Creating Leaders for Tomorrow



CODE OF CONDUCT

Mexico Academy & Central School District

Public Hearing June 15, 2023

Approved by Board of Education July 11, 2023

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CODE OF CONDUCT

I. INTRODUCTION

The Mexico Academy & Central School Board of Education ("Board") 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 staff, parents, and visitors is essential to the achievement of this goal.

Accordingly, in collaboration with students, parents, teachers and administrators, the Board has established this Code of Conduct. It applies to all students, school personnel, parents, and other visitors when on school property or in attendance at a school function.

The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations, based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity, are described on the following pages.

II. Dignity for All Students Act (DASA)

The Dignity for All Students Act (DASA), contains similar requirements for maintaining a positive learning environment for all students and will be integrated with the Code of Conduct. DASA specifically prohibits bullying, discrimination and harassment by school employees and students on school property or at a school function by school employees and students based on, BUT NOT LIMITED TO, actual or perceived: race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex. Also included are provisions for reporting and intervening in cases of discrimination, harassment, or bullying. Any related complaints should be brought to the attention of the building representative who serves as the Dignity Act Coordinator (DAC) to assist in implementation of the DASA in each school building. Elizabeth DiCosimo, Assistant Superintendent is the District Wide Dignity Act Coordinator and will provide District coordination of the DASA.

Prevention is the cornerstone of the District's effort to address bullying and harassment. In order to implement its anti-bullying prevention program, the Board will designate, at its annual organizational meeting, individuals at each school to act as the DAC. These individuals shall be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, sex, and any other legally protected status.

The DAC's will 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 DAC's will be responsible for assisting in coordinating and enforcing the requirements of the Dignity for All Students Act and its related policies and regulations at each school building, including but not limited to:

- Professional development for staff members;
- The complaint process; and
- Support of the Dignity Act's civility curriculum components.

The District DAC's are:

Name	Title / Building	Phone (315) 963-8400 Extension #	Email
Elizabeth DiCosimo	Assistant Superintendent	x 5413 Cell 315-402-8068	edicosimo@mexicocsd.org
Christopher Soluri	Principal High School	x 5319	csoluri@mexicocsd.org
Laurie Nohle	Assistant Principal Middle School	x 4200	LNohle@mexicocsd.org
Lisa Voegler	Principal Mexico Elementary	x 2310	evoegler@mexicocsd.org
Jennifer Granholm	Principal New Haven Elementary	x 3500	jgranholm@mexicocsd.org
Robert Briggs	Principal Palermo Elementary	X1000	rbriggs@mexicocsd.org

The form for reporting DASA incidents can be found on the District Website, <u>DASA Complaint</u> Form as well as paper copies available in each school. A copy of this form is also available on pages 3 and 4.

Board Policies which support the implementation of the DASA are referenced on page 48.



$\frac{\textbf{DIGNITY FOR ALL STUDENTS ACT:}}{R \ E \ P \ O \ R \ T \ F \ O \ R \ M}$

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REPORT#

This form $\underline{\textbf{CAN}}$ be completed by anyone who is concerned about an incident This form **MUST** be filled out by any staff member who has been made aware of an incident (s).

Please fill out this form with as much information as possible and hand into the Dignity Act Coordinator, A Counselor or the Main Office		
Date the report is being filled out:		
Name of person filing the report:		
Identification of person filling out this form: • Check all that apply	☐ I am the alleged victim ☐ I am the parent or in parental relation to the alleged victim ☐ I am a student ☐ I am a staff member reporting an incident ☐ I witnessed a problem ☐ I was told about a problem	
The Best Way(s) to Reach Me:	Phone number:	
• Fill Out All That Apply	Email: Come find me here:	
Identify the Alleged Victim	Student's Name: Student's Grade:	
Identify the Alleged Offender (s)	1.Name student or adult	
List the name of student(s) or adult(s) who are being accused	2.Name	
I would best describe the incident(s) as related to the students: • Check all that apply	□ Weight (over or under) □ Height □ Physical Feature □ Clothing □ Disability □ Illness/Allergy □ Positive Academic Achievement □ Participation in an activity (music, theater, art, etc.) □ Sexual orientation □ Gender identity □ Poverty □ Religion □ Cultural Beliefs □ Race □ Other characteristics:	
The incident(s) have occurred in the following location(s): • Check all that apply	□ classroom □ hallway/locker □ cafeteria □ playground □ school bus □ gymnasium/locker room □ library □ at an off-campus school event □ internet/social media □ athletic field □ school entrance/exit □ band room □ computer lab □ off school property □ parking lot □ other	
	1 DASA COMPLAINT FORM 2017	

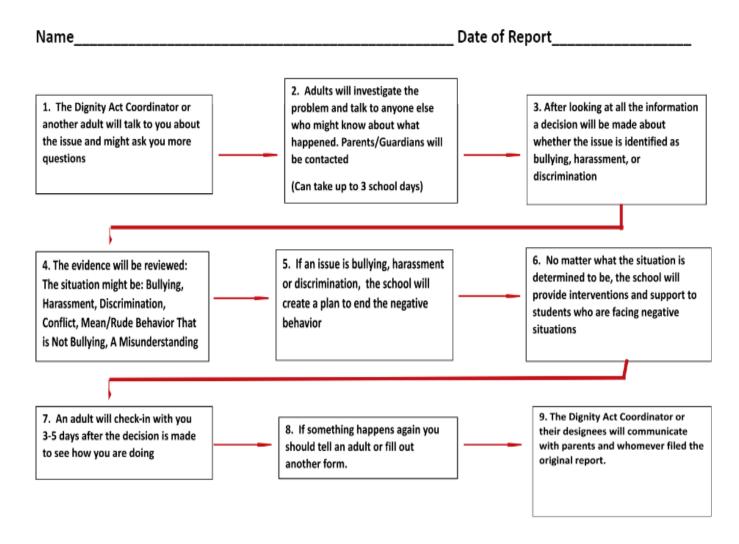


DIGNITY FOR ALL STUDENTS ACT:

REPORT#		
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R E	PORT FORM
The incident(s) has/have involved the following: • Check all that apply	 ☐ Physical (direct)—hitting; punching; tripping; kicking; pushing; scratching; ganging up; extortion; damaging property ☐ Social/Relational (direct or indirect)—excluding or threatening to exclude; spreading rumors/gossiping; ostracizing; alienating; using threatening looks/glances ☐ Verbal (direct)—name calling; teasing; intimidating; threatening; taunting; making offensive or discriminatory remarks (rude and or lewd) ☐ Cyberbullying—sending insulting messages or threats by email, text messaging, on social media, chat rooms, etc.
Please describe the Incident Describe what was said and/or done and by whom Attach any evidence and an additional sheet for description of the incident if applicable:	Is this the first time this has happened?
Other Witnesses: Please identify any other people who may have witnessed the incident(s) (Attach additional sheet if necessary)	1
Have you reported this situation to anyone else before filing this complaint?	☐ No ☐ Yes, I reported this to on Name Date
Was medical treatment needed by anyone involved in this situation	☐ I don't know ☐ No ☐ Yes, here is what I know
	1 DASA COMPLAINT FORM 2017

I Filled Out a DASA Form, What Happens Next?



III. DEFINITIONS

For purposes of this Code, the following definitions apply:

- "Cyberbullying" means harassment or bullying where such harassment or bullying occurs through any form of electronic communication. Cyberbullying includes the use of information technology, including, but not limited e-mail, instant message, blogs, chat rooms, cell phones, and gaming systems, to harass, threaten, isolate or intimidate others. (Education Law §11[8])
- "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 complainant 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]).
- "Disruptive student" means a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.
- "Employee" means any person receiving compensation from a school District or employee of a contracted service provider or worker placed within the school under public assistance employment program, pursuant to title nine-B of article five of the Social Services Law and consistent with the provisions of such title for the provision of services to such 11[4] and §1125[3 District, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law§]).
- "Firearm" means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon, any firearm muffler or firearm silencer; or any destructive device including any explosive, incendiary, poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the devices described above. Any "look-alikes" or other instruments wielded as a firearm are considered a firearm for purposes of this definition.

"Gender" means actual or perceived sex and includes a person's gender identity or expression (Education Law §11[6]). The following commonly used terms have been identified:

"Cisgender": an adjective describing a person whose gender identity corresponds to their assigned sex at birth.

"Gender expression": the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice, and mannerisms.

"Gender identity": a person's gender-related identity (their inner sense or psychological knowledge of being male, female neither or both) which may be expressed through appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth.

"Gender nonconforming (GNC)": a term used to describe people whose gender expression differs from stereotypical expectations. The terms "gender variant" or "gender atypical" are also used.

"Transgender": an adjective describing a person whose gender identity does not correspond to their assigned sex at birth.

"Harassment" and/or "Bullying" means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that either (1) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or (2) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety. Such definition includes acts of harassment or bullying that occur:

- a. on school property; and/or
- b. at a school function; or
- c. off-school property where such acts create 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.

Such conduct shall include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, sex or any other legally protected status.

For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. "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 or pervasive as to interfere with a student's education unreasonably and substantially. (Education Law §11[7]).

Bullying includes, but is not limited to, threatening, stalking, ostracizing, or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal or physical conduct that threatens another with harm, including, but not limited to, intimidation through the use of epithets or slurs.

"Informal conference" is an open-ended discussion of a disciplinary incident to include the student/teacher/parent/Principal without the requirements of tape recording or transcription and examination of witnesses associated with a Superintendent's hearing.

"Illegal Substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs or synthetic drugs, opioids and look-alikes (including synthetic cannabinoids) and prescription or over-the-counter drugs when possession is unauthorized, or such are inappropriately used or shared with others.

"Material incident of Harassment, Bullying and/or Discrimination" means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property and is the subject of a written or oral complaint to the Superintendent, Principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex, or any other legally protected status.

"Principal" within the context of teacher removal of a student from class means either the Principal of the building or any other administrator in the District acting in the Principal's absence or at the Principal's direction.

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

"Personal Technology" includes all existing and emerging technology devices that can take photos; record or play audio or video; input text; upload and download media; connect to or receive information from the internet; and transmit or receive messages or

images. Examples of personal technology include, but are not limited to cell phones, smartphones, iPads, laptops, communication watches.

"School Bus" means every motor vehicle owned by a public or governmental 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 and 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 §142).

"School function" means a school-sponsored extracurricular event or activity (Education Law §11[2]).

"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 (Education Law §11[1] and Vehicle and Traffic Law §142).

"Sexting" means sending, receiving, or forwarding sexually suggestive nude or nearly nude photos through text message, email or other electronic/digital means.

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

"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, juules and kreteks as well as matches and lighters.

"Under the Influence" – A student shall be considered "under the influence" if they have used any quantity of an illegal substance or alcohol within a time period reasonably proximate to their presence on school property, on a school bus, in a 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.

"Violent student" means a student who:

- 1. Commits an act of violence upon a school District employee.
- 2. Commits an act of violence upon another student or any other person on school District property or at a school function.
- 3. Possesses a weapon while on school District property or at a school function.
- 4. Displays what appears to be a weapon while on school District property or at a school function.

- 5. Threatens to use a weapon while on school District property or at a school function.
- 6. Knowingly and intentionally damages or destroys the personal property of any person on school District property or at a school function.
- 7. Knowingly and intentionally damages or destroys school District property.

"Weapon" means a weapon or firearm as defined in 18 USC§ 930 and 18 USC § 921 respectively of the Gun Free Schools Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, air-gun, spring-gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance ("Other Item") that can cause serious physical injury or death when such Other Item is used as a weapon (e.g. pocket knife, folding knife, lockback knife, or pen knife). Any "look-alikes" or other instruments wielded as a weapon are considered a weapon for purposes of this definition.

IV. ESSENTIAL PARTNERS

Providing a safe and orderly school environment involves a partnership of parents and school personnel. The following are the expectations of each.

A. PARENTS

- 1. Send their children to school ready to participate and learn.
- 2. Ensure their children attend school regularly and on time.
- 3. Ensure their children are absent only for legal reasons.
- 4. Ensure their children are dressed and groomed in a manner consistent with the student dress code.
- 5. Help their children understand that in a democratic society, appropriate rules are required to maintain a safe, orderly environment.
- 6. Know school rules and help their children understand them.
- 7. Convey to their children a supportive attitude toward education and the District dress code.

- 8. Build positive relationships with school personnel.
- 9. Help their children deal effectively with peer pressure.
- 10. Inform school officials of changes in the home situation that may affect student conduct or performance.
- 11. Provide a place for study and support teachers' requirements to complete school assignments.
- 12. Maintain ongoing and frequent communication with appropriate school personnel.

B. ALL SCHOOL EMPLOYEES

- 1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.
- 2. Assist students in their daily activities as directed by the classroom teacher(s) and administrator(s).
- 3. Maintain an environment of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, sex, or any other legally protected status, which will strengthen students' confidence and promote learning.
- 4. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
- 5. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- 6. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the school employee's attention to the Building Administrator and/or Dignity Act Coordinator in a timely manner.

C. TEACHERS

- 1. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.
- 2. Be prepared to teach all students.
- 3. Demonstrate interest in teaching and concern for student achievement.
- 4. Know school rules and enforce them in a fair and consistent manner.
- 5. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan
- 6. Communicate regularly with students, parents, counselors, psychologists, and other teachers concerning student growth and achievement.
- 7. Initiate parent/student/teacher/counselor/psychologist contact, as necessary, as a way to resolve a problem or in the case of threats or actions by students against themselves, including suicide, immediately contact parents/guardians and school administrators.
- 8. 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.
- 9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.

D. COUNSELORS, PSYCHOLOGISTS AND SOCIAL WORKERS

- 1. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
- 2. Initiate teacher/student/counselor/psychologist conferences as necessary and parent/teacher/student/counselor/psychologist conferences, as necessary, as a way to resolve problems or in the case of threats or actions by students against themselves, including suicide, immediately contact parents/guardians and the school administrators.
- 3. Report information to a school administrator which might impact a safe, orderly school environment.
- 4. Encourage students to benefit from the curriculum and extracurricular programs.
- 5. Participate in crisis management.
- 6. Refer students and/or parents to appropriate human service agencies outside the school.
- 7. Assess student social and emotional behaviors.
- 8. 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.
- 9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- 10. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to an employee's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
- 11. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

E. PRINCIPALS

- 1. Promote a safe, orderly, and stimulating school environment, supporting teaching and learning.
- 2. Facilitate communications among staff, parents, and the Principal.
- 3. Support the development of, and student participation in, appropriate extracurricular activities.
- 4. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
- 5. Facilitate communication with law enforcement agencies.
- 6. Initiate parent/student/teacher/counselor/psychologist contact, as necessary, as a way to resolve a problem or in the case of threats or actions by students against themselves, including suicide, immediately contact parents/guardians.
- 7. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional, health or safety of any student, employee or any person who is lawfully on school property or at a function.
- 8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- 9. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to administrator's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
- 10. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

F. SUPERINTENDENT

- 1. Promote a safe, orderly, and stimulating school environment, supporting teaching and learning.
- 2. Review the policies of the Board and state and federal laws relating to school operations and management with District administrators.
- 3. Ensure that staff and parents have the opportunity to communicate with the Superintendent.
- 4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
- 5. Work with District administrators, when appropriate, in reinforcing the Code of Conduct to ensure that cases are resolved promptly and fairly.
- 6. 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.
- 7. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- 8. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to the Superintendent's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
- 9. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

G. BOARD OF EDUCATION

- 1. Collaborate with student, teacher, administrator, parent organizations, safety personnel and other personnel to develop a code of conduct that clearly defines expectations for the conduct of students, personnel, and visitors on the District property and functions.
- 2. Adopt and review, at least once a year, to evaluate the code's effectiveness, fairness, and consistency of its implementation. Modify the District's Code of Conduct as appropriate.
- 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 brought to the board member's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
- 5. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

V. STUDENT CONDUCT

A. STUDENT RIGHTS

The District is committed to safeguarding the rights given to all students under state and federal law. In addition to those rights, all District students have the right to:

- 1. A safe, healthy, orderly, and civil school environment.
- 2. Take part in all District activities on an equal basis regardless of age, race, religion, color, national origin, sex, sexual orientation, or disability.
- 3. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
- 4. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

5. Be free from discrimination, bullying and harassment on school property or school functions including but not limited to the educational program, 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 (including gender identity and expression), or any other legally protected category.

B. STUDENT RESPONSIBILITIES

All students have the responsibility to:

- 1. Obey all school rules and regulations.
- 2. Attend school regularly and punctually.
- 3. Show respect for fellow students, teachers, and all District staff.
- 4. Accept responsibility for their actions.
- 5. Work to the best of their ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible.
- 6. Conduct themselves as representatives of the District when participating in or attending District sponsored extracurricular events and to hold themselves to the highest standards of conduct.
- 7. Respect all property.
- 8. Be safe, and not disrupt or interfere with the educational process.

All students and essential partners have a right to:	All students and essential partners have a responsibility to:
 Be informed of all school rules. An explanation of school rules. 	 Follow all school / COC rules. Understand that the COC applies to all school activities including when on school transportation; at school events; on a field trip; riding in a school vehicle, etc. Understand that additional rules, not specifically listed in this COC may apply to unique situations such as participation in extracurricular activities.
Expect that students will be provided with an education that is intellectually challenging and relevant to the demands of the 21st century.	 Take advantage of the education that is offered by putting forth effort, completing assignments and attending school, prepared to learn on a regular and punctual basis. Report any impediments to achieving the above.
To take part in all school activities on an equal basis and to be protected from bullying, intimidation, harassment, or discrimination.	 Positively contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all; respect the rights of others; accept responsibility for their actions. Report behaviors which may negatively affect mutual respect and dignity for all. Demonstrate appropriate conduct as outlined in this COC and any other rules of classroom or school activities.
Have complaints about school-related matters or school-employees responded to.	 Tell the truth, to the best of your knowledge, about any complaints that you bring forth. Seek help in responding to issues before they escalate.
Be guided by a developmentally appropriate COC which is fairly and consistently implemented.	 Participate in committees; make suggestions regarding the COC. Become familiar with and seek interpretation of parts not understood.
Express themselves.	 Express themselves in a sensible manner and understand that freedom of speech can be limited. Show due respect and dignity for others and their property and contribute to an orderly, learner-centered environment. Dress in accordance with standards adopted by the Board of Education and the Superintendent.
Attend school in an alcohol, drug, and tobacco-free environment.	 Refrain from possession of any items prohibited in the COC or items that do not belong to you. See something, say something.
Be informed of various community and social and emotional (SEL) resources.	Learn SEL strategies.Seek out help when needed.

C. 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 is also intended to provide guidance to prepare students for their role in the workplace and society. All students are expected to pay attention to personal grooming and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other District personnel should exemplify and reinforce acceptable student dress, thereby helping students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance will:

- 1. Be safe, and not disrupt or interfere with the educational process.
- 2. Not include any item that is vulgar, obscene, libelous, or that denigrates another's race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity, or disability.
- 3. Not promote and/or endorse the use of alcohol, tobacco, or illegal drugs, and/or encourage other illegal or violent activities.

Basic Principle: Certain Body Parts Must be Covered for ALL students at ALL times.

Clothes must be worn in a way such that genitals, buttocks, breasts, and nipples are fully covered with opaque (not see-through) material. Undergarments must be covered. All items listed in the "**must wear**" category below must meet this basic principle.

1. All Students Must Wear:

- Shirt
- Bottom: pants/sweatpants/shorts/skirt/dress/leggings
- Footwear: a school can require activity-specific shoes (for example, athletic shoes for PE [Physical Education])
- Faces must be visible at all times (except as a religious observance or as personal protective equipment [PPE])
- Any required safety equipment / PPE relevant to maintaining a safe learning environment

2. All Students Cannot Wear:

- Violent language or images including obscenities, profanities, vulgarity, sexual or other harassment
- Images or language depicting / suggesting tobacco, drugs, or alcohol (or any illegal item or activity)
- Hate speech or symbols, profanity, pornography
- Images or language of unfounded charges, defamation, discriminatory statements, libelous statements
- Images or language that creates a hostile or intimidating environment based on any protected class
- Helmets or headgear that obscures the face (except for medical purposes, career safety purposes or religious observance)

Students who violate the student dress code will 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 will 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 will be considered insubordinate and will be subject to further discipline.

While the District may require students participating in physical education classes to wear certain types of clothing, such as sneakers, tee shirts, shorts, swimsuits, they may not prescribe a specific brand which students must wear.

If a uniform is provided by the District for a team, organization or school function, students will be required to wear them, except under extenuating circumstances as determined by the Building Principal.

This policy does not mean that students, faculty, or parent groups may not recommend appropriate dress for special school activities. It means a student will not be prevented from attendance or otherwise be discriminated against, as long as their dress and appearance meet the code of conduct requirements.

D. ELECTRONIC DEVICES

The Board seeks to maintain a safe and secure environment for students and staff. Advances in technology have made it possible to expand the learning environment beyond the traditional classroom.

Electronic devices may not:

- Disrupt the education process in the District
- Endanger the health, safety, or welfare of any student
- Invade on the rights of others
- Involve illegal or prohibited conduct of any kind

Instructional Purposes

Personal technology use by students is permitted during the school day for educational purposes and /or approved locations only for grades 5-12. Teachers will indicate when and if classroom use is acceptable. Students are expected to act responsible and thoughtfully when using technology resources.

Grades PK-4 may not use personal electronic devices during the academic school day.

Non-Instructional Purposes

Appropriate use of personal technology during non-instructional time is also allowed if students follow the guidelines in the Acceptable Use Policy and Code of Conduct. Non-instructional use includes texting, calling, and otherwise communicating with others during free periods and in common areas of the school building such as the hallways, cafeteria, study halls, and buses. Other non-instructional uses may include such things as Internet searches, reading, listening to music, and watching videos. This use during non-instructional time must be conducted in a safe and unobtrusive manner. Devices must be in silent mode to avoid disrupting others.

All students **are prohibited** from use of electronic devices in locker rooms, restrooms, Health Offices, and any other areas where a person would reasonably expect some degree of personal privacy.

All students are prohibited from bringing personal electronic devices into a classroom or other location where a New York State assessment is being administered. Test proctors, test monitors and school officials will have the right to collect electronic devices prior to the start of the test and hold them while the test is being administered, including break periods. Admission to any assessment will be denied to any student who refuses to turn in a prohibited device.

However, students with disabilities may use certain devices if the device is specified in the student's IEP or 504 plan or a student has provided medical documentation that they require the device during testing.

The District will not be liable for the loss, damage, misuse, or theft of any personal technology brought to school. The District reserves the right to monitor, inspect, or confiscate personal technology when administration has reasonable suspicion to believe that a violation of school policy or criminal law has occurred.

Refer to Board Policies: #7316 – Student Use of Personal Technology #7315 – Student Acceptable Use Policy (AUP)

E. BEHAVIOR-RELATED OFFENSES AND CONSEQUENCES

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

The rules of student conduct listed hereafter are intended to focus on safety and respect for the rights and property of others. Students who do not accept responsibility for their own behavior and who violate school rules will be required to accept penalties for their conduct.

Disciplinary action will be firm, fair, and consistent so as to be the most effective in changing student behavior. The staff at a school has the responsibility for taking appropriate actions when a student is involved in a situation which disrupts the learning environment of a school.

When determining the consequences, they will take the following into consideration:

- a. The nature of the offense and the circumstances which led to the offense.
- b. The age-appropriateness of the consequence.
- c. The student's prior disciplinary record.
- d. The effectiveness of other forms of discipline.
- e. Information from parents, teachers and/or others, as appropriate.

- f. The extent to which the offense interfered with the responsibility/rights/privileges/property of others.
- g. The extent to which the offense posed a threat to the health and safety of others.
- h. Other extenuating circumstances.

The listed sanctions are advisory and, as a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lesser penalty than subsequent violations. However, the District may impose any level of discipline, even for a first violation, which is proportionate to the misconduct at issue. In the case of students who are habitually disruptive or who frequently violate school rules, administrators have the prerogative of applying more severe penalties at any stage, including removal from class and suspension from school.

Although not all-inclusive, the following list of offenses on school property or at a school function and range of consequences apply in most circumstances.

OPTIONS	II OPTIONS	III OPTIONS
Warning/verbal reprimand Time-out or out of classroom Loss of privilege (ie. cell phones or other electronic devices) Conference with student Communication with parent Detention Counseling Behavior Intervention Restitution *	 Removal from class Suspension * In-school Out-of-school Police notification * Removal from school property * Social Suspension * Superintendent's hearing ** 	 Alternative placement * / * Long-term suspension ** Superintendent's hearing *

OFFENSES AND CONSEQUENCES			
Offense	Definition	Range of Consequences	
1. Academic Dishonesty/Cheating	Copying, plagiarizing, altering records, or assisting another in such actions	I - III	
2. Absence (Unlawful)	An absence for a day or any portion of a day for any reason other than those cited as lawful and/or failure to bring a note by a parent/guardian to verify a lawful absence	I – II	
3. Alcohol/Drug Violation	Possession, distribution, consumption, being under the influence, or sale of Illegal Substances, alcoholic beverages or drug paraphernalia on school property, at a school function, on a school bus, or in a school vehicle. Over the counter medications cannot be possessed or distributed. Possession will be presumed if Illegal Substance(s), alcoholic beverage(s) or drug paraphernalia are found in an area of control by the student (i.e. backpack, automobile, personal belongings)	II - III	
4. Arson/fire	Attempting to, aiding in, or setting fire to a building or other property	II - III	
5. Bus Misbehavior	Any violation of bus behavior rules	I - II	
6. Computer/ Electronic Communication Misuse	Any unauthorized use of computers, software, or internet/intranet account to access internet/intranet; accessing another's e-mail or an inappropriate website; misuse of a website, including transmission of inappropriate language or images via electronic/digital devices	I - III	
7. Cutting class	Illegal absence from a class or school activity.	I - II	
8. Cyberbullying	Harassment or bullying where such harassment or bullying occurs through any form of electronic communication. Cyberbullying includes the use of information	I - III	
	technology, including, but not limited to e-mail, instant message, blogs, chat rooms, cell phones, and gaming systems, to harass, threaten, isolate or intimidate others. (Education Law §11[8])		
9. Defamation	False or unprivileged statement or representation about an individual or identifiable group of	Ι - ΙΙ	

	individuals that harm the reputation of the person	
	or the identifiable group	
10. Destruction of	Damage, destruction, or defacement (graffiti) of	II - III
Property/ Vandalism	property belonging to another or the school	
11. Discrimination	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 on a person's	I - III
	actual or perceived race, color, weight, national	1 111
	origin, ethnic group, religion, religious practice,	
	disability, sexual orientation, gender, sex, or any,	
	other legally protected status	
12. Disrespect Toward	Inappropriate comment or physical gesture to a	I - II
Others	student, teacher, staff member, or another adult	1 - 11
13. Disorderly Conduct	Behavior disturbing the atmosphere or order, to	I - III
	include obstructing or restraining the authorized,	1 - 111
	or lawful movement or participation of another	
14. Disruption –	Behavior that is substantially disruptive of the	
Classroom	educational process or substantially interferes	I - III
	with the teacher's authority over the classroom	
15. Disruption – School	Behavior that interferes with the safe and orderly	т ттт
	environment of the school or school activity	I - III
16. Driving/Parking	Failure to obey all state, District, and campus	I - II
Violations	traffic and parking signs and rules	1-11
17. Failure to Serve	Failure to serve detention, suspension, or other	I - II
Assigned Consequences	assigned consequences	1- н
18. False Alarms/Bomb	Initiating a report or warning of fire, or	
Threats	catastrophe without valid cause, misuse of 911, or	II - III
	discharging a fire extinguisher	
19. Fighting	A hostile confrontation with physical contact	II - III
	involving two or more students	11 - 111
20. Fireworks or	Possession, use, and/or threat to use a firework,	
Explosives	smoke bomb, flare, or combustible or explosive	II - III
	substance	
21. Firearm	Possession of a firearm	II - III
22. Gambling	Wagering money or property	I - II
23. Harassment and/or	The creation of a hostile environment by	
Bullying	conduct or by threats, intimidation, or abuse,	
	including cyberbullying, that either (1) has or	I - III
	would have the effect of unreasonably and	1 - 111
	substantially interfering with a student's	
	educational performance, opportunities or	

benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or (2) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety. Such definition includes acts of harassment or bullying that occur:

- a. on school property; and/or
- b. at a school function; or
- c. off-school property where such acts create 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.

Such conduct shall include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status.

For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. "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 or pervasive as to interfere with a student's education unreasonably and substantially. (Education Law §11[7]).

Bullying includes, but not limited to, threatening, stalking, ostracizing, or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal or physical conduct that threatens

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	another with harm, including, but not limited	
	to, intimidation through the use of epithets or	
24 77 :	slurs	
24. Hazing	Negative or reckless act required for the purpose	
	of initiating into, affiliating with, or maintaining	I - III
	membership in any activity, organization, club, or	
	team	
25. Indecent Exposure	Exposing the private parts of the body in a lewd	I - III
	or indecent manner	1 111
26. Insubordination	Refusing to follow reasonable requests of	
	teachers, staff, or administration, including failure	I - III
	to identify self or knowingly providing false	1 - 111
	information	
27. Leaving school	Leaving school grounds during regular school	
grounds without	hours without written or verbal permission from	т тт
permission	parent/guardian, administrator or someone listed	I - II
	on the emergency procedure card	
28. Loitering	Idle presence in an area without authorization	I - II
29. Physical Attack on	Assault, or aggressive physical action, directed at	
Staff, Students/Others	students, staff, or others, including a situation	т тт
	where a staff member is intervening in a fight or	II - III
	other disruptive activity	
30. Possession of	Unauthorized possession of a sound box, laser	
Disruptive Items	pointer, squirt gun, water balloon, personal audio	I- II
	device, or any other disruptive item	
31. Possession of	Unauthorized possession of cell phone	
Portable Electronic		I -II
Communication Devices		
32. Possession of	Unauthorized use or unauthorized possession of a	
Skateboards, Roller	skateboard, scooter, or roller blades on school	I - II
blades/ Scooters	property	
33. Sexting	Sending, receiving, or forwarding sexually	
	suggestive written text or nude or nearly nude	, m
	photos through text message, email or other	I - III
	electronic/digital means	
34. Sexual contact with	Any form of sexual contact between students	11 111
another student		II - III
35. Sexual Harassment	Unwanted and inappropriate verbal, written, or	
	physical conduct of a sexual nature directed	I - III
	toward another person	
36. Tardiness	Lateness to school or class	I - II

37. Theft	Taking or obtaining property of another without permission of the owner	II - III
38. Threat to Staff, Student or Other Person	Expression, conveyed by word or action, of intent to abuse, intimidate, coerce, or injure a staff member, student, or another person	I - III
39. Tobacco Violation	Possession or use of any Tobacco Product (see definition on page 9) This prohibition extends to; on school property, at a school function, on a school bus, or in a school vehicle	I - III
40. Trespassing	Unauthorized presence on school property, including while on suspension	І - П
41. Truancy	Unlawful absence without parental knowledge and/or permission	Ι - ΙΙ
42. Unacceptable Language	Using vulgar or abusive language, cursing, or swearing	І - П
43. Weapon Possession	Possession of a weapon	II - III

F. TEACHER REMOVAL OF DISRUPTIVE STUDENTS

The District has a long-standing set of expectations for school behavior, based upon the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. These expectations apply to all members of the school community. Accordingly, teachers maintain classroom environments reflective of good management techniques, and students behave in accordance with the Code of Conduct. Occasionally, students exhibit disruptive behavior, which warrants removal from class by the teacher. In these cases, the following procedures apply.

Procedures for Disruptive Students Who Do Not Pose a Danger to Persons or Property:

- a. The teacher explains why. Students may respond.
- b. Student is sent to the office (the office is notified by the teacher).
- c. Teacher completes a referral in School Tool or a referral form.
- d. Administrator confirms with the teacher date/time and reason for removal.
- e. The administrator confirms that the student is receiving educational instruction outside the classroom.
- f. The parent is notified within 24 hours.
- g. Informal conferences are held within 48 hours (if requested the by Parent) with the parent, principal, and teacher.
- h. Administrator makes determination of consequences.

Procedures for Disruptive Students Who Pose a Danger to Persons or Property:

- a. Students are immediately removed to the office.
- b. Teacher notifies administrator.
- c. Teacher completes a referral in School Tool or a referral form.
- d. Administrator confirms with the teacher the date/time and reason for removal.
- e. Administrator confirms that the student is receiving educational instruction outside of the classroom.
- f. The teacher notifies the student of the reason for removal within 24 hours.
- g. The parent is notified within 24 hours by the administrator.
- h. A conference is held within 48 hours (if requested by the Parent) with the student, parent, administrator, and teacher.
- i. Administrator makes determination of consequences.

G. MINIMUM SUSPENSION FOR VIOLENT STUDENTS / FIREARMS

Any student that engages in conduct described in a "Violent Student" on page 9, will be suspended for a minimum of one day. If the principal requests a suspension that exceeds five days, a Superintendent's Hearing will be required.

Any student, other than a student with a disability, found guilty of bringing a firearm onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

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

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

H. DISCIPLINE OF STUDENTS WITH DISABILITIES

At times it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. Students with disabilities are afforded certain procedural protections whenever school authorities intend to impose discipline upon them. Procedures followed for suspending, removing, or otherwise disciplining students with disabilities must be consistent with the procedural safeguards required by applicable laws and Part 201 of the Regulations of the Commissioner of Education.

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.

For suspensions or removals up to ten school days in a school year that do not constitute a disciplinary change in placement, students with disabilities must be provided with alternative instruction or services on the same basis as non-disabled students of the same age.

If suspension or removal from the current educational placement constitutes a disciplinary change in placement because it is for more than ten consecutive school days or is a pattern of removals which constitutes a change of placement, a manifestation determination must be made. The District determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.

<u>Manifestation Determinations:</u> 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 disability must be made by a manifestation team immediately, if possible, but in no case later than ten school days after a decision is made:

- A) By the Superintendent to change the placement to an interim alternative educational setting (IAES);
- B) By an Impartial Hearing Officer to place the student in an IAES;
- C) By the Board, District Superintendent, Superintendent, or Building Principal to impose a suspension that constitutes a disciplinary change of placement.

Interim Alternative Educational Setting (IAES): Students with disabilities who have been suspended or removed from their current placement for more than ten days may be placed in an IAES which is a temporary educational setting other than the student's current placement at the time the behavior causing the IAES placement occurred. Additionally, an Impartial Hearing Officer in an expedited due process hearing may order a change in placement of a student with a disability to an appropriate IAES for up to 45 days if the Hearing Officer determines that maintaining the current placement is substantially likely to result in injury to the students or to others.

There are three specific instances when a student with a disability may be placed in IAES for up to 45 school days without regard to a manifestation determination:

- A) Where the student carries or possesses a weapon to or at school, on school premises, or to a school function; or
- B) Where a student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or to a school function; or
- C) Where a student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

The period of suspension or removal may not exceed the amount of time a non-disabled student would be suspended for the same behavior.

Refer to Board Policies: #7313 (Suspension of Students) and #7314 (Students presumed to have a Disability for Discipline Purposes)

I. CORPORAL PUNISHMENT / EMERGENCY INTERVENTIONS

Corporal Punishment

Corporal punishment as a means of discipline shall not be used against a student by any teacher, administrator, officer, employee, or agent of this School District.

Whenever a school employee uses physical force against a student, the school employee will immediately report the situation to their Principal/Supervisor. The Principal/Supervisor will, within the same school day, make a report to the Superintendent describing in detail the circumstances and the nature of the action taken.

The Superintendent will submit a written report semi-annually to the Commissioner of Education, with copies to the Board of Education, by January 15 and July 15 of each year, setting forth the substance of each written complaint about the use of corporal punishment received by the District authorities during the reporting period, the results of each investigation, and the action, if any, taken by the school authorities in each case.

Emergency Interventions

If alternative procedures and methods which do not involve physical force do not work, then the use of reasonable physical force is permitted for the following reasons:

- a) Self-protection;
- b) Protection of others;
- c) Protection of property; or
- d) Restraining or removing a disruptive student.

Emergency interventions will only be used in situations where alternative procedures and methods that do not involve the use of reasonable physical force cannot reasonably be employed. Emergency interventions will <u>not</u> be used as a punishment or as a substitute for systematic behavioral interventions that are designed to change, replace, modify, or eliminate a targeted behavior.

Staff who may be called upon to implement emergency interventions will be provided with appropriate training in safe and effective restraint procedures. The parent(s) of the student will be notified on the same day whenever an emergency intervention is utilized. When the student's parents cannot be contacted on the same day after reasonable attempts are made, the building principal will record the attempts and when applicable, report the attempts to the committee on special education (CSE).

The District will maintain documentation on the use of emergency interventions for each student including:

- a) Name and date of birth of student;
- b) Setting and location of the incident;
- c) Name of staff or other persons involved;
- d) Description of the incident and emergency intervention used, including duration;
- e) A statement as to whether the student has a current behavioral intervention plan; and
- f) Details of any injuries sustained by the student or others, including staff, as a result of the incident.

This documentation will be reviewed by District supervisory personnel and, if necessary, by the school nurse or other medical personnel.

VI. REPORTING VIOLATIONS OF THE CODE OF CONDUCT

All students are expected to promptly report violations of the Code of Conduct and any potential criminal activity to a teacher, counselor, the Building Principal, or their designee. Any student observing a student possessing a weapon, alcohol, or illegal substance on school property or at a school function shall report this information immediately to a teacher, the Building Principal, the Principal's designee, or the Superintendent.

All District staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff, including volunteers, who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct and any potential criminal activity to their supervisor who will in turn impose an appropriate disciplinary sanction, if so authorized or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, stored in a safe, secure area, and promptly turned over to the law enforcement agency after that agency has been notified. This will be followed by notification to the parents of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution.

The Building Principal or designee should immediately notify the appropriate local law enforcement agency of those code violations, and any other conduct that occurs on school

property or at a school function or in travel to and from school, that is criminal in nature and substantially affects the physical, mental or emotional well-being of a student or the order, security or overall safety of the school, and, in the absence of extenuating circumstances, such notification should occur no later than the close of business the day the Principal or designee learns of the conduct. The notification should identify the persons involved in the conduct, the names of any victims and witnesses and an explanation of the conduct that may constitute a crime.

Minor offenses which involve conduct such as stealing, damaging property and physical violence that do not result in serious injuries are matters that may be handled by the administration without the assistance of law enforcement. Whenever criminal conduct occurs, school staff will not discourage or prevent crime victims from filing a complaint with local law enforcement.

Whenever conduct involves drugs, assaults where there are serious injuries or inappropriate sexual acts, immediate notification to law enforcement by the Building Principal or their designee should be made.

Certain acts of misconduct which occur may require the exercise of reasonable judgment by staff in consultation with the Principal or Superintendent in order to determine whether referral to law enforcement officials is appropriate, or whether the matter will be managed solely through the District's Code of Conduct and student discipline system.

A. Reporting Discrimination, Harassment and Bullying

The Building Principal or designee 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 they have 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 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 the 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 conduct prohibited by this policy, the employee will promptly and orally notify the Principal no later than one school day after the employee witnesses or receives the complaint or learns of such conduct. The employees

will also file a written report with the Principal no later than two school days after making an oral report.

After receipt of a complaint, the Principal shall lead or supervise a thorough investigation of the alleged harassing, bullying and/or retaliatory conduct. The Principal or designee will verify that such investigation is completed promptly and investigated in accordance with the terms of District policy. All complaints will 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, it 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 verify 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 remedies 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.

In the event that the Principal is the alleged offender, the report will be directed to the Superintendent.

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

- 1. promptly investigated in accordance with the terms of District policy;
- 2. forwarded to the school building's DAC for monitoring; and
- 3. treated as confidential and private to the extent possible within legal constraints.

The Principal must promptly notify the Superintendent and the appropriate local law enforcement agency when they believe that any harassment, bullying, or discrimination constitutes criminal conduct.

B. Reporting Sex Crimes

If school staff members learn of child abuse in an educational setting, they will prepare a written report of the allegations and transmit it to the school administrator. The written report from the mandatory reporter must be completed and turned in immediately upon learning of the conduct. Upon receipt of a written report of allegations of child abuse in the educational setting the school administrator must determine if there is reasonable suspicion to believe that the abuse has occurred. Upon making such a positive determination the report must be forwarded to the appropriate law enforcement agency.

When an incident on school property or at school event involves allegations of child sexual abuse or any other sexual conduct, whether that conduct involves only students or an adult and a student - the matter shall be immediately referred to the Child Protective Services (CPS). In the absence of the CPS, such conduct will be immediately reported to the New York State Police or the Oswego County Sheriff's Office. The Superintendent will also be notified. School staff should not ordinarily conduct an interview beyond the initial intake of the complaint, or take affidavits from the victim, witnesses, or the potential suspect. Until further notice from the Superintendent, this should initially be left in the hands of the law enforcement agency.

VII. Remedial Responses to Violations of Code of Conduct

Students who violate this Code may also be referred for 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;
- c. supportive intervention;
- c. behavioral assessment or evaluation;
- d. behavioral management plans, with benchmarks that are closely monitored; and/or
- e. student counseling and parent conferences.

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; and/or
- j. peer support groups.

VIII. STAFF-STUDENT RELATIONS

Staff members are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student's age and/or regardless of whether the student may have "consented" to such conduct. Further, employees shall not entertain students or socialize with students in such a manner as to create the perception that a dating relationship exists. Similarly, any action or comment by a staff member which invites romantic or sexual involvement with a student is considered highly unethical, in violation of District policy, and may result in the notification of law enforcement officials and the filing of criminal charges and/or disciplinary action by the District up to and including termination of employment.

Any student who believes that they have been subjected to inappropriate staff behavior, as well as school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member, the employee's supervisor, the student's Principal, or the District's designated Civil Rights Compliance Officer (CRCO). In all events such reports shall be forwarded to the designated CRCO for further investigation. Investigations of allegations of inappropriate staff-student relations will follow the procedures utilized for complaints of harassment within the District. Allegations of inappropriate staff-student behavior will be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

Any employee having knowledge of or reasonable suspicion that another employee may have engaged in inappropriate conduct with a student that may constitute child abuse (specifically, child abuse in an educational setting) must *also* follow the District's reporting procedures for such allegations; and such information will be reported by the designated administrator as required by state law to law enforcement officials, the State Education Department and/or Child Protective Services as may be applicable.

If a student initiates inappropriate behavior toward a staff member, that employee shall document the incident and report it to their Principal or Supervisor.

The District shall promptly investigate all complaints of inappropriate staff-student relations and take prompt corrective action to stop such conduct if it occurs.

IX. VISITORS TO THE SCHOOLS

All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

- 1. Anyone who is not a regular staff member or student at the school is considered a "visitor".
- 2. Except for those who are attending public gatherings or meetings, visitors must sign in and report to the main office upon arrival at the school.
- 3. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the building administrator and classroom teacher(s), so that class disruption is kept to a minimum, and to abide by Board Policy 3210, "Visitors to the School" and its corresponding Administrative Regulation.

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

X. 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 establish rules for public conduct on school property and at school functions. Dress and behavior will be appropriate to the school environment and will not detract from the educational process. For purposes of this section of the Code, "public" will mean all persons when on school property or attending a school function including students, parents, teachers, and District personnel. Such rules, as well as consequences for violation of such rules, are contained in this Code.

A. Prohibited Conduct

No Person, either alone or with others will:

- 1. Intentionally injure any person or threaten to do so.
- 2. Intentionally damage or destroy District property or the personal property of a teacher, administrator, other District employee or any person lawfully on school property, including graffiti or arson.
- 3. Disrupt the orderly conduct of classes, school programs or other school activities.

- 4. Distribute or wear materials on school grounds or at school functions that are obscene, overly revealing, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school environment.
- 5. Threaten, intimidate, harass, or discriminate against any staff member or other person(s) on the basis of a person's actual or perceived race, color, weight, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, gender (including gender identity and expression), or other legally protected status.
- 6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
- 7. Obstruct the free movement of any person in any place to which this Code applies.
- 8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
- 9. Possess, consume, sell, distribute, or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
- 10. Possess or use firearms or 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 Board of Education.
- 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 identifiable District officials performing their duties.
- 14. Willfully incite others to commit any of the acts prohibited by this Code.
- 15. Violate any federal or state statute, local ordinance, or board policy while on school property or while at a school function.
- 16. Engage in off-campus misconduct that **interferes with or can reasonably be** expected to substantially disrupt the educational process in the school or at a school function.

Examples of such misconduct include, but are not limited to:

- a) Cyberbullying (inflicting willful and repeated harm through the use of electronic text).
- b) Threatening or harassing students or personnel over the phone or

other electronic medium.

B. Consequences

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

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

C. Enforcement

The Building Principal or designee shall be responsible for enforcing the conduct required by this Code.

When the Building Principal or designee sees an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, the Principal or designee will tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or designee will also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the Principal or designee will have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

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

XI. TRANSPORTATION OF STUDENTS

The District furnishes transportation to those students whose disability or distance from the school make the service essential. Except as otherwise mandated in a student's Individualized Education Program (IEP), riding these buses is a privilege and may be withdrawn if the student does not comply with the rules and regulations set forth by the District.

Bus drivers will be held responsible for reasonable and acceptable behavior of students while riding the school bus. Students riding school buses are expected to conform to the rules of conduct in order to permit the bus driver to transport their passengers safely.

The Board, the Superintendent or designee has the authority to suspend the transportation privileges of children who are disorderly and insubordinate on buses. Generally, parents will be required to make alternative transportation arrangements for their children who have been suspended from riding the bus. However, the effect of a suspension from transportation on the student's ability to attend school will be considered. If a suspension from transportation effectively results in a suspension from attendance because of the distance between the home and the school and the absence of alternative public or private means of transportation, the District will make appropriate arrangements to provide for the student's education.

If a student with a disability who receives transportation as a related service as part of their Individualized Education Program is being considered for suspension from transportation, and that suspension would effectively result in a change in placement, the student shall be referred to the Committee on Special Education.

XII. INTERROGATION OF STUDENTS BY LAW ENFORCEMENT

Law Enforcement

District officials are committed to cooperating with police and other law enforcement authorities to maintain a safe school environment. When District officials have called the police to investigate a crime on school premises, school officials should yield to police leadership on the conduct of the investigation. The investigation should be conducted in a manner that minimize the disruption of the school environment.

If law enforcement seeks to interrogate or remove a student, the District is required to immediately contact the student's parents to arrange for their presence, if possible, or obtain their consent unless law enforcement:

- 1. Has a warrant for the arrest of the student:
- 2. Has a court order authorizing the removal or interrogation of the student; or
- 3. Is investigating a possible crime and law enforcement determines either:

- a) exigent circumstances exist;
- b) there is an immediate threat of serious physical harm; or
- c) there is an emergency and immediate need for assistance.

School officials will defer to the police on these issues and their determinations.

The safety and welfare of the students and school staff takes precedence over any right of an individual to be present during school searches. If there is an allegation regarding a firearm, school staff should, if circumstances permit, immediately notify their School Resource Officer or local law enforcement agency. These officers, with their training and expertise, should be the ones to initiate any interview and conduct the search for the weapon.

XIII. EXTRACURRICULAR ACTIVITIES

Extracurricular activities include; athletics, clubs, competitions, drama, musicals, selective organizations, etc.

Students involved in school-supported activity programs are expected to exemplify good citizenship both on and off school grounds. The student must display good behavior both in practice and during games and activities.

Students found to be in violation of the code of conduct will be subject to the corresponding range of consequences and may also face consequences from a one game or activity suspension up to the dismissal from the team or the group.

The use, possession, sale or distribution of alcohol or other controlled substances or the use and/or possession of drug paraphernalia is prohibited. Students are also prohibited from the use or possession of tobacco and tobacco products. See pages 8 and 9 for definitions of; Illegal Substances, Tobacco Products and Under the Influence.

A conference will be held to review the affected student's violation with the student, a parent, the coach or the advisor, the Building Principal, and/or the Athletic Director.

The penalties will range from a one game or activity suspension to dismissal from the team or the group. If suspended from a game or an activity, the student must attend practices.

Individual coaches and advisors may set up rules pertaining to their particular sport or activity. Students will be informed of these rules and are required to abide by them.

Students who are members of an athletic team, and who receive a school suspension from the Building Principal for any conduct related disciplinary infractions, will have their suspension reviewed for training rules violation(s).

Any student who has issues or concerns of any kind regarding their participation in a sport or activity will bring it to the attention of the coach or the advisor and expect an appropriate decision.

Any member of the team or group that is aware of another student's issues or concerns will bring it to the attention of the coach or advisor so that such dissatisfaction can be addressed.

When related to interscholastic sports, the Athletic Director will be consulted if the matter cannot be resolved between the coach and the student(s). When related to other school-supported activities, the Building Principal will be consulted if the matter cannot be resolved between the advisor and the student(s).

A. Academics

Students in extracurricular activities must balance the roles of being a full-time student and a part-time participant in the extracurricular activity. Our expectations are that students can:

- 1. maintain passing averages in their courses;
- 2. seek extra help from staff when needed to help them maintain passing averages; and
- 3. always place a high level of importance on their academic achievement.

However, should a student fall below a grade of 65 in a class, the following policy will be enforced;

After the first five weeks of the start of a course, administration runs grades for all students. If a student is failing a course(s), the following policy will be implemented:

Level 1: A student failing a course(s) is expected to seek academic help from their teacher on a regular basis. The student will receive a warning and has two school weeks to improve their grade to passing (grade of 65 or higher). With assistance from administration, the student and a parent must schedule a conference with the teacher(s) to draft a plan of action to bring up the grade in the course(s) to a passing level. At the end of the two-week period, the administration will generate a new grade report. If the student is not failing that course(s), they remain fully eligible to participate in extracurricular activities. Otherwise, the student moves to Level 2.

Level 2: If the student is still failing the course(s), they cannot participate in games, performances, competitions, or any events associated with extracurricular activities until the grade(s) is passing. They may continue to attend rehearsals, practices, meetings, or other routine activities associated with the extracurricular activity. At the end of the two-week school period, the administration will generate a new grade report. If the student is passing the course, they remain fully eligible to participate in extracurricular activities. Otherwise, the student moves to Level 3.

Level 3: If the student is still failing the course(s), they cannot participate in practices,

rehearsals, meetings, or other routine activities associated with the extracurricular activity and cannot participate in games, performances, competitions, or any events associated with the extracurricular activity until they have a passing grade(s). The student is fully eligible to participate when they are passing the course(s).

At the completion of a course, the policy resets.

B. Attendance

In order to participate in practice or rehearsal, a game or activity on a given day, a student must be in attendance before 10:00 AM. Excused absences are the only exception to this. Students with late arrival are expected to be in school by their designated time period.

Any absence on the day in question must be for a legal reason, with a written excuse submitted to the school. Any student absent on a Friday will not be able to participate in any event on the following Saturday, unless the parent presents a written valid reason for absence – if the student was under a doctor's care, the doctor should provide the student with a medical release to participate in the sport or the activity.

Each student participant is expected to be at every scheduled practice or rehearsal, game or activity unless they have a medical excuse or legal excuse from the office, one of their teachers, or their parents.

Students who plan to be absent from a practice or rehearsal, game or activity must personally notify the coach or advisor prior to the practice or rehearsal, the game or activity that they expect to miss. Students that are absent from practice(s) or rehearsal(s) may be withheld from participation for either a portion or all of their next game or activity. A student's absence may result in a loss of conditioning or lack of awareness of new team or group strategies that would place the student behind their team or group members in these areas. Students are expected to be in attendance the day after a game or activity.

No student will quit a team or group without first talking with the coach or the advisor and explaining the reason for leaving the team or group. It is the responsibility of the student to confer with the coach or the advisor regarding their reason(s) for quitting.

The student must set up a meeting with the coach or the advisor within two school days from the last day of participation for this discussion. Any and all equipment must be returned upon termination of participation. If a student quits a team or a group without first talking with the coach or the advisor and explaining the reason for leaving the team or the group or fails to return any and all equipment upon termination of participation, they may be disqualified from participating on an athletic team or in a group at the discretion of the Athletic Director or Building Administrator.

XIV. IN-SERVICE EDUCATIONAL PROGRAMS

The Board will provide in-service education programs for all District staff members for the effective implementation of this Code, to promote a safe and supportive school climate while discouraging, among other things, harassment, bullying and discrimination against students by students and/or school employees and to include safe and supportive school climate concepts in the curriculum and classroom management. In-service education programs shall also include training on the social patterns of harassment, bullying and discrimination, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex, the identification and mitigation of harassment, bullying and discrimination, and strategies for effectively addressing problems of exclusion, bias and aggression in educational settings. The Superintendent may solicit the recommendations of the District staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

The following are suggested programs that may be utilized for in-service education for all staff members for effective implementation of this Code:

- (1) School-oriented programs developed at the District and building level;
- (2) Superintendent's workshop days; and
- (3) faculty meetings.

XV. PUBLICATION AND REVIEW

The Board will ensure community awareness of this Code of Conduct by:

- 1. Posting the complete Code of Conduct on the District website, including any annual updates.
- 2. Providing copies of an age-appropriate version of the summary of the Code to all students, written in plain language so that students may understand the standards of respect and appropriate behavior that the school community expects from them. This will take place at a general assembly held at the beginning of each school year and on an on-going basis at registration for those students who enter the District after the beginning of the year meeting.

- 3. Making copies of the Code available to all parents, students, and community members throughout the school year.
- 4. Mailing a summary of the Code written in plain language to all parents of District students before the beginning of the school year and making this summary available later upon request.
- 5. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments as soon as practicable after adoption or amendment. New employees will be provided with a complete copy of the current Code upon their employment.

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

The Board may appoint an advisory committee to assist in reviewing the Code and the District's response to the Code of Conduct violations. The committee will be made up of representatives of students, teachers, administration, parent organizations, school safety personnel and other school personnel.

Before making any revisions to the Code, the Board will hold at least one public hearing at which school personnel, parents, students, and any other interested party may participate. Amendments to the Code will be filed with the Commissioner of Education no later than thirty days after adoption.

XVI. PROHIBITION AND RETALIATION

Any person having reasonable cause to suspect that a student has been subjected to discrimination or harassment by an employee or student, on school grounds or at a school function, who acting reasonably and in good faith, either reports such information to school officials, to the commissioner, or to law enforcement authorities or otherwise initiates, testifies, participates or assists in any formal or informal proceedings under this subdivision, will have immunity from any civil liability that may arise from the making of such report or from initiating, testifying, participating or assisting in such formal or informal proceedings. Relatedly, neither the District, nor an employee or student thereof will take, request, or cause a retaliatory action against any such person who, acting reasonably and in good faith, either makes a report or initiates, testifies, participates, or assists in such formal or informal proceedings.

XVII. RELATED BOARD POLICIES

The following Board policies are directly related to the conduct of students, parents, staff, or visitors in the school environment. Some of these policies have Administrative Regulations for their implementation:

- 3210 Visitors to the School
- 3290 Operation of Motor-Driven Vehicles on District Property
- 3410 Code of Conduct on School
- 5640 Smoking, Tobacco, and Cannabis (Marijuana) Use
- 5681 School Safety Plans
- 5730 School Bus Safety
- 6151 Drug-Free Workplace
- 6111 Staff-Student Relations (Fraternization)
- 6121 Sexual Harassment in the Workplace
- 6150 Alcohol, Tobacco, Drugs and Other Substances (Staff)
- 6151 Drug-Free Workplace
- 6180 Identification Badges
- 7311 Loss or Destruction of District Property or Resources
- 7313 Suspension of Students
- 7314 Students Presumed to Have a Disability for Discipline Purposes
- 7315 Student Acceptable Use Policy (AUP)
- 7316 Student Use of Personal Technology
- 7320 Alcohol, Tobacco, and Other Substances (Students)
- 7330 Searches and Interrogations of Students
- 7350 Corporal Punishment / Emergency Interventions
- 7360 Weapons in School and the Gun-Free Schools Act
- 7410 Extra Classroom Activities
- 7420 Sports and the Athletic Program
- 7530 Child Abuse and Maltreatment
- 7546 Student Gender Identity
- 7550 Dignity for All Students Act
- 7551 Sexual Harassment of Students
- 7552 Bullying; Peer Abuse in the Schools
- 7553 Hazing of Students
- 6111 Staff-Student Relations (Fraternization)
- 8242 Civility, Citizenship, and Character Education / Interpersonal Violence Prevention Education
- 8271 Internet Safety / Internet Content Filtering
- 8460 Field Trips
- 8461 Overnight / Out-of-State Trips

Board Policies are on the District Website on Board Docs

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A law was enacted by New York State, effective July 1, 2001, requiring each school district to adopt a Code of Conduct. Mexico Academy & Central School took such action in June 2001.

Readopted: July 1, 2011

Revised: Public Hearing – August 9, 2012, Adopted: August 9, 2012

Readopted: July 2, 2013 Readopted: July 2, 2014

Revised: Public Hearing – October 8, 2015, Adopted: November 12, 2015 Revised: Public Hearing – August 16, 2016, Adopted: August 16, 2016 Revised: Public Hearing – October 5, 2017, Adopted: October 5, 2017 Revised: Public Hearing – July 12, 2018, Adopted: July 12, 2018 Revised: Public Hearing – June 27, 2019, Adopted: June 27, 2019

Readopted: July 7, 2020 Readopted: June 24, 2021 Readopted: June 23, 2022

Revised: Public Hearing – June 15, 2023, Adopted: July 11, 2023