code of Conduct affords students with disabilities who are subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations. Except as modified in this section, all procedures applicable to students without a disability also apply to students with a disability.

A. General Procedures for Suspensions and Removals of Students With Disabilities

For purposes of this section of the Code of Conduct, the following definitions and procedures apply.

A “suspension” means a suspension from school pursuant to Education Law 3214.

An “IAES” means an “interim alternative educational setting” or a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to:(1) participate in the general education curriculum; although in another setting, and to progress toward meeting the goals set out in the student’s IEP; and (2) receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. A “manifestation determination” is a review of the relationship between the student’s disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the student’s disability.

This review must be made immediately, if possible, but in no case later than 10 school days after (1) a decision is made by a superintendent of schools to change the placement of a student to an interim alternative educational setting for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances; (2) a decision is made by an impartial hearing officer to place a student in an interim alternative educational setting pursuant to a dangerous situation; or 3) a decision is made by a board of education, district superintendent of schools, building principal or superintendent to impose a suspension or removal that constitutes a disciplinary change in placement.

A “manifestation team” shall include a representative of the school district knowledgeable about the student and the interpretation of information about child behavior, the parent and relevant members of the CSE as determined by the parent and the school district.

Exception for pattern of suspensions or removals. A student with a disability may not be suspended or removed from his or her educational placement if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspensions or removals as determined by school personnel in accordance with the criteria set forth in section 201.2(e)(2) of Part 200 Commissioner’s Regulations, except where the manifestation team pursuant to section 201.4 of Part 200 Commissioner’s Regulations has determined that the behavior was not a manifestation of such student’s disability, or the student is placed in an IAES as authorized for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances.

Change in placement to an IAES for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances.

A superintendent of schools, either directly or upon recommendation of a hearing officer designated to conduct a superintendent's hearing pursuant to Education Law, section 3214(3)(c), may order the change in placement of a student with a disability to an appropriate IAES, to be determined by the CSE, for up to 45 school days, but not to exceed the period of suspension ordered by the superintendent in accordance with Education Law, section 3214(3), where the student:

(i) inflicts serious bodily injury, as defined in section 201.2(m) of Part 200 of Commissioner's Regulations, upon another person while at school, on school premises or at a school function under the jurisdiction of the educational agency;

(ii) carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of the educational agency; or

(iii) knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the jurisdiction of the educational agency.

The period of suspension or removal ordered by the superintendent may not exceed the amount of time that a nondisabled student would be suspended for the same behavior. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement consistent with the other requirements of Part 200 of Commissioner's Regulations is appropriate for a student with a disability who violates a school district's code of conduct.

Authority of impartial hearing officer to order a change in placement to an IAES in a dangerous situation.

An impartial hearing officer appointed pursuant to Education Law section 4404(1), in an expedited due process hearing conducted pursuant to section 201.11 of Part 200 of Commissioner's Regulations, may order a change in placement of a student with a disability to an appropriate interim alternative educational setting (IAES) for no more than 45 school days, if the hearing officer determines that maintaining the current placement of the student is substantially likely to result in injury to the student or others. The procedures established in this section may be repeated if the school district believes that returning the student to the original placement is likely to result in injury to the student or others. A school district shall not be required to commence disciplinary action against a student with a disability as a prerequisite for initiating an expedited due process hearing to obtain an order of an impartial hearing officer pursuant to this section. A determination that the student's behavior is a manifestation of the student's disability shall not preclude an impartial hearing officer from ordering a change in placement to an IAES pursuant to this section.

Provision of services during suspensions. During any period of suspension, a student with a disability shall be provided services to the extent required under this section and paragraph (e) of subdivision 3 of section

3214 of the Education Law. Nothing in this section shall be construed to confer a greater right to services than is required under Education Law, section 3214(3)(e) and Federal law and regulations. During suspensions or removals for periods of up to 10 school days in a school year that do not constitute a disciplinary change in placement, students with disabilities of compulsory attendance age shall be provided with alternative instruction pursuant to Education Law, section 3214(3)(e) on the same basis as nondisabled students.

Students with disabilities who are not of compulsory attendance age shall be entitled to receive services during such suspensions only to the extent that services are provided to nondisabled students of the same age who have been similarly suspended. During subsequent suspensions or removals for periods of 10 consecutive school days or less that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, regardless of the manifestation determination, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. School personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress in meeting the goals set out in the student's IEP.

During suspensions or other disciplinary removals, including suspensions or removals pursuant to section 201.7(e) of Part 200 of the Commissioner's Regulations, for periods in excess of 10 school days in a school year which constitute a disciplinary change in placement, regardless of the manifestation determination, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum, to progress toward meeting the goals set out in the student's IEP, and to receive, as appropriate pursuant to section 201.3 of Part 200 of the Commissioner's Regulations, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. The IAES and services shall be determined by the CSE.

Expedited due process hearings. An expedited due process hearing shall be conducted pursuant to Part 200 and Part 201 of the Commissioner's Regulations under the following circumstances:

- (1) the school district requests an expedited due process hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES pursuant to section 201.8 of Part 200 of the Commissioner's Regulations where school personnel maintain that it is dangerous for the student to be in his or her current educational placement;
- (2) the school district requests an expedited due process hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES 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;
- (3) the parent requests a hearing from a determination that the student's behavior was not a manifestation of

the student's disability; or

(4) the parent requests a hearing relating to any decision regarding placement under section 201.7 of Part 200 of the Commissioner's Regulations, including but not limited to any decision to place the student in an IAES.

B. 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. Consistent with the Family Educational Rights and Privacy Act ("FERPA"), 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 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 can and may be used in the following situations/conditions:

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

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

XIV. SEARCHES AND QUESTIONING OF STUDENTS

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

In addition, the Board authorizes the superintendent of schools, administrators, the school nurse, and district school safety staff to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct. The search must be reasonable in scope based upon the nature of the evidence sought. If there is reasonable suspicion, a student’s belongings may be searched without the consent of the student. Observation of a student’s belongings that are in plain view does not constitute a search requiring reasonable suspicion.

Any electronic devices confiscated by school staff should be turned over to administration to determine if they or school safety staff should open and identify the owner of said device.

Before searching a student or the student’s belongings, the authorized school official should discuss with the student the reasonable suspicion regarding the physical items that he or she may possess that violate the law or the district’s code of conduct, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever possible, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched. Depending upon the nature of the evidence sought, the District may refer the student to law enforcement.

A. 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 expectations of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

B . Documentation of Searches

All searches will be conducted in accordance with law. The authorized school official conducting the

search shall be responsible for promptly recording the following information about each search:

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

The 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.

C. Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials; however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

- 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 police officials are permitted to question or 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 questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. If the student is over 16, notification to the parents is a service but would not restrict an officer from questioning a student. The Principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

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

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

D. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations in accordance with regulations promulgated by the NYS Office for Children and Family Services, as set forth below. All requests by child protective services to interview a student on school property shall be made directly to the principal or his or her designee. The principal or 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.

When Child Protective Services workers seek to interview students at school, the District will comply with the Regulations of the Office for Children and Family Services, which require that

- The District provide CPS with records relevant to the investigation of suspected abuse or maltreatment
- The District provide CPS with access to child/sibling, without a court order or the consent of the parent, when CPS encounters circumstances that warrant interviewing the child apart from family or household
- The District may ask CPS and other officials to provide identification and to identify the child(ren) to be interviewed, but may not ask for or require that they provide any other information or documentation as a condition of having access to a child(ren);
- The District may authorize a staff member of the school to observe the interview of the child, either from the same or another room, at the discretion of the school district; and
- The District may require that CPS and other officials comply with the reasonable visitor policies or procedures of the school unless such policies or procedures are contrary to the requirements of this regulation.

For each CPS interview of a student at school, the building principal or his/her designee will prepare and maintain a record of the following information:

- CPS Worker's Name, Signature, and authentication of credentials;
- Date and time of visit
- Name of student(s) interviewed.

The record should be clearly marked as "confidential," and treated as confidential. 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 or abuse if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger or abuse, the worker may remove the student without a court order and without the parent's consent.

E. Treatment of Electronic Devices

Teachers and administrators are authorized to confiscate student electronic devices that are being used in violation of this Code of Conduct. Without a student's or parent's permission, teachers, and administrators

should not undertake a search until conferring with the Superintendent or school attorney for guidance.

XV. VISITORS TO SCHOOL

The Board encourages parents and other district citizens to visit the district's campus to attend school and community events. The Superintendent or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the front office upon arrival at the school. There, each visitor will be required to present a valid identification, 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 sign out and return the identification badge to the office before leaving the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents and/or guardians who wish to observe a class while school is in session are required to arrange such visits in advance with the classroom teacher and administration.
5. Teachers are not expected to take class time to discuss individual matters with visitors. Appointments may be made during non-instructional time by contacting the school.
6. Any unauthorized person on school property will be reported to the Superintendent 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.

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 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 for which they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person on school property.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass, bully or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation, disability or any other legally protected status.
6. Enter any portion of the school premises without authorization or remain in any building or facility after school hours.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange alcoholic beverages, tobacco products ("tobacco products" means cigarettes, cigars, pipes, chewing tobacco, snuff, herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, e-cigarettes, vapes, cloves, bidis and kreteks as well as matches and lighters, or products

soaked in tobacco), controlled substance, or be under the influence of either on school property or at a school function.

10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.

11. Loiter on or about school property.

12. Gamble on school property or at school functions.

13. Refuse to comply with any reasonable order of school district officials performing their duties.

14. Willfully incite others to commit any acts prohibited by this code.

15. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

B. Penalties

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

1. Visitors - Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. Visitors who refuse to leave may be subject to involvement of law enforcement agency personnel depending upon the circumstances of the incident.

2. Students - They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.

3. Administrators, Faculty and Staff members shall be subject to warnings, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The administrator or his/her designee shall be responsible for enforcing the conduct required by this code. When the administrator/designee/staff member 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 administrator/designee/staff member shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The administrator/designee/staff member 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 administrator or designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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

XVII. SAFE and ACCEPTABLE USE of ELECTRONIC TECHNOLOGY

The Alexandria Central School District (ACS) is committed to providing students access to technology in order to enhance opportunities in education. To aid in this process ACS provides students access to the district's computer network, which includes internet access. It is expected that student use of the ACS computer network for educational purposes only.

Please be advised that ACS has filtering/blocking technology on those computers with internet access. However, this technology does not guarantee that students will be blocked from accessing all inappropriate sites.

It is imperative that students conduct themselves in a responsible and legal manner while using ACS's computer network. This policy provides general guidelines for students. Final determination of acceptable behavior rests with ACS school administration.

- **Privilege**

The use of the district's computer network is a privilege, not a right, and inappropriate activity may result in cancellation of those privileges. ACS administration may close an account at any time.

- **Monitoring**

ACS's computer equipment and network is monitored for maintenance, safety, and to ensure the students are following this policy. The district reserves the right to inspect the contents of files stored on the computer network at any time.

Prohibited Activities and Uses

1. Using personal computer equipment to access ACS's computer network without administrative approval.
2. Using ACS's computer equipment or network for commercial activity.
3. Using ACS's computer equipment or network in a manner that violates any copyrights or other intellectual property rights.

4. Using ACS's computer equipment or network to receive, transmit, or make available to others obscene or offensive material.
5. Using ACS's computer equipment or network to receive, transmit or make available to others material that is racist, sexist, abusive, obscene or harassing to others.
6. Using another student's account or password to log onto the ACS computer network or log onto any website, database, or educational site that ACS has provided students with individual accounts.
7. Using ACS's computer equipment or network in a manner that disrupts others use or invades the privacy of others.
8. Using ACS's computer equipment or network in a fashion inconsistent with directions from teachers and other staff.

XVIII. DISSEMINATION of CODE OF CONDUCT

1. Providing copies of an age-appropriate version of the summary of the code to all students (i.e., student handbook), written in plain language, to ensure that students understand the standards of respect and appropriate behavior that the school community expects from them.
2. 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.
4. Providing all new employees with a copy of the current code of conduct when they are first hired.
5. Making copies of the code available for review by students, parents and other community member.
6. Posting the code of conduct on the District's website, www.alexandriacentral.org

