

SOLVAY UNION FREE SCHOOL DISTRICT

**CODE
OF
CONDUCT**

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SOLVAY UNION FREE SCHOOL DISTRICT STATEMENT OF BEHAVIORAL EXPECTATIONS

Our school community has the responsibility to preserve societal values related to freedom and democracy. Given this, we must recognize the necessity of the democratic process of lawmaking and demonstrate its importance through respect for laws, rules, and authority.

Members of the school community must also respect themselves through an understanding and appreciation of their own individuality. Self-respect is demonstrated through academic and social integrity, the making of healthful choices, personal appearance, and interpersonal relationships. It is only through this knowledge and respect for self that we become empowered with the ability to extend this respect to others, to acknowledge the expression of uniqueness in others, and to give of ourselves in assisting others to develop a stronger sense of self.

All members must demonstrate respect for the beliefs and values of others, their points of view, their religions and their rights as human beings. We must be active and positive in our respect, curtailing acts or language that would diminish another. Treatment, judgment, or evaluation of others should be conducted with fairness tempered by empathy for individual differences. At the same time, expression of one's individuality must be balanced by the generally greater needs of the community, particularly those related to respect for the environment, and for the health, safety, personal property, and dignity of others.

All members must realize the importance of honesty in their daily tasks, activities and responsibilities. We must encourage and expect one another to offer honest opinions and preferences on important issues.

Finally, members must encourage and expect each other to be positive, contributing members of the school community by accepting the responsibilities associated with our respective roles in public education.

CODE OF CONDUCT

INTRODUCTION

The Solvay Union Free School District Board of Education (“Board”) is committed to providing a safe and orderly learning environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other Solvay school personnel, parents and other visitors is essential to achieving this goal.

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

The Board recognizes the need to clearly define these expectations for acceptable conduct on Solvay Union Free School District property, identify the possible consequences of unacceptable behavior, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the Board adopts this Code of Conduct (“code”).

Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on district property or attending a district function.

In accordance with the **Dignity for All Students Act**, School District policy and practice must ensure that no student is subject to discrimination or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex by school employees or students on school property, on a school bus, or at a school function.

DEFINITIONS

For purposes of this code, the following definitions apply:

"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 Section 11[4] and Executive Law Section 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 a 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 district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law Section s11[4] and 1125[3]).

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

"Harassment" means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law Section 11[7]).

"Informal Conference" is a 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.

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

"School Bus" means every motor vehicle owned 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 Section 11[1] and Vehicle and Traffic Law Section 142).

"School Function" means a school sponsored extracurricular event or activity (Education Law Section 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 Section 11[1]).

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

"Twenty-four Hours" within the context of a teacher removal of a student from class, is equal to one school day. Weekends, holidays, and vacation days are not counted as part of a twenty-four hour period.

"Violent Student" means a student who:

1. Commits an act of violence upon another student, a district employee, or any other person on district property or at a district function.
2. Possesses a weapon while on district property or at a district function.
3. Displays, while on district property or at a district function, what appears to be a weapon.
4. Threatens, while on district property or at a district function, to use a weapon.
5. Knowingly and intentionally damages or destroys the personal property of any student or district employee, or of any person on district property or at a district function.
6. Knowingly and intentionally damages or destroys district property.

"Weapon" means a firearm as defined in 18 USC § 921 for purposes of the Gun Free Schools Act. It also means any pocket, pen, or other knife, look alike fake weapon, any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised 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, substance, or "other item" that can cause physical injury or death when used to cause physical injury or death, or when such "other item" is brandished as a weapon.

There are currently 11 protected groups, classes, or characteristics under the Dignity for All Students Act, they are as follows:

"Color" means the apparent pigmentation of the skin, especially as an indication or possible indication of their race.

"Disability" means any restriction or lack (due to any impairment) of ability to perform an activity in the manner or within the range considered typical.

"Ethnic Group" means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.

"Gender" means the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for men and women. (MASCULINE and FEMININE denote "gender".)

"National Origin" means a person's country of birth or ancestor's country of birth.

"Race" means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/African-descent", "Asian", "Bi-racial", "Hispanics/Latinos" etc. to describe and classify the inhabitants of the United States.

"Religion" means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.

"Religious Practice" means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.

"Sex" means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)

"Sexual Orientation" means the sex to which a person is sexually attracted. Someone attracted primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual. Someone attracted primarily or exclusively to members of the same sex is characterized as homosexual. A person with a strong or viable attraction to both genders is characterized as bisexual or pansexual.

"Weight" means aside from the obvious meaning in the physical sciences, the word is used in reference to a person's "size".

RESPONSIBILITIES OF THE ESSENTIAL PARTNERS IN EDUCATION

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

PARENTS

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the educational community.
2. Send their children to educational programs ready to participate and learn.
3. Ensure their children attend class regularly and on time.
4. Ensure their children's absences are only for legal reasons.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know district rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build positive relationships with teachers, staff, other parents, and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.
13. Initiate building-level conferences with school personnel as a way to resolve problems.
14. Monitor and review their children's growth and achievement.
15. Maintain ongoing communication with school personnel.

16. Inform an adult in the school setting of any threat to safety of people or property within the school environment.
17. Teach their children respect and dignity for themselves, and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act.

TEACHERS

1. Maintain a climate 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, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
2. Set a good example for students and colleagues by demonstrating dependability, integrity and other standards of ethical conduct.
3. Be prepared to teach.
4. Demonstrate interest in teaching and concern for student achievement.
5. Know district and building policies and rules, and enforce them in a fair and consistent manner.
6. Communicate the following to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan.
7. Communicate regularly with students, parents and other essential partners concerning student growth and achievement.
8. Initiate building-level conferences with parents and other school personnel as a way to resolve problems.
9. Encourage students to benefit from the curriculum and extracurricular programs and activities.
10. Report information to a school administrator that might impact a safe and orderly school environment.

SCHOOL COUNSELORS/PSYCHOLOGISTS/SOCIAL WORKERS

1. Assess/assist students in coping with peer pressure and personal, social and emotional problems.
2. Initiate building-level conferences with parents and other school personnel as a way to resolve problems.
3. Regularly review with students their educational progress and/or career plans.
4. Encourage students to benefit from the curriculum and extracurricular programs and activities.
5. Provide information to assist students with career planning and social/emotional health.
6. Report information to a school administrator that might impact a safe and orderly school environment.
7. Participate in crisis management.
8. Refer students and/or parents to appropriate human service agencies outside the school.
9. Provide information to teachers and other school personnel that will assist them in helping students cope with peer pressure and personal, social, and emotional problems.
10. Set a good example for students and colleagues by demonstrating dependability, integrity and other standards of ethical conduct.
11. Maintain and encourage a climate 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, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
12. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the counselor's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

EXPECTATIONS FOR STUDENT SUPPORT SERVICE PERSONNEL

1. Support educational and academic goals.
2. Know school rules, abide by them and enforce them in a fair and consistent manner.
3. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
4. Set a good example for students and colleagues by demonstrating dependability, integrity and other standards of ethical conduct.
5. Maintain confidentiality about all personal information and educational records concerning students and their families.
6. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, as a way to resolve problems and communicate as necessary in any other manner with parents and other staff regarding student progress and needs.
7. Regularly review with students their educational progress and career plan.
8. Provide information to assist students with career planning.
9. Encourage students to benefit from the curriculum and extra-curricular programs.
10. Maintain and encourage a climate 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, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
11. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

EXPECTATIONS FOR OTHER SCHOOL STAFF

1. Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
2. Set a good example for students and other staff by demonstrating dependability, integrity and other standards of ethical conduct.
3. Assist in promoting a safe, orderly and stimulating school environment.
4. Maintain confidentiality about all personal information and educational records concerning students and their families.
5. Maintain and encourage a climate 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, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
6. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

PRINCIPALS

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have opportunities to communicate regularly with the principal.
3. Evaluate all instructional programs on a regular basis.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Ensure open communication with law enforcement agencies.
7. Initiate building-level conferences with parents and other school personnel as a way to resolve problems.
8. Be responsible for informing all students and their parents of the student dress code at the beginning of the academic year and any revisions to the dress code made during the academic year.
9. Maintain and encourage a climate 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, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
10. Set a good example for students and colleagues by demonstrating dependability, integrity and other standards of ethical conduct.

11. Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC).

SUPERINTENDENT

1. Promote a safe, orderly, respectful and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
2. Set a good example for students and colleagues by demonstrating dependability, integrity and other standards of ethical conduct.
3. Review policies of the Board of Education and state and federal laws relating to school operations and management with district administrators.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in reinforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Ensure that the school community has the opportunity to communicate with the superintendent.

BOARD OF EDUCATION

1. Adopt and review, at least once each year, the Solway Union Free School District Code of Conduct.
2. Appoint a Dignity Act Coordinator in each school building. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, and sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.

STUDENT RIGHTS AND RESPONSIBILITIES

The Board of Education's goal is to provide an environment in which a student's rights and freedoms are respected. The Board therefore assures district students that they shall have all the rights afforded them by federal and state constitutions, statutes and regulations. The Board also recognizes all federal, state and local laws in connection with these rights, and reminds students that certain responsibilities accompany these rights.

It shall be the right of each district student to:

1. be afforded the rights of students under the provisions of the federal and state constitutions and the laws of the State of New York;
2. have a safe, secure, healthy, orderly and courteous school environment;
3. enjoy equal education opportunity and to take part in all district activities on an equal basis regardless of race, sex, religion, national origin, sexual orientation, gender identity, or disability;
4. attend school and participate in school programs unless suspended from instruction and participation for legally sufficient cause as determined in accordance with due process of law;
5. have school rules and conditions available for review and, whenever necessary, explanation by school personnel;
6. be suspended from instruction only after his/her rights pursuant to Education Law § 3214 have been observed;
7. in all disciplinary matters, have the opportunity to present his/her version of the facts and circumstances leading to imposition of disciplinary sanctions to the professional staff member imposing such sanction; and
8. be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function or activity.

It shall be the responsibility of each district student to:

1. be familiar with and abide by all district and building rules and regulations pertaining to student conduct;
2. work to the best of his/her ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible, asking questions when he/she does not understand and completing assigned tasks both in class and out of class;
3. conduct himself/herself, when participating in or attending school-sponsored extracurricular events, as a representative of the district and as such hold himself/herself to the highest standards of conduct, demeanor, and sportsmanship, and accept responsibility for his/her actions;
4. develop anger management skills;
5. show respect for the faculty and other members of the school community;
6. seek help in solving problems that might lead to discipline procedures;
7. attend school every day and be in class, on time, and prepared to learn unless he/she is legally excused;
8. contribute to the maintenance of an environment that is conducive to learning and to show due respect for other persons' property;
9. dress in accordance with standards set by the Board and the Superintendent;
10. make constructive contributions to the school, and to report fairly the circumstances of school-related issues;
11. inform an adult in the school setting of any threat to safety of people or property within the school environment; and
12. respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.

STUDENT DRESS CODE

All students are expected to give proper attention to personal cleanliness and to dress appropriately for Solvay Union Free School District programs. 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 attire, and help students develop an understanding of appropriate appearance in the educational setting.

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 work place and society.

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

1. be safe, appropriate and not disrupt or interfere with the educational process;
2. recognize that extremely brief or revealing garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back), pajamas, and see-through garments are not appropriate;
3. ensure that underwear is completely concealed with outer clothing;
4. include footwear at all times that is appropriate for the instructional setting and activity, and that is not a safety hazard;
5. not include the indoor wearing of headwear when school is in regular session, except for a medical, or religious purpose; ("Regular session" refers to school days, including testing dates, between the time the first tardy bell rings and the end of the student's last class, extra-help, extra-classroom activity, or detention period. It is not intended that scrunchies and rubber bands on pigtails and ponytails, nor bobby pins, hair clips, or similar hair styling aids be considered inappropriate. Any plastic or fabric headbands, ribbons, or scarves worn in the hair must be modest in size [2" +/- width].)
6. not include the indoor wearing of jackets, coats, gloves, or other garments that are intended for outdoor wear, when school is in session;
7. not include items that are vulgar, obscene, libelous, or that denigrate others because of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex; and

8. not promote and/or endorse the use of alcohol, tobacco, or illegal drugs and/or encourage other illegal or violent activities.

Regardless of how carefully drafted a dress code may be, there will remain some latitude for individual judgment and interpretation. In those instances, the judgment of the principal, teacher, or staff member will prevail. If a student disagrees with the judgment of a school employee who requests that a perceived violation be corrected, he or she must comply with that request in a manner that does not create disruption. If the affected student feels that an appeal is necessary, that appeal needs to be discussed at a time convenient to the employee, the building administrator, or both.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including additional out-of-school suspension.

PROHIBITED STUDENT CONDUCT

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

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

Expectations for student conduct while on district property or engaged in a district-sponsored function should be specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these rules will be required to accept the penalties for their conduct. Disciplinary action, when necessary, 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 that disrupts the learning environment of a school.

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

1. the nature of the offense and the circumstances which led to the offense;
2. the age-appropriateness of the consequence;
3. the student's prior disciplinary record;
4. the effectiveness of other forms of discipline;
5. information from parents, teachers and/or others, as appropriate;
6. the extent to which the offense interfered with the responsibility/rights/privileges/property of others;
7. the extent of which the offense posed a threat to the health and safety of others; and
8. other extenuating circumstances.

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. 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.

The listed sanctions are advisory and, as a general rule, discipline will be progressive. However, the district may impose any level of discipline, even for a first violation, that is proportionate to the misconduct at issue.

CONSEQUENCES

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. The listed sanctions are advisory and, as a general rule, discipline will be progressive. However, the district may impose any level of discipline, even for a first violation, that is proportionate to the misconduct at issue.

| RANGE OF CONSEQUENCES FOR BEHAVIOR RELATED OFFENSES | | |
|---|--|---|
| I | II | III |
| OPTIONS <ul style="list-style-type: none"> • Warning/verbal reprimand • Time-out or out of classroom • Loss of privilege • Conference with student • Communication with parent • Detention • Restrictions • Counseling | OPTIONS <ul style="list-style-type: none"> • Removal from class • *Suspension <ul style="list-style-type: none"> √ In-School √ Out-of-school • *Saturday detention • *Police notification • *Removal from school property • *Restitution | OPTIONS <ul style="list-style-type: none"> • *Alternative placement • **Expulsion (permanent suspension) |

*Administrator action only

**Superintendent action only

OFFENSES AND CONSEQUENCES

| Offense | Definition | Range of Consequences |
|------------------------|--|------------------------------|
| Absence (Unlawful) | An absence for a day or any portion of a day for any reason other than those cited as lawful (as listed in the student handbook) and/or failure to bring a note by a parent/guardian to verify a lawful absence. | I – III |
| Alcohol/Drug Violation | <p>Possessing, consuming, selling, attempting to sell, distributing or exchanging alcoholic beverages, tobacco, tobacco products or illegal and/or controlled substances, counterfeit and designer drugs, or paraphernalia for use of such drugs or be under the influence of any such substances on school property or at a school function, on a school bus, or in a school vehicle. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."</p> <p>A student shall be considered "under the influence" if he or she has used any quantity of an illegal or unauthorized substance or alcohol within a time period reasonably proximate to his/her 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.</p> | II – III |
| Arson/Fire | Attempting to, aiding in, or setting fire to a building or other property | II – III |

| Offense | Definition | Range of Consequences |
|--|---|-----------------------|
| Bullying/Cyberbullying | Bullying includes a variety of negative acts carried out repeatedly over time often based on a, real or perceived imbalance of power. Cyberbullying (also referred to as "Internet bullying") includes the use of any technological tool for harassing, teasing, intimidating, threatening, or terrorizing another student or staff member, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or web site postings, chat room postings, blogs, or by any other electronic means (including social media/networks), when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees. | II – III |
| Bus Misbehavior | Any violation of bus behavior rules (as listed in the student handbook) including but not limited to excessive noise, pushing, shoving, fighting, harassment, and discrimination will not be tolerated. | I – II |
| Cheating/Academic Dishonesty | Copying, plagiarizing, altering records, or assisting another in such actions. | I – II |
| Classroom Policy Violation | Behavior that is in violation of established classroom policies and/or procedures. | I – II |
| 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. Misusing computer/electronic communications devices, including any unauthorized or inappropriate use of computers, software, or Internet/intranet account; accessing inappropriate websites; evading the District's content filter; using an outside wireless network; or any other violation of the District Acceptable Use Policy. Unauthorized use of personal electronic devices/equipment (i.e., cell phones, MP3 devices, cameras, and other personal electronic devices deemed inappropriate by the administration). Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system is prohibited. | I – II |
| Cutting Class | Illegal absence from a class or school activity. | I – II |
| Defamation | False or unprivileged statement or representation about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group. This can include posting or publishing text, video, audio recordings or pictures by any electronic or non-electronic means. | I – II |
| Destruction of Property/Vandalism | Damage, destruction, or defacement (graffiti) of property belonging to another or the school. | II – III |

| Offense | Definition | Range of Consequences |
|--|--|-----------------------|
| Discrimination | Discrimination, based on a person's actual or perceived race, age, sexual orientation, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, or disability as a basis for treating another in a negative manner on school property or at a school function. | I – III |
| Disrespect Toward Others | Inappropriate comment or physical gesture to a student, teacher, staff member or other adult. | I – II |
| Disorderly Conduct | Behavior disturbing the atmosphere or order, to include obstructing or restraining the authorized or lawful movement or participation of another. | I – II |
| Disruption – Classroom | Behavior that is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. | I – III |
| Disruption – School | Behavior that interferes with the safe and orderly environment of the school or school activity. | I – III |
| Driving/Parking Violations | Failure to obey all state, district, and campus traffic and parking signs and rules. | I – II |
| Failure to Serve Assigned Consequences | Failure to serve detention, Saturday detention, suspension or other assigned consequences. | I – II |
| False Alarms/Bomb Threats | Initiating a report or warning of fire, or catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher. | II – III |
| Fighting | A hostile confrontation with physical contact involving two or more students. | II – III |
| Fireworks or Explosives | Possession, use, and/or threat to use a firework, including a firecracker or sparkler, smoke bomb, flare, combustible or explosive substance, or look alike. | II – III |
| Gambling | Wagering money or property. | I – III |
| Harassment | Harassment, the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender or sex. | I – III |

| Offense | Definition | Range of Consequences |
|--|---|-----------------------|
| Hazing | Negative or reckless act required for the purpose of initiating into, affiliating with, or maintaining membership in any activity, organization, club, or team. | I – III |
| Indecent Exposure | Exposing the private parts of the body in a lewd or indecent manner. | I – II |
| Insubordination | Refusing to follow reasonable requests of teachers, staff, or administration, including failure to identify self or knowingly providing false information. | I – III |
| Leaving school grounds without permission | Leaving school grounds during regular school hours without written or verbal permission from parent/guardian, administrator or some one listed on the emergency procedure card. | I – II |
| Loitering | Idle presence in an area without authorization. | I – II |
| Verbal or Physical Assault on Staff/ Students/Others | Assault, or aggressive physical action, directed at students, staff, or others, including a situation where a staff member is intervening in a fight or other disruptive activity. | II – III |
| Possession of Disruptive Items | Unauthorized possession of a sound box, laser pointer, squirt gun, water balloon, personal audio device, or any other disruptive item. | I – II |
| Inappropriate Use of Electronic Devices | The District prohibits use of personal technology in locker rooms, restrooms, health offices, classrooms, and any other areas where a person would reasonably expect some degree of personal privacy. Recording or video taping of instruction and/or classroom activities is prohibited unless permission is given by the teacher. | I – II |
| Possession of Skateboards/Roller blades/Scooters | Unauthorized use or possession of a skateboard, scooter, or roller blades on school property. | I – II |
| Profanity | Using vulgar or abusive language, cursing, or swearing. | I – II |
| Sexual Harassment | Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature. | I – III |
| Tardiness | Lateness to school or class. | I – II |
| Theft | Taking or obtaining property of another without permission of the owner. | I – III |

| Offense | Definition | Range of Consequences |
|--|---|-----------------------|
| 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 other person. | I – III |
| Tobacco Violation | Possession or use of any tobacco product including lighted or unlighted cigarette, cigar, cigarillo, pipe, bidi, clove cigarette, spit/spitless tobacco, tobacco product (smokeless, dip, chew, snus and/or snuff), e-cigarettes, e-cigs, vaporizers, and any other products containing nicotine. | I – II |
| Trespassing | Unauthorized presence on school property, including while on suspension. | I – II |
| Truancy | Unlawful absence without parental knowledge and/or permission. | I – II |
| Weapon Possession | Possession of a weapon. (Reference page 4) | II – III |

REPORTING VIOLATIONS OF THE CODE OF CONDUCT

Any student or visitor who observes a violation of the code of conduct should report it immediately to a staff member. Any staff member who observes, or is made aware of a violation of the code of conduct should address the violation directly or report it to an administrator or the Dignity Act Coordinator (DAC).

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 handled solely through the district's student discipline system. Examples of acts of misconduct that require the exercise of such judgment include, but are not limited to, fighting, threat of bodily harm to another individual or property, harassment, theft, and property damage. The district's staff has the responsibility to administer district policies, rules and regulations governing student conduct in a reasonable manner taking into account the age level, maturity and/or disability of the particular student involved, as well as the seriousness of the offense.

The Building Principal, or program supervisor must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal learns of the violation. The notification may be made by telephone, followed by a letter mailed on same day as the telephone call is made. The notification must identify the student(s) and explain the conduct that violated the code of conduct and constituted a crime.

TEACHER REMOVAL OF DISRUPTIVE STUDENTS

A disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. Such disruptive students can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In many instances the classroom teacher can control disruptive student behavior by using good management techniques. Occasionally, however, it may be necessary for a teacher to remove a disruptive student from the classroom to ensure that the other students continue to learn. A classroom teacher may remove a student from class for up to two days if the teacher determines that the student is disruptive or poses danger to self or others. The removal from class applies to the class of the removing teacher only. A class at the K-5 level is the interval of time devoted to instruction in a specific subject matter area.

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

If the student does pose a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, personally and orally explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within one full school day.

The teacher must complete a district-established referral form and meet with the building administrator(s) as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the referral forms. If the building administrator is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the building administrator prior to the beginning of classes on the next school day.

Within twenty-four hours after the student's removal, the teacher must notify the student's parent of the removal and provide the reason(s) for the removal. The notification should be made by telephone, followed by a letter or a copy of the referral form. The principal must verify by telephone the teacher's notification and, in addition, inform the parent of his/her right to an informal conference, which will include the student, parent, teacher and principal. At the conference, the teacher and principal will present the reason(s) for the removal and intervention(s) to remedy the cause for the removal. The informal conference also will allow the student to present his or her version of the event(s). The informal conference must take place by the end of the second full school day after the student's removal from class. These timelines may be extended by mutual agreement of the parent, teacher, and principal. In the case of multiple removals of a student on the same day, an informal conference involving all appropriate teachers may be held. The unavailability of the parent for telephone contact or informal conference will not impede the removal process. In this case, the student maintains the right to an informal conference.

The principal may overturn the removal of the student from the class only if in the principal's judgment there is a lack of substantial evidence to support a removal, there is violation of law, there is justification for suspending the student from school, or the removal is inconsistent with the code of conduct. Accordingly, after discussion with the teacher, the principal may return the student to class. At the teacher's discretion, he/she may rescind the removal prior to the two-day removal period.

After meeting with an administrator, a student who is removed from class may be placed in a supervised setting until the period of removal is completed. As soon as possible, but no later than the beginning of the next school day, the removing teacher must provide a guide for instruction (on a district prepared form) and appropriate instructional material(s). Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his/her class. Teachers must ensure that the cumulative days of removal of a special education student do not violate state or federal law or regulation. The principal must keep a log of all removals of students from class.

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

STUDENTS WHO ARE REPEATEDLY SUBSTANTIALLY DISRUPTIVE OF THE EDUCATIONAL PROCESS OR REPEATEDLY SUBSTANTIALLY INTERFERES WITH THE TEACHER'S AUTHORITY OVER THE CLASSROOM

Any student, other than a student with a disability, who engages in conduct that results in the student being removed from the classroom by teacher(s) on five or more occasions in a school year, will be suspended from school for one day. Any student, other than a student with a disability, who engages in conduct that results in the student being removed from the classroom on ten or more occasions in a school year, by the same teacher or multiple teachers will be suspended from school initially for three days. The principal has the authority to modify the three-day suspension on a case-by-case basis. If the principal wishes to seek a suspension of greater than five days, he or she will activate the superintendent's hearing process provided in NYS Education Law §3214, with its required notice provisions. In addition, there may be an occasion when it is appropriate to refer a disruptive student to a school counselor or psychologist who in turn may refer the student (and parent) to appropriate human services organizations outside the school.

CORPORAL PUNISHMENT

Corporal punishment, as used in this code, means any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee, officer, or agent of the district is strictly forbidden, except as otherwise provided in the following paragraph.

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

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

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 laws and regulations.

CHANGE OF PLACEMENT RULE

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

1. for more than ten (10) consecutive school days; or
2. for a period of ten (10) consecutive school days or less, if the student is subjected to a series of suspensions or removals that constitute a pattern because they accumulate to more than ten (10) school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed, and the proximity of the suspensions to removals to one another.

School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the district may impose a suspension or removal that would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the Committee on Special Education (CSE) has determined that the behavior was not a manifestation of the student's disability.

SPECIAL RULES REGARDING THE SUSPENSION OR REMOVAL OF STUDENTS WITH DISABILITIES

The district's CSE shall conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than ten (10) school days in a school year. The same activity will occur if the district is imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an interim alternative educational setting for misconduct involving weapons, illegal drugs, or controlled substances.

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

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

SEARCHES AND INTERROGATIONS

Board of Education Policy #7330 provides authorization to certain district officials to handle searches and interrogations on district property as explained in the following paragraphs.

STUDENT SEARCHES AND INTERROGATIONS BY DISTRICT OFFICIALS

The Board of Education is committed to ensuring an atmosphere on district property and at district functions that is safe and orderly. To achieve this kind of environment, any school official has reasonable suspicion to believe the student has engaged in or is engaging in illegal activity which is in violation of the law and/or rules of the school. Students are not entitled to any sort of Miranda-type warning before being questioned by district officials, nor are district officials required to contact a student's parent before questioning the student. However, district officials will tell all students why they are being questioned.

In addition, the Board authorizes Solvay school nurses, Principals, program supervisors, and teachers to conduct searches of students and their belongings. If reasonable suspicion exists to believe that a student has violated or is violating the law and/or school rules, it is permissible for an authorized school official to search that student's outer clothing, pockets, or property. The search may include, but is not limited to, the student's outer clothing such as a jacket or coat, pockets, backpack, and/or purse. Whenever possible, searches will be conducted by a staff member of the same sex as the student and, whenever possible, another staff member will be present as a witness.

A district official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district's employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, they make an admission against their own interest, they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the district official should attempt to get the student to admit that he or she possesses physical evidence that he or she violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

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

SEARCHES OF STUDENT LOCKERS, DESKS AND OTHER SCHOOL STORAGE PLACES

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces loaned by the school to students remain the property of the school, and may be opened and inspected by school employees at any time. The purpose of these searches, when they occur, is to ensure the safety of students, faculty and staff, enhance school security and prevent disruptions of the learning environment. Searches have been proven to have a deterrent effect on student behavior.

Students have no reasonable expectation of privacy with respect to school property; and school officials retain complete control over such property. This means that student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces may be subject to search and/or seizure of contraband/prohibited items at any time by school officials, without prior notice to students and without their consent. However, a student's personal belongings contained within the locker, desk, etc. are subject to the reasonable suspicion standard for searches by an authorized school official.

VISITORS TO THE SCHOOLS

Parents and other district residents are encouraged to visit the district's schools. However, since schools are places of work and learning, certain limits must be set for such visits. The specifics of those limits are covered in Board of Education Policy # 3210. The following rules apply to all visitors:

1. Anyone who is not a regular staff member or student of the particular school building visited is considered a "visitor".
2. The Principal of the school must be contacted by the person or group wishing to visit, and prior approval must be obtained for the visit.
3. Except for those who are attending a public meeting, performance, or athletic contest, visitors are expected to report to the building's main office upon arrival at the school.
4. Individuals who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher, so that classroom disruption is kept to a minimum.
5. Anyone visiting the schools must abide by the rules of public conduct contained in this code as well as those found in Board of Education Policy # 3410 "Code of Conduct on School Property".

PUBLIC CONDUCT ON SCHOOL PROPERTY

The district is committed to providing a safe, orderly, and respectful environment that is conducive to learning and working. To create and maintain this kind of an environment, it is necessary to regulate public conduct on district property and at school functions. Rules for conduct, as well as consequences for violation of those rules, are contained in this code and in Board of Education Policy # 3410 "Code of Conduct on School Property". In addition, note that Article 13 of the Public Health Law, the federal Pro-Children Act of 1994, and Board of Education Policy # 5640 prohibit smoking in any school buildings or on any school owned or leased property.

DISSEMINATION AND REVIEW

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

1. providing copies of a summary of the code to all students at the beginning of each academic year;
2. mailing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the academic year and making this summary available later upon request;
3. providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption;
4. providing all new employees with a copy of the current code of conduct when they are first hired; and
5. making copies of the code available for review by students, parents and other community members.

Annually, the Board of Education will review this code of conduct and update it as necessary. In conducting its review, the Board will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently. Before making any revisions to this code, the Board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

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

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

1. Providing a public hearing prior to Board approval.
2. Providing copies of a summary of the Code to all students, in an age-appropriate, plain-language version, at a general school assembly held at the beginning of each school year.
3. Making copies of the Code available to all parents at the beginning of the school year.
4. Providing a summary of the Code of Conduct 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 to the code as soon as practicable after adoption.
6. Providing all new employees with a copy of the current Code of Conduct when they are first hired.
7. Making copies of the Code available for review by students, parents and other community members and provide opportunities to review and discuss this Code with the appropriate personnel.

The Board will sponsor an in-service education program for all District staff members to ensure the effective implementation of the Code of Conduct. The Superintendent may solicit the recommendations of the District staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students.

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

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

The District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website, if available. The District shall file a copy of its Code of Conduct and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.

RELATED BOARD OF EDUCATION POLICIES

The following Board of Education Policies may give further clarification or support to the guidelines contained in this code of conduct document. Copies of any policies listed may be requested from the office in any school building of the district.

- #3210 VISITORS TO THE SCHOOL
- #3410 CODE OF CONDUCT ON SCHOOL PROPERTY
- #5640 SMOKING/TOBACCO USE
- #5720 TRANSPORTATION OF STUDENTS
- #7310 SCHOOL CONDUCT AND DISCIPLINE
- #7312 STUDENT DRESS CODE
- #7320 ALCOHOL, TOBACCO, DRUGS & OTHER SUBSTANCES (STUDENTS)
- #7330 SEARCHES AND INTERROGATIONS
- #7340 BUS RULES & REGULATIONS
- #7350 CORPORAL PUNISHMENT/EMERGENCY INTERVENTIONS
- #7360 WEAPONS IN SCHOOL & THE GUN-FREE SCHOOLS ACT
- #7420 SPORTS & THE ATHLETIC PROGRAM
- #7530 CHILD ABUSE & NEGLECT/MALTREATMENT
- #7550 DIGNITY FOR ALL STUDENTS
- #7552 BULLYING: PEER ABUSE IN THE SCHOOLS
- #7670 DUE PROCESS HEARINGS/SELECTION AND BOARD APPOINTMENT OF IMPARTIAL HEARING OFFICERS

