



***Code of Conduct***  
*Implementing Project SAVE and  
The Dignity for All Students Act*

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Martin Boettcher

**Candlewood Middle School**

Pamela Higgins

**West Hollow Middle School**

Steven Hauk

**High School East**

Dr. Milton Strong

**High School West**

Dr. Michael Catapano



## Introduction

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

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

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the Board adopts this Code of Conduct ("the Code").

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

*This document serves as the plain language version of the official Half Hollow Hills Board of Education Policy #5300.*

## Definitions

For purposes of this code, the following definitions apply.

- **"Bullying"** is a hostile activity, which harms or induces fear through the threat of further aggression and/or creates terror. Bullying may be premeditated or a sudden activity. It may be subtle or easy to identify, done by one person or a group. Examples of bullying include, but are not limited to:
  - *Verbal bullying* includes, but is not limited to, name calling, insulting remarks, teasing, violent threats, frightening phone calls, extortion, taunting, gossip, spreading of rumors and racist slurs.
  - *Physical bullying* includes but is not limited to, poking, slapping, hitting, tripping or causing a fall, choking, kicking, punching, biting, scratching, spitting, twisting arms or legs, damaging clothes and personal property or threatening gestures.
  - *Social or relational bullying* includes but is not limited to, excluding someone from a group, isolating, shunning, spreading rumors or gossiping, arranging public humiliation, undermining relationships, teasing about clothing or looks, giving dirty looks or aggressive stares.
  - *Cyberbullying* includes, but is not limited to, threatening electronic communications via social media, instant messages, text messages, email, blogs, chat rooms, gaming systems, and any social networking sites.
- **"Discrimination"** is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs.
- **"Disruptive student"** means any student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.
- **"Gender"** means actual or perceived sex, and a person's gender identity or expression. (N.Y. Education Law § 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 well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause an individual 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 (identity or expression) or sex. (N.Y. Education Law § 11.7)



- **“Hazing”** is an induction, initiation, or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or ridicule is likely to occur.
- **“Parent”** means parent, guardian or person in parental relation to a student.
- **“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 (including at the bus stop) as defined in Vehicle and Traffic Law § 142.
- **“School function”** means any school-sponsored extracurricular event or activity whether on or off school property, including, but not limited to, field trips and foreign travel.
- **“Student with a disability”** means a student classified as having a disability.
- **“Sexual orientation”** means actual or perceived heterosexuality, homosexuality or bisexuality. (N.Y. Education Law § 11.6)
- **“Violent student”** means a student under the age of 21 who:
  - Attempts / commits an act of violence upon a school employee.
  - Attempts / commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function.
  - Possesses, while on school property or at a school function, a weapon.
  - Displays, while on school property or at a school function, what appears to be a weapon.
  - Threatens, while on school property or at a school function, to use a weapon.
  - Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
  - Knowingly and intentionally damages or destroys school property.
- **“Weapon”** means a weapon or firearm as defined in Half Hollow Hills Board of Education Policy #5535.



## **New York State Dignity For All Students Act (DASA)**

No student shall be subjected to harassment, intimidation, discrimination or bullying by any school employee or student. All forms of harassment, intimidation, discrimination or bullying are strictly prohibited and will not be tolerated on school property and at school functions.

The Dignity Act (DASA) includes, but is not limited to the following 11 protected classes, groups or characteristics. The Dignity Act prohibits any discrimination based on actual or perceived characteristics. Students in Public Schools in New York State are protected from discrimination, harassment and persecution on the basis of actual or perceived:

- Race
- Color
- Weight
- National Origin
- Ethnic Group
- Religion
- Religious Practice
- Sex
- Gender
- Sexual Orientation
- Disability

In compliance with Section 801-a of New York State Education Law and the Dignity Act, all schools in the Half Hollow Hills Central School District will provide instruction in civility, citizenship and character education by expanding the concepts of tolerance, respect and dignity.

The Half Hollow Hills Central School District encourages student, family and community involvement in the reporting and prevention of discrimination and harassment. A Dignity Act Coordinator (DAC) has been appointed to each school building within the District. The Dignity Act Coordinator or the Principal's designee will investigate all reports of discrimination or harassment related to DASA.

### **Dignity Act Coordinators**

Otsego Elementary School -	Dr. Stacey Gillespie
Paumanok Elementary School -	Kendra Cooper
Signal Hill Elementary School -	Dr. Maryann Fasciana
Sunquam Elementary School -	Karen Littell
Candlewood Middle School -	Pamela Higgins
West Hollow Middle School -	Steven Hauk
High School East -	Dr. Milton Strong Dr.
High School West -	Michael Catapano
Vanderbilt Elementary School-	Martin Boettcher



## **Student Rights**

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

- Take part in all District activities on an equal basis regardless of race, color, creed, national origin, religion, gender or disability.
- Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
- Access school rules (Students will be required to sign an acknowledgment that they received a Student Handbook) and, when necessary, receive an explanation of those rules from school personnel.

## **Student Responsibilities**

All District students have the responsibility to:

- Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and their property.
- Be familiar with and abide by all District policies, rules and regulations dealing with student conduct.
- Attend school every day unless they are legally excused and be in class on time and prepared to learn.
- Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
- React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
- Work to develop mechanisms to control their anger.
- Ask questions when they do not understand.
- Seek help in solving problems that might lead to discipline.
- Dress appropriately for school and school functions in accordance with the adopted "Dress Code."
- Accept responsibility for their actions.
- Conduct themselves as representatives of the District when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
- Be forthcoming with information concerning violations of the Code.

## **Student Dress Code**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions including extracurricular and athletic activities. 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 and help students develop an understanding of appropriate appearance in the school setting and at school activities.



**A student's dress, grooming and appearance, including hair style/color, jewelry, make-up and nails, shall:**

- Be safe, appropriate and not disrupt or interfere with the educational process.
- Recognize that extremely brief, tight and short garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back), see-through garments and garments which expose bare midriffs are not appropriate.
- Ensure that underwear is completely covered with outer clothing.
- Include footwear at all times. Footwear that is a safety hazard will not be allowed.
- ?Permit head covers in school; however, head cover in classrooms are at the teachers' discretion except for a medical or religious purpose.
- Not include items that are vulgar, obscene, libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation, disability or gang related.
- Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
- Attire that may disrupt the educational process is unacceptable.

Each building principal or his or her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year. Additionally, the principal or his or her designee shall have the authority to determine what is a violation of the "Dress Code."

This code is designed to be a guide and is by no means all inclusive. Final decision concerning the appropriateness will be made by the building administration or principal.

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 out-of-school suspension. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out-of-school suspension.

## **Prohibited Conduct**

The Board of Education expects all individuals to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of students, District personnel and other members of the school community, and for the care of school facilities and equipment.

The best discipline is self-imposed, and individuals 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 student's ability to grow in self-discipline.

The Board recognizes the need to make its expectations for conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that, and focus on safety and respect for the rights and property of others. Individuals who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences/penalties for their conduct.

The Code of Conduct shall apply to conduct off of school property and/or outside of school functions, for conduct that may endanger the health or safety of pupils within the educational system, or adversely affect the educational process.



***Engage in conduct that is DISORDERLY. Examples of disorderly conduct include, but are not limited to:***

- Running in hallways.
- Making unreasonable noise.
- Using language, actions or gestures that are profane, lewd, vulgar or abusive.
- Obstructing vehicular or pedestrian traffic.
- Engaging in any willful act which disrupts the normal operation of the school community.
- Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
- Computer/electronic communications misuse, including any unauthorized use of computers, software, or Internet/Intranet account; accessing inappropriate web sites; or any other violation of the District's acceptable use policy.
- In addition, students are not permitted on school grounds outside of normal school hours without administrative authorization unless attending a school function or an event sanctioned by the school.

***Engage in conduct that is INSUBORDINATE and/or DISRUPTIVE. Examples of insubordinate or disruptive conduct include, but are not limited to:***

- Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
- Lateness for missing or leaving school without permission.
- Skipping detention.
- Being disrespectful or acting inappropriately toward teams, groups of people, or persons visiting the school.

***Engage in conduct that is VIOLENT. Examples of violent conduct include, but are not limited to:***

- Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee, or attempting to do so.
- Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property, or attempting to do so
- Possessing a weapon. See Board of Education Policy #5535. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
- Displaying what appears to be a weapon.
- Threatening to use any weapon.
- Damaging, defacing or destroying the personal property of a student, teacher, administrator, other District employee or any person lawfully on school property, including using graffiti or arson.
- Damaging, defacing or destroying school District property.





***Engage in conduct that ENDANGERS THE SAFETY, MORALS, HEALTH OR WELFARE OF THEMSELVES AND/OR OTHERS. Examples of such conduct include, but are not limited to:***

- The sending, receiving or forwarding of sexually provocative language, images, nude or nearly nude photos and/or videos through text message, email or other digital means which can be used to hurt, harass and humiliate others. In cases where a student engages in such conduct, and school officials have reason to believe the images involved constitute child pornography, a referral will be made to the appropriate law enforcement officials.
- Possessing, consuming, sharing, selling, distributing or exchanging alcoholic beverages or illegal substances or prescription drugs or over-the-counter medicine or being under the influence of any of the above. Being under the influence of “illegal substances” includes, but is not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances, commonly referred to as “designer drugs.”
- Using or sharing prescription and over-the-counter drugs.
- Possession of drug paraphernalia, including, but not limited to: pipes, bongs, rolling papers, grinders, lighters, plastic bags used for packaging and distribution of drugs, scales, and any other items used for distribution, packaging, exchanging or use of drugs, whether in school, at school facilities or at school functions conducted off school grounds.
- Lying to or concealing the truth from school personnel.
- Stealing/acquiring the property of other students, school personnel or any other person lawfully on school property or attending a school function.
- Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
- Discrimination, which includes, but is not limited to the use of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation or gender (including gender identity and expression) as a basis for treating another in a negative manner. See definitions.
- Harassment, including sexual harassment and bullying. See definitions.
- Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
- Hazing. See definitions.
- Using vulgar or abusive language, cursing or swearing.
- Possessing, smoking, selling, distributing or exchanging a cigarette, cigar, pipe or using chewing or smokeless tobacco, electronic cigarettes, Hookah cigarettes or possessing tobacco products as defined by the Board of Education Policy and Suffolk County Legislation.
- Gambling.
- Selling, using, or possessing obscene material.
- Indecent exposure, that is exposure to sight of the private parts of the body in a lewd or indecent manner.
- Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- Engaging in any activity that violates any local state or federal law.
- Bullying is understood to be a hostile activity, which harms or induces fear through the threat of further aggression and/or creates terror. Bullying involves an imbalance of power or strength and can manifest itself physically, verbally or through non-verbal communication such as gestures or social exclusion.
- Cyber bullying (also known as “digital” or “electronic bullying”) which is the repeated use of information technology such as the Internet, email, social networks, instant messaging services, blogs, cell phones and gaming systems to deliberately harass, threaten or intimidate others. Cyber bullying may involve sending mean, vulgar or threatening messages or images; posting sensitive or private information about another person; pretending to be someone else in order to malign that other person; or intentionally excluding someone from an internet-based group or activity.
- Students may not be in possession of any type of medication. All prescriptions and medications must be given to and dispensed by the school nurse.





### ***Engage in HAZING, INITIATION ACTIVITIES, HARASSMENT AND BULLYING:***

Hazing, initiation activities, harassment and bullying are abusive and often illegal behaviors that harm victims and negatively impact the school environment by creating an atmosphere of fear, distrust, mean-spiritedness, intimidation and intolerance. Hazing is especially troubling at the middle and high school levels because of issues of adolescence, in which many students are more vulnerable to peer pressure due to the tremendous need to belong, make friends and find approval from one's peer group. Accordingly, hazing, initiation activities, harassment and bullying will not be tolerated at any level in Half Hollow Hills as they are deemed dangerous, volatile of the law and district policy and immoral.

The purpose of this policy is to ensure a safe learning environment for students and staff that is free from hazing, initiation activities, harassment and bullying and that promotes respect, civility, dignity and equality. Hazing, initiation activities, harassment and bullying activities of any type are inconsistent with the educational goals of the District, and are condemned and strictly prohibited at all times. Moreover, it is the policy of the District that no student or adult will participate in or be members of any secret fraternity or sorority, athletic team, club or organization that is in any degree related to the school or to a school district activity which engages in any form of hazing, initiation activities, harassment or bullying, whether on school grounds, school buses or at all school-sponsored activities, programs and events, including those that take place at locations outside the district.

#### General Policy Statements

A. No student, teacher, coach, administrator, paraprofessional, volunteer, contractor or other employee of the District shall plan, direct, encourage, aid or engage in hazing, initiation activities, harassment or bullying.

B. No student, teacher, coach, administrator, paraprofessional, volunteer, contractor or other employee of the District shall permit, condone or tolerate hazing, initiation activities, harassment or bullying.

C. The District strictly prohibits students, teachers, coaches, administrators, paraprofessionals, volunteers, contractors or other employees of the District from engaging individually or collectively in any form of hazing, initiation activities, harassment or bullying on school property, off school property or on a school bus, in connection with any school activity or involving any person associated with the school, regardless of where it occurs.

D. Consistent with this policy, the District's Code of Conduct and the Athletic Code of Conduct, any student who participates in hazing, initiation activities, harassment or bullying will face immediate and strong disciplinary action, up to and including suspension, expulsion, exclusion and loss of the privilege of attendance and participation in extracurricular activities and sports and school events (i.e., graduation, prom, dances, field trips, etc.)

E. Students, teachers, coaches, administrators, paraprofessionals, volunteers, contractors or other employees who participate in hazing, initiation activities, harassment or bullying will also be referred to appropriate law enforcement authorities and may face subsequent prosecution for hazing, harassment or assault.

F. Consent is no defense to a charge of hazing, initiation activities, harassment or bullying. Apparent permission or consent by a person being hazed, initiated, harassed or bullied does not lessen the prohibitions or penalties contained herein.

G. This policy applies to behavior that occurs on or off school property or on any school bus ride and during, before and after school hours.

**Reporting-** In order for the District to effectively enforce this policy, it is essential that all victims of hazing, initiation activities, harassment or bullying and persons with knowledge of hazing, initiation activities, harassment or bullying report them immediately. Visit our website at [hhh.k12.ny.us](http://hhh.k12.ny.us) to access forms for reporting any complaints.

**School District Action-** the District will promptly investigate all complaints, either formal or informal, verbal or written of hazing, initiation activities, harassment or bullying.



### ***Engage in MISCONDUCT WHILE ON A SCHOOL BUS OR AT A BUS STOP:***

It is crucial for students to behave appropriately at the bus stop and while riding on District buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves at the stop and/or on the bus in a respectful manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.

### ***Engage in MISCONDUCT WHILE AT A SCHOOL-SPONSORED ACTIVITY on or off school property. Examples of such conduct include, but are not limited to:***

- Conduct that is disorderly, insubordinate, disruptive, violent, and/or endangers the safety, morals, health or welfare of themselves or others.
- Activation of cell phones, tablets, laptops or any other electronic device, without prior approval from the Principal.

### ***Engage in any form of ACADEMIC MISCONDUCT. Examples of academic misconduct include, but are not limited to:***

- Plagiarism
- Cheating
- Copying
- Altering records
- Assisting another student in any of the above actions

## **Student Use of Electronic Devices**

To avoid disruption of the learning process and to prevent possible theft, cell phones, tablets, laptops or any other electronic devices are not to be activated or visible during the school day (7:15 a.m.- 2:00p.m.) p.m. at the high schools, 7:45 a.m.-2:40 p.m. at the middle schools) without prior written approval from the Principal. These items may be confiscated if activated or visible in school, and only released to the student's parent or guardian. However, in the event of a school-related emergency, cell phones may be activated and visible.

Requests for the approved usage of electronic devices during the school day must originate from a teacher and must be accompanied by a detailed description of the intended use. Requests may be granted only for specific time periods as articulated in the description of intended use. Requests for unlimited use within the building or throughout the day will not be approved. Requests will not be accepted from students or their families.

## **Zero Tolerance for Drugs, Alcohol and Weapons**

The Half Hollow Hills Central School District has "zero tolerance" for drugs, alcohol and the possession of weapons. Students who are involved with drugs, alcohol or are in possession of a weapon in the school setting or at a school related event will be suspended from school and automatically referred for a Superintendent's Hearing for an extended out of school suspension. If a student is found to be in possession of an illegal substance of any quantity or a weapon, law enforcement personnel will be called and the student may be arrested at the school. The school administration will cooperate with the police and provide them with any relevant information regarding the incident. The Half Hollow Hills Central School District's Code of Conduct includes specific prohibition against the possession of drug paraphernalia and weapons (see *Prohibited Conduct*).



## **Notification of Law Enforcement**

The Half Hollow Hills Central School District will notify law enforcement when a student has been found to be in possession of:

- drugs, alcohol or related paraphernalia
- a weapon
- child pornography

When a threatening statement is directed to a school, student or group of students, staff members, law enforcement personnel will be notified. This includes, but is not limited to statements made verbally, written, or via digital means (i.e. text messages, social media, email, etc.).

## **Disciplinary Penalties, Procedures and Referrals**

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

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

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

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

Students with a disability can be suspended even if the incident is related to his disability if the incident is related to the safety of others. Discipline, if warranted, shall be administered consistent with federal law and Board of Education Policies for disciplining students with a disability, or presumed to have a disability.

### ***Penalties***

Students who are found to have violated the District's Code of Conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

- Oral warning - any member of the District staff.
- Written warning - coaches, activity directors, guidance counselors, teachers, principal, and Superintendent.
- Written notification to parent - coaches, activity directors, guidance counselors, teachers, principal, Superintendent.
- Detention - teachers, principal, Superintendent.
- Suspension from transportation - principal, assistant superintendent, Superintendent.
- Suspension from athletic participation - coaches, principal, Superintendent, or Superintendent's designee.
- Suspension from social or extracurricular activities - activity director, advisor, principal, Superintendent, or Superintendent's designee.
- Suspension of other privileges - principal, Superintendent, or Superintendent's designee
- In-school supervision - principal, Superintendent.



- Removal from classroom - teachers, principal.
- Short-term (five days or less) suspension from school - principal, Superintendent
- Long-term (Pursuant to Education Law § 3214 -more than five days) suspension from school, subject to a Superintendent's hearing - Superintendent, Board of Education.
- Permanent suspension from school - Superintendent, Board of Education

### ***Procedures***

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty. Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

### ***Minimum Periods of Suspension***

#### **Students who bring a weapon to or possess a weapon in school (See Board of Education Policy #5535):**

Any student found guilty of bringing or possessing a weapon on 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:**

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

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

#### **Students who commit violent acts other than bringing a weapon to school:**

Any student who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.



## **Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interferes with the teacher’s authority over the classroom:**

Any student who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom will be suspended from school for at least five days. For purposes of this Code, “repeatedly is substantially disruptive” means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law § 3214 (3-a) and this on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student’s parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

## **REPORTING VIOLATIONS**

All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, the building principal or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the 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 who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution.

The building principal or his or her designee must notify the appropriate local law enforcement agency of those Code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or his or her designee learns of the violation. The notification may be made by telephone. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.