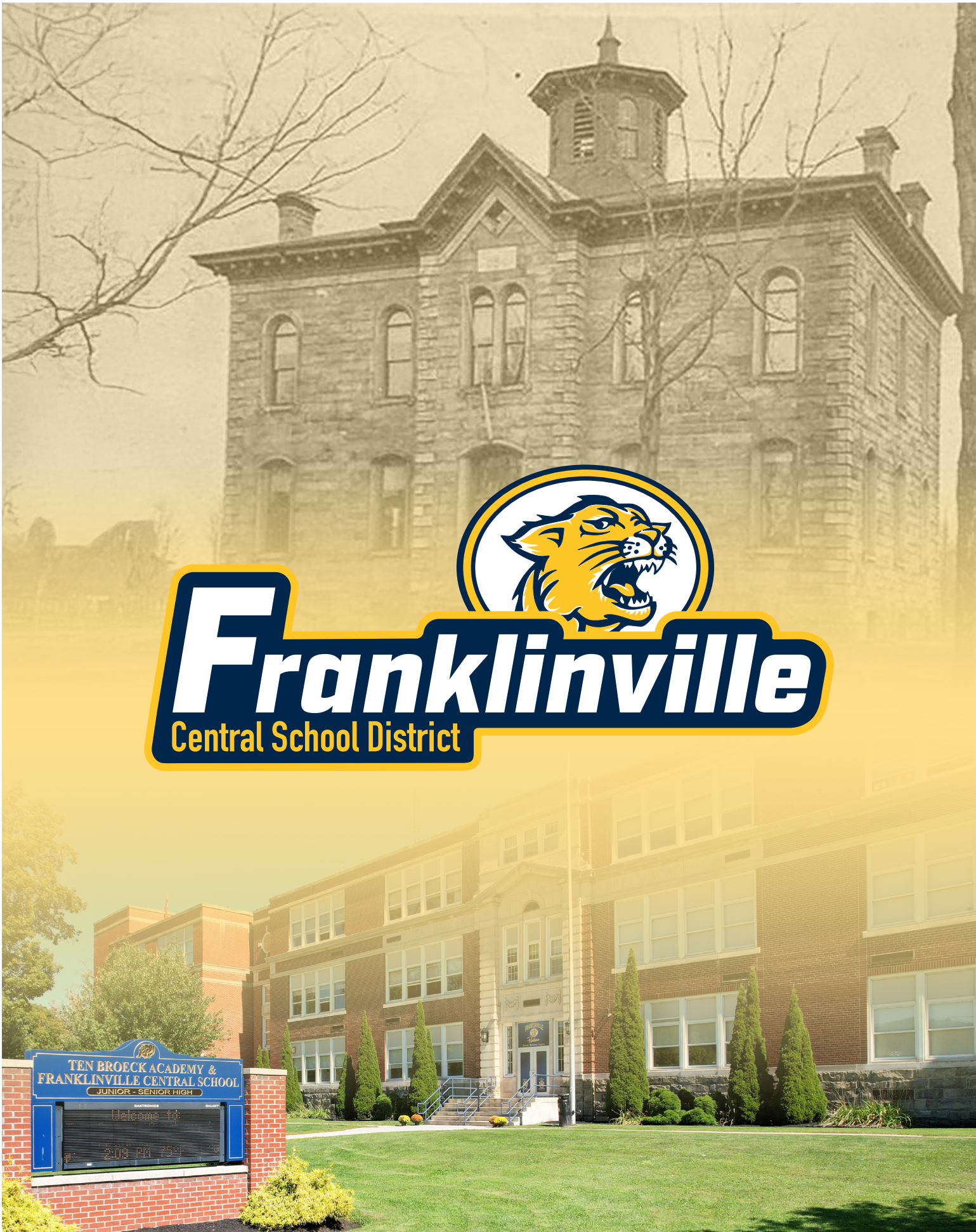


# FRANKLINVILLE CENTRAL SCHOOL DISTRICT

## Code of Character, Conduct, & Support



*Preparing Students Today for the World Tomorrow*



# Franklinville

Central School District

# Table of Contents

<b>Introduction</b> .....	<b>4</b>
<b>Our Goal</b> .....	<b>5</b>
<b>Core Principles</b> .....	<b>6</b>
<b>Why Knowing the Code Matters</b> .....	<b>7</b>
<b>Guiding Principles: Restorative Practices</b> .....	<b>8</b>
<b>Where the Code Applies</b> .....	<b>9</b>
<b>Student Rights</b> .....	<b>10</b>
<b>Student Responsibilities</b> .....	<b>11</b>
<b>Parent &amp; Guardian Rights and Responsibilities</b> .....	<b>12</b>
<b>Educator &amp; Administrator Rights and Responsibilities</b> .....	<b>13</b>
<b>Student Dress Code</b> .....	<b>14</b>
<b>Student Use of Personal Technology</b> .....	<b>15</b>
<b>Digital Citizenship</b> .....	<b>16</b>
<b>Prohibited Student Conduct</b> .....	<b>17</b>
<b>Interventions and Consequences</b> .....	<b>18</b>
<b>Responding to Behavior Violations</b> .....	<b>19</b>
<b>Levels of Behavior Response</b> .....	<b>20-24</b>
<b>Districtwide Behavior Chart: Interventions and Consequences</b> .....	<b>25-35</b>
<b>Reporting Violations</b> .....	<b>36</b>
<b>Getting Help with a Problem</b> .....	<b>37-39</b>
<b>Reporting Discrimination, Bullying, or Harassment</b> .....	<b>40-41</b>
<b>Dignity Act Coordinators</b> .....	<b>42</b>
<b>Mental Health Services Providers</b> .....	<b>43-48</b>
<b>Understanding Types of Discipline</b> .....	<b>49-54</b>
<b>Discipline of Students with Disabilities</b> .....	<b>55-59</b>
<b>Corporal Punishment</b> .....	<b>59</b>
<b>Student Searches and Interrogations</b> .....	<b>60-62</b>
<b>Visitors to the School</b> .....	<b>63</b>
<b>Public Conduct on School Property</b> .....	<b>64-65</b>
<b>Dissemination of the Code of Character, Conduct, and Support</b> .....	<b>66</b>
<b>Appendix A: Definitions</b> .....	<b>66-71</b>
<b>Appendix B: Chain of Communication</b> .....	<b>72-73</b>
<b>Appendix C: Athletic Code of Conduct</b> .....	<b>74-81</b>

# INTRODUCTION



The Franklinville Central School District's Code of Character, Conduct, and Support is a resource for students, staff, families, and community members meant to serve as a tool for promoting student success. The Code of Character, Conduct and Support reflects our commitment to creating a safe, nurturing, and empowering environment where everyone feels valued and can thrive. It sets forth a framework for responsible behavior, ethical decision-making, and compassionate interactions. It serves as a compass to help students develop strong moral character, make responsible choices, and treat others with kindness, empathy, and understanding.

At the Franklinville Central School District, we believe that education goes beyond academics and encompasses the development of strong character traits and ethical values in our students. We understand that fostering a positive and inclusive learning environment is vital for the overall growth and success of each individual. Therefore, we have crafted this comprehensive Code to guide students, staff, parents, and community members in upholding the highest standards of character, respect, and support within our school community. We believe that character development is a shared responsibility and that, by working together, we can create a positive and transformative educational experience for all.

Our Code emphasizes the core values we hold dear: integrity, respect, responsibility, empathy, and inclusivity. We believe that integrity is the foundation of all character traits, encouraging honesty, trustworthiness, and ethical behavior. Respect encompasses valuing the dignity, diversity, and opinions of others, while responsibility fosters accountability, diligence, and commitment. Empathy helps us develop a deep understanding of others' experiences and emotions, promoting compassion and kindness. Inclusivity ensures that all members of our community are valued and embraced regardless of their background, abilities, or beliefs.

Within this Code, you will find guidelines for behavior, both inside and outside the classroom. It addresses various aspects of student conduct, including academic honesty, digital citizenship, respect for oneself and others, conflict resolution, and support for those in need. By adhering to these principles, we can create an environment where everyone feels safe, supported, and inspired to reach their full potential. Through our collective efforts, we are committed to cultivating a learning environment where character flourishes, excellence is celebrated, and everyone can thrive as we journey toward a brighter future.

---

## Our Goal

---

The goal of good conduct is based on the principles of civility, mutual respect, citizenship, tolerance, honesty and integrity. We expect every student at all grade levels, teachers, and other district personnel and parents to engage in positive social behaviors, respectful and caring communication, and responsible decision-making—essential qualities of character that promote this goal.



---

The Board recognizes the need for Franklinville Schools to:

1. Promote healthy social and emotional development and personal accountability for every student at all grade levels,
2. Clearly define rules and expectations for acceptable conduct on school property and at school functions that all adults are committed to support and model,
3. Identify and implement fair, clear, standardized, and timely consequences when students engage in unskillful, inappropriate, and/or unacceptable behaviors,
4. Identify and implement restorative and accountable interventions that support every student to improve behavior and academic performance by strengthening their self-management and social and emotional competencies,
5. Increase capacity and accountability of teachers, administrators, and student support specialists to promote positive behaviors, prevent inappropriate, unacceptable, and/or unskillful behaviors, and intervene early and effectively when students are struggling with academic, attendance, behavioral, mental health, or family challenges, particularly students who are experiencing multiple barriers to school success, and
6. Strive to ensure that no student is subject to harassment, bullying, and/or discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity and expression or sex, language or other reasons, by employees or students on school property, on a school bus, or at a school function.

# CORE PRINCIPLES

1

The following principles form the foundation for creating safe, civil, caring, supportive and high achieving students. The district's social and emotional learning vision aims to create collaborative school environments built on cultural sensitivity, positive and supportive relationships, where students and staff feel safe, valued, respected, and encouraged to be curious, take risks, and learn from their mistakes. The district will foster a community of self-aware, compassionate, critical thinkers who are motivated to pursue their passions. Social and emotional competencies contribute to improved academic and personal outcomes and enable students to learn and practice how to:

- manage their emotions
- set goals
- feel and show empathy for others
- create positive relationships
- make good choices

2

All students are capable of achieving their personal best, and when necessary, improving their behavior with guidance, instruction, support, and coaching.

3

Different students need different kinds and amounts of time, attention, instruction, and supports to behave responsibly and succeed academically.

4

Clear, fair, standardized, and timely consequences signal that a student's actions are deemed to be inappropriate, unacceptable, and unskillful.

5

Restorative interventions involve the part of the process where students take responsibility for what they have said and done, reflect on the impact of their behavior, self-correct to right themselves, problem solve, make amends to repair the harm, learn new skills, and restore their good standing. Restorative practices including facilitation of classroom and student support circles, build community and help adults and students to make things right when the integrity of the community is challenged by harmful behaviors. Responsive listening and engaged dialogue are fundamental elements of circles, conferences, and other restorative interventions.

6

Students are more likely to behave appropriately when:

- they understand the positive behaviors that are expected of them,
- they feel that staff members care about them and will help them learn and grow,
- all school staff consistently use shared language and practices, and
- all staff provide recognition and feedback for behaving appropriately, making their best effort, and completing high-quality work.

7

Effective discipline helps students become more self-managed and teaches students to become more socially and academically skillful.

8

Adults – teachers, principals, administrators, school staff, parents and the larger community have an obligation to help students learn to be good citizens and lead productive lives by:

- enabling them to discern right from wrong,
- fostering in them the desire to do what is good, and
- encouraging them to take responsibility for their words and actions.

9

Appropriate disciplinary responses should emphasize prevention and effective intervention, prevent disruption to students' education, and promote the development of a positive school culture.

# Why Knowing the **CODE** Matters



## **STUDENTS**

The Code of Conduct is your guide for behavior at school. Your principal, teachers, and other staff members will support your efforts to be successful in the social and academic behaviors and emotional skills that are expected at school. When you follow the expectations and rules in the Code, you will be demonstrating your good citizenship and character and helping to make your school an equitable, safe, civil, caring, and supportive learning environment for everyone. The Code also describes specific behaviors that are unacceptable at school and explains the consequences and interventions that will be assigned to you when your conduct does not meet expected standards of behavior. This is your guide to understanding your rights and responsibilities.



## **PARENTS & GUARDIANS**

The Code of Conduct is your guide for understanding the social and academic behaviors and emotional skills that are expected of your child at school and how school principals, teachers and staff will work with you and your child to help them demonstrate positive behavior and enjoy academic success. The Code also provides you with information about you and your child's rights and responsibilities. It also lists the kinds of behaviors that are not acceptable. Finally, the Code explains the interventions and consequences that will be enforced and implemented if your child violates school rules and policies. Please read the Code with your child and discuss any questions you have with the administrators at your child's school.



## **STAFF**

The Code of Conduct is your guide for supporting positive student behavior at school. It will help you prevent disciplinary problems through the use of effective strategies and systems. It will provide guidance for intervening effectively and appropriately if students don't meet expected standards of behavior or violate school rules and policies. If you have concerns about safety or your school's climate, please talk to your school principal so that you and your school administration can work together to maintain a safe and orderly learning and work environment.



## **ADMINISTRATORS**

The Code of Conduct is your guide for supporting an equitable, safe, orderly, and productive learning environment. It will help you to promote positive student behavior at school. It provides guidance in supervising and monitoring effective implementation of school-wide expectations, rules, policies, systems, and practices. It will help the school to address students' behaviors and support students to turn around unacceptable behaviors and get back on track to school success through accountable and restorative interventions.

# GUIDING PRINCIPLES: RESTORATIVE PRACTICES

Restorative practices prioritize the well-being of all individuals involved, including students, teachers, and staff, by promoting a positive and supportive learning environment. Unlike traditional punitive measures, restorative practices focus on repairing harm, building relationships, and fostering empathy and accountability. By encouraging open dialogue, active listening, and collaborative problem-solving, restorative practices empower students to take responsibility for their actions and learn from their mistakes. These practices not only help resolve conflicts peacefully but also teach valuable life skills that promote respectful communication, conflict resolution, and empathy. We firmly believe that by implementing restorative practices, we are equipping our students with essential tools to navigate challenges, build strong relationships, and become compassionate responsible individuals in both their academic and personal lives. Restorative practices require students to own the problem, reflect on the impact of their behavior on themselves and others, and understand why the behavior was unacceptable or inappropriate. Effective use of restorative practices requires that the person whose actions we are attempting to correct must be in a place where they admit they were wrong and want to make amends or alter their behavior.

Restorative practices encompass a variety of strategies and approaches that aim to promote positive behavior, strengthen relationships, and resolve conflicts in schools. Examples include:

- Circle Meetings: These are structured gatherings where students and staff sit in a circle and engage in open discussions. Circle meetings provide a safe space for participants to share their thoughts, concerns, and experiences, fostering a sense of community and promoting respectful communication.
- Restorative Conferences: These involve bringing together the individuals involved in a conflict or harm, including the affected parties and their supporters. Facilitated by a trained mediator, restorative conferences encourage active listening, empathy, and understanding, with the goal of reaching a mutually acceptable resolution and repairing the harm caused.
- Restorative Questions: When conflicts or incidents occur, restorative questions are used to guide the conversation and encourage reflection. Examples of restorative questions include “What happened?”, “Who has been affected?”, “What can we do to make things right?”, and “How can we prevent this from happening again?”
- Restorative Reflection and Repair: After an incident, restorative practices emphasize reflection and repair. This may involve engaging in activities like letter writing, apologies, community service, or other actions designed to restore relationships and demonstrate accountability.

# Where the **CODE** Applies

The code of conduct applies to:

This code applies to all participants in a Franklinville event, including but not limited to students, parents, guardians, teachers, staff, administrators, and community members.

The Franklinville Code of Character, Conduct, and Support applies to incidents that occur as follows:

- In school and on school property during school hours
- Before and after school, while on school property
- While traveling in vehicles funded by the Franklinville Central School District
- At all school-sponsored events regardless of the location
- Outside of school and/or off of school property when such behavior can be demonstrated to negatively affect the educational process or to endanger the health, safety, morals, or welfare of the school community, and
- When misconduct involves communication, gestures or expressive behavior, the behavior infraction applies to oral, written or electronic communications, including but not limited to texting, emailing, and social networking.



# STUDENT RIGHTS

The Code of Character, Conduct, and Support describes specific behaviors that are unacceptable at school and explains the consequences that will be assigned when conduct does not meet expected standards of behavior. The district is committed to safeguarding the rights of all students under state and federal law. In addition, to promote a safe, healthy, orderly, and civil school environment, all students have the right to:



- Pursue a quality education in an atmosphere that is safe and conducive to learning.
- Enroll in the course of study offered by the District that will prepare you for a future at college or in a career.
- Be respected as individuals and treated fairly by fellow students and staff.
- Procedural due process guaranteed by the United States Constitution and New York State Education Law prior to disciplinary action taken against them.
- Freedom of speech and expression that do not interfere with the educational process or infringe upon the rights of others.
- Be heard when presenting their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
- Have access to school rules and, when necessary, receive an explanation of those rules from school personnel.
- Be protected from intimidation, harassment, or discrimination on school property or school functions, including but not limited to the educational program and activities of their school. Such conduct shall include but is not limited to, threats, intimidation or abuse.
- Have access to information concerning substance abuse, as well as access to individuals or agencies that can help you and your family members.

# STUDENT RESPONSIBILITIES

## **Responsibilities for Personal Conduct:**

- Attend school regularly and on time.
- Accept directions, requests, feedback, and support respectfully from adults.
- Be truthful about, and accountable for your words and actions.
- Be familiar with and follow school rules.
- Meet the standards of behavior in the Code of Character, Conduct, and Support.
- Contribute to maintaining a safe and orderly school environment that supports learning and shows respect to other persons and to property.
- Conduct yourself with the highest standards of conduct, behavior, and sportsmanship.
- Demonstrate self-discipline by making responsible behavioral and academic choices.
- Accept consequences when behavioral expectations are not met or school rules are violated.
- Make an effort to correct and improve unsafe behavior with the support of your teachers and staff.
- Dress appropriately for school and school functions.

## **Responsibilities for Learning:**

- Attend school every day unless legally excused and arrive on time to class.
- Work to the best of your ability in all academic and extracurricular activities and strive toward your highest level of achievement possible.
- Seek help when needed and ask questions when you do not understand.
- Be prepared to learn and challenge yourself to do your best.
- Bring an open mind and positive attitude to learning every day.

## **Responsibilities for Cooperating and Treating Others with Respect:**

- Treat others with kindness, care, and respect.
- Express your thoughts and opinions in ways that are polite, respectful, and courteous.
- Use a polite tone of voice and appropriate body language.
- Listen politely when others are speaking to you.
- Respect others' personal space and keep your hands to yourself.
- Work with others cooperatively in large and small groups.

## **Responsibilities for Respecting Property and Creating A Safe School Community**

- Help make school a community free of violence, intimidation, bullying, harassment, and discrimination.
- Ask for assistance when you need help resolving conflicts and differences.
- Report violations of the Code of Character, Conduct, and Support or other school rules.
- Contribute to the safety and well-being of our community that belongs to other students, adults, or the school.
- Use school technology appropriately as directed by adults.

# PARENT & GUARDIAN

## **RIGHTS:**

- Be actively involved in your child's education.
- Be treated courteously, fairly, and respectfully by all school staff.
- Receive timely information about policies and procedures that relate to their children.
- Receive regular reports from school staff regarding academic progress and behavior.
- Receive notification and information of inappropriate or disruptive behaviors by your children and of any disciplinary actions.
- Receive information about due process procedures for disciplinary matters concerning your children.
- Receive information about ways to improve your child's progress, including counseling, tutoring, afterschool programs, academic programs, and mental health services.
- Receive information about services for students with disabilities and English language learners.
- Be contacted when your child is believed to have committed a crime or when police are called.
- Receive communication through provided translators.

## **RESPONSIBILITIES:**

- Recognize that the education of your children is a joint responsibility of the parents and the school community.
- Send your children to school ready to participate and learn.
- Ensure your children attend school regularly and on time.
- Support your children by providing an environment suitable for homework and developing good study habits.
- Work with school staff to address any academic or behavioral struggles your children may be facing.
- Know and talk with your child about the expectations set forth in the Code of Character, Conduct and Support.
- Advocate for your children and take an active role in the school community.
- Be respectful and courteous to staff, other parents, guardians, caregivers, and students while on school premises.
- Teach children that all children have the right to attend school and be treated with respect and dignity.



# EDUCATORS & ADMINISTRATORS

## EDUCATOR RIGHTS:

- Work in a safe and orderly environment.
- Be treated courteously, fairly, and respectfully by students, parents, guardians, and other school staff.
- Communicate concerns, suggestions, and complaints to the school and district administration

## EDUCATOR RESPONSIBILITIES:

- Promote a safe, orderly, engaging school learning environment for all students.
- Recognize that children should be subject to behavior management, support and discipline policies appropriate with their ages and levels of understanding.
- Be respectful and courteous to students, parents, guardians, caregivers, other school personnel, and administrators.
- Serve as role models for students in action and interactions with others.
- Be prepared to teach and demonstrate interest in teaching and concern for student achievement.
- Communicate regularly with students, parents, and other school staff regarding student growth and achievement.
- Confront and report issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.

## ADMINISTRATOR RIGHTS:

- Work in a safe and orderly environment.
- Be treated courteously, fairly, and respectfully by students, parents, guardians, and other school staff.

## ADMINISTRATOR RESPONSIBILITIES:

- Promote a safe, orderly, engaging school learning environment for all students. Review the Code of Character, Conduct, and Support and procedures for reporting incidents with all staff and students at the beginning of the school year.
- Maintain confidentiality and respect student and parent rights to privacy.
- Develop the capacity of staff, students, and families to intervene regarding behavioral concerns.
- Ensure equity and that all students are treated fairly.
- Be responsible for enforcing the Code of Character, Conduct and Support promptly and fairly.
- Maintain safe and orderly schools by using prevention and intervention strategies in alignment with the Code.
- Be respectful and courteous to students, parents/guardians, and staff, serving as a role model for students and staff.



# STUDENT Dress Code

The Franklinville Central School District takes pride in the appearance of its students. The intent of the Dress Code is to foster an environment that is sanitary, safe and conducive to teaching and student learning. It is also intended to provide guidance to prepare students for their role in the workplace and society. All parents are expected to recognize that the education of their child is a joint responsibility of the parents and the school community. All students are expected to give proper attention to personal cleanliness and to dress for school and school functions in a manner that is in line with the principles of the Franklinville school community regarding respect for self and others. 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. Student attire should be a reflection of an atmosphere of mutual respect supported by the district and should not be a distraction to the learning environment. Restrictions to student attire and appearance must be necessary to support the overall educational goals of the school under the basic principle that specific areas of the body must be covered for all individuals at all times. Administration will determine whether or not clothing is appropriate. Students are expected to give proper attention to personal cleanliness and dress appropriately for school and school activities. Families are encouraged to guide their child(ren) to come appropriately dressed. All students' dress, grooming, and appearance shall:

1. Be safe, appropriate and not interfere with the educational process or negatively affect the general health, safety and welfare of district students and employees. No hazardous accessories to be worn.
2. Recognize that garments should be of appropriate length. All tops must cover the midriff and back when in a natural standing or sitting position. Hem of shirts should touch the top of pants/shorts/skirts in the front and back.
3. Include a shirt (with opaque fabric in the front, back, and on the sides under the arms) and opaque fabric pants/jeans or the equivalent (for example, a skirt, sweatpants, leggings, a dress, or shorts). Shirts should not be halter top or tube top style or include spaghetti strap, one-shoulder, or strapless dresses or tops. Straps on dresses and tops must cover undergarments. No altered tank tops with extended underarms should be worn. \*Additionally, all clothing, Tops, and bottom wear should be of modest length and fully cover all private areas.
4. Include safe footwear that is to be worn at all times. Footwear that is considered to be a safety hazard will not be allowed.
5. Not include the wearing of hats, hoods, or sunglasses, except for religious or medical purposes, during the school day. (May be worn only for special events that are announced.)
6. Not be vulgar, obscene or offensive to others.
7. Not include visible undergarments.
8. Not promote drugs, violence, alcohol, or tobacco in any way.
9. Accessories that could be considered dangerous or could be used as a weapon.
10. No backpacks, sports bags, messenger bags, over-the-shoulder bags, or large purses shall be carried during the school day. Such items shall be stored in students' lockers.

If a student is inappropriately dressed, the student may comply by: changing into or covering up with an article of clothing that complies with the basic principle, turning an inappropriate article of clothing inside out, wearing an article of clothing provided by the district, or contacting a parent/guardian to provide an article of clothing that complies with the basic principle.

# STUDENT USE OF PERSONAL TECHNOLOGY

To promote a proper educational environment, ensure examination security, and protect individual privacy, the Board reserves the right to restrict the use of both District-owned technologies and personal devices on school property or during school-sponsored events.

To promote a proper educational environment, ensure examination security, and protect individual privacy, the Board reserves the right to restrict the use of both District-owned technologies and personal devices on school property or during school-sponsored events.

## Prohibited Devices:

- The following devices are included, but are not limited to, in this policy:
- All personal internet-connected devices
- Cell phones
- iPods and MP3 players
- iPads, tablets, and other eReaders
- Personal laptops, notebooks, or any computing devices
- Cameras or other photographic equipment
- Wearable devices, including smartwatches and health monitors with a display
- Headphones, headsets, or in-ear headphones, such as earbuds
- Beepers

## Consequences for Violations:

Students who violate this policy will have their electronic equipment confiscated. The use of personal electronic devices is prohibited from the first bell of the instructional day until the last bell.

## Cyber Violations:

The District's Code of Conduct prohibits inappropriate or unauthorized use of technology (such as personal electronic devices and the internet) to engage in bullying, intimidation, threats, harassment, maligning, defaming others, or accessing non-academic websites (e.g., social networking, media downloads). Violations will be treated as classroom disruptions and will result in disciplinary action as deemed appropriate by the administration.

## Specific Offenses:

1. **First Offense (Warning):** Students may recover the device from the main office at the end of the school day.
2. **Second Offense:** The device will be confiscated, and a discipline referral will be issued. The level of discipline will be determined by the principal, and a parent/guardian must pick up the device.
3. **Third Offense:** The device will be confiscated, and the student may receive up to two days of In-School Suspension. A parent/guardian will be required to pick up the device, and students will not return to their normal class schedule until the In-School Suspension is served.

For any further violation beyond the third offense, a meeting will be required with the Superintendent, the student, and a parent or guardian to determine future compliance with this policy.

# DIGITAL CITIZENSHIP

The Franklinville Central School District recognizes that responsible use of electronic devices can have a positive impact on student learning and allows students to use acceptable electronic devices as specified by each respective school policy. Students may be authorized to use the Franklinville CSD technology equipment and Internet facilities and connections for study, research, and communications related to their assigned course work, approved co-curricular activities, and appropriate lifelong learning opportunities. The instructional use of the Internet is governed by the District's policies, regulations, practices, and procedures concerning the acquisition and use of textbooks, library books, and non-print media. Personal electronic devices (i.e. cell phones, smart watches, etc.) shall not be used in a manner that disrupts the flow of teaching and learning, or in a manner that negatively affects the safety or perceived safety or well-being of another student or staff member. The use of personal electronic devices shall be subject to the permission granted by the adult in charge of the learning space in which the student is working. Cell phones and other personal electronic devices should never be used in a restroom area for any reason. If students need a space to appropriately use cell phones for communication with parents, they should speak with a staff member to arrange this.

Inappropriate use of personal electronic devices involving the following is strictly prohibited:

- The production, possession, transmission, and/or distribution, by any means, or the transmission of materials as text, including but not limited to:
  - Sexually suggestive images
  - Nude or partially nude images
  - Sexually explicit text in any media

Students who violate this regulation and/or disrupt the academic setting may be subject to disciplinary action.



# PROHIBITED STUDENT CONDUCT

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

The 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.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The prohibited conduct listed below is 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 school 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. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:*

- 1. The student's age.*
- 2. The nature of the offense and the circumstances that led to the offense.*
- 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. Other extenuating circumstances.*

*The listed sanctions are advisory, and as a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. However, the District may impose any level of discipline, even for a first violation, that is proportionate to the misconduct at issue.*

*If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability.*

# INTERVENTIONS/ CONSEQUENCES

Students who are found to have violated the District’s Code of Conduct may be subject to the following interventions/consequences, either alone or in combination. The school personnel identified after each intervention/consequence are authorized to impose that penalty, consistent with the student’s right to due process. The Code of Character, Conduct, and Support shall be used in tandem with the District’s MTSS Plan and Comprehensive School Counseling Plan to promote the success of all students.

- a. Oral warning – any member of the district staff.
- b. Written warning/referral – bus drivers, hall and lunch monitors, coaches, school counselors, teachers, principals, and superintendent.
- c. Written notification to parent – bus drivers, hall and lunch monitors, coaches, school counselors, teachers, principals, and superintendent.
- d. Detention/extended detention – teachers, principals, superintendent.
- e. Suspension from transportation - director of transportation, principals, superintendent.
- f. Suspension from athletic participation, social or extracurricular activities - activity directors, coaches, principals, and superintendent.
- g. Suspension of other privileges - principals, superintendent.
- h. In-school suspension - principals, superintendent.
- i. Removal from classroom by teacher - teachers, principals.
- j. Short-term (five days or less) suspension from school - principals, superintendent, Board of Education.
- k. Long-term (more than five days) suspension from school - superintendent, Board of Education.
- l. Law enforcement notification.
- m. Permanent suspension from school - superintendent, Board of Education.



# RESPONDING TO BEHAVIOR VIOLATIONS

The Code creates a four-level support system that emphasizes student accountability and behavior change. When a student's rule violation is significant, he or she is assigned a consequence signaling that the action at issue is inappropriate, unacceptable, or unsafe. The district response to the violation will fall into one of four levels. The higher the level of response, the more serious the violation.

The level system emphasizes both student accountability and behavioral change. The goal is the prevention of a recurrence of unacceptable behavior by helping students to:

- Learn from their mistakes;
- Understand why the behavior is unacceptable;
- Acknowledge the harm that they have caused or the negative impact of their actions;
- Understand what they could have done differently in the situation;
- Take responsibility for their actions;
- Be given the opportunity to learn pro-social strategies and skills to use in the future; and
- Understand that more intensive consequences and interventions will take place if unacceptable behaviors persist.

## LEVEL 1

response incorporates universal school-wide and classroom practices that promote the development and practice of pro-social behaviors, self-discipline, habits of learning, and healthy well-being. Through observation and immediate responses, teachers aim to prevent minor discipline problems from becoming major disciplinary incidents. Level 1 responses are classroom-based and focused on prevention and early intervention.

## LEVEL 2

involves targeted interventions and assigned consequences when a student's behavior violation warrants a more focused behavioral response beyond the immediate situation or incident in the classroom or other location. Level 2 behaviors are more low-level but often require the assignment of a consequence by a school administrator in addition to proactive interventions aimed at providing students with tools or strategies to avoid the same negative behavior in the future.

## LEVELS 3 and 4

involve behavior violations that seriously jeopardize school and classroom safety and order. Students who are experiencing high-risk or pervasive behavioral, academic, physical, and mental health concerns are assigned more intensive, individualized interventions. Behavioral interventions at this level will continue to provide students with tools or strategies to avoid the same negative behavior in the future, while the assigned consequences at this level might include in-school suspension or out-of-school suspension.

# Level One Response

**LEVEL 1:**  
Classroom Support and Student Support Team

**LEVEL 2:**  
Classroom support, Intensive out-of-class support, and relevant administrative consequences, up to issuance of detention

**LEVEL 3:**  
Supports and discipline up to a short-term suspension

**LEVEL 4:**  
Supports and discipline up to a long term or permanent suspension

## LEVEL ONE RESPONSE

	Classroom Interventions and Responses	Student Support Team and/or Administrative Level Interventions and Responses
<b>Implemented By:</b>	Teachers and Classroom Staff	Student Support Team Administrators
<b>How will responses be implemented?</b>	<p>These interventions aim to interrupt unsuccessful behaviors and teach skills so students can learn and demonstrate safe and respectful behavior. Teachers are encouraged to try a variety of teaching and classroom management strategies. Teachers are expected to collaborate effectively and report concerns to support staff.</p>	<p>These interventions aim to engage the student's support system at school and at home to ensure success by working to change the conditions that contribute to the student's unsuccessful behaviors. They can involve school staff, partner and community agency staff.</p>
<b>Possible Level 1 Responses</b>	<p>Classroom Interventions and Responses will include one or more of the following:</p> <ul style="list-style-type: none"> <li>• Positive directions that state or restate expectations</li> <li>• Positive and specific feedback</li> <li>• Reteaching and rehearsal of skill or procedure</li> <li>• Increased opportunity to respond during instruction</li> <li>• Increased teacher proximity</li> <li>• Verbal prompt, redirection, and/or correction</li> <li>• Reminders and redirection</li> <li>• Student/teacher conference</li> <li>• Developing relationships with families</li> <li>• Parent-teacher conference</li> <li>• Daily progress sheets on behavior</li> <li>• Creating and implementing a student support plan</li> <li>• Restorative practices and strategies</li> <li>• Reflection activity</li> <li>• Teacher contacts parent/guardian to discuss infraction and next steps</li> <li>• Other evidence-based student specific strategies as outlined in an individual Student Support Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Check-in with school building staff</li> <li>• Mentoring/coaching</li> <li>• Restitution plan</li> <li>• Referral to school-based health or mental health provider</li> <li>• Service to school and community</li> <li>• Referral to community organization</li> <li>• Utilize support staff</li> <li>• Develop relationships with families</li> <li>• Restorative circle</li> <li>• Other evidence-based student specific strategies</li> </ul> <p><i>*The Code of Character, Conduct, and Support shall be used in tandem with the District's MTSS Plan and Comprehensive School Counseling Plan</i></p>

## LEVEL TWO RESPONSE

These interventions may be appropriate when supports have been put in place in the classroom to address behavior, but the behavior has become persistent and has continued to negatively influence the learning of the student and others.

	<b>Classroom Interventions and Responses</b>	<b>Student Support Team and/or Administrative Level Interventions and Responses</b>
<b>Implemented By:</b>	Teachers and Classroom Staff	Student Support Team Administrators
<b>How will responses be implemented?</b>	These interventions may be appropriate when supports have been put in place in the classroom to address behavior, but the behavior has become persistent and has continued to negatively influence the learning of the student and others.	These interventions can involve support staff or administrative staff when needed and are designed to correct behavior by addressing the seriousness of the behavior while keeping the student in school.
<b>Possible Level 2 Responses</b>	<p>All interventions and responses listed in Level 1 are also available for Level 2.</p> <ul style="list-style-type: none"> <li>• Collaborate with family</li> <li>• Collect progress monitoring data about the behavior and interventions attempted</li> <li>• Review of cumulative folder and academic progress, create and implement, and monitor academic plan</li> <li>• Collaborate with academic coaches and/or behavior specialists to build on student strengths</li> <li>• Create a literacy-based strategic plan</li> <li>• Mediation/restorative circle</li> <li>• Other evidence-based student specific strategies as outlined in an individual Student Support Plan</li> </ul>	<p>All interventions and responses listed in Level 1 are also available for Level 2.</p> <ul style="list-style-type: none"> <li>• Referral to SST for possible Tier 1 Interventions</li> <li>• Administrative and/or support team conference</li> <li>• After-school Detention</li> <li>• Lunch Detention</li> <li>• Suspension from transportation</li> </ul> <p><i>*The Code of Character, Conduct, and Support shall be used in tandem with the District's MTSS Plan and Comprehensive School Counseling Plan to promote the success of all students.</i></p>

## LEVEL THREE RESPONSE

These interventions and responses may be appropriate when the behavior at issue jeopardizes school and classroom safety and order.

	Classroom Interventions and Responses	Student Support Team and/or Administrative Level Interventions and Responses
<b>Implemented By:</b>	Teachers and Classroom Staff	Student Support Team Administrators
<b>How will responses be implemented?</b>	If a student is removed from the learning environment, teachers/staff will review and adjust the classroom interventions and responses. The student support team and/or building administrators will implement any changes and record the effectiveness of the response.	These interventions and responses may include removing the student from the classroom or school environment because of the seriousness of the demonstrated behavior. The duration of the removal from the learning environment is to be limited as much as possible while still adequately addressing the seriousness of the behavior.
<b>Possible Level 2 Responses</b>	<p>All interventions and responses listed in Levels 1 and 2 are also available for Level 3.</p> <ul style="list-style-type: none"> <li>• Initiate a student-centered discussion about the incident (and repair, restore, and re-teach expectations)</li> <li>• Initiate a restorative conference about the incident</li> <li>• Create, implement and monitor a transition plan for student returning to the classroom (eg. Restorative circle)</li> </ul>	<p>All interventions and responses listed in Levels 1 and 2 are also available for Level 3. Intensive administrative responses may include:</p> <ul style="list-style-type: none"> <li>• Referral and coordination with community-based supports</li> <li>• Prior and/or upon re-entry, restorative circle with teacher/students facilitated by administrator</li> <li>• Informal conference with principal and student</li> <li>• Faculty/staff contacts parent/guardian</li> <li>• Family/guardian/student/school team conference</li> <li>• Develop functional behavioral assessment and behavior intervention plan</li> <li>• In-school suspension up to 5 days</li> <li>• Out-of-school suspension up to 5 days</li> <li>• Family/guardian notification of due process rights</li> </ul>

## LEVEL FOUR RESPONSE

These interventions and responses may be appropriate when the behavior at issue seriously jeopardizes school and classroom safety and order.

	Classroom Interventions and Responses	Student Support Team and/or Administrative Level Interventions and Responses
<b>Implemented By:</b>	Teachers and Classroom Staff	Student Support Team Administrators
<b>How will responses be implemented?</b>	If a student is removed from the learning environment, teachers/staff are expected to review and adjust the classroom interventions and responses and seek out additional community-based resources including the parent in the process. The student support team and/or building administrators will implement any changes and record the effectiveness of the response.	These interventions and responses may include removing the student from the classroom or school environment because of the seriousness of the demonstrated behavior. The duration of the removal from the learning environment is to be limited as much as possible while still adequately addressing the seriousness of the behavior.
<b>Possible Level 2 Responses</b>	<p>All interventions and responses listed in Levels 1, 2 and 3 are also available for Level 4.</p> <ul style="list-style-type: none"> <li>• Intensify and/or reevaluate application of previous interventions and supports</li> <li>• Plan for classmates as students returns</li> <li>• Faculty/staff contacts parent/guardian</li> </ul>	<p>All interventions and responses listed in Levels 1, 2 and 3 are also available for Level 4. Intensive administrative responses may include:</p> <ul style="list-style-type: none"> <li>• Plan for a student reentry meeting</li> <li>• Wraparound services</li> <li>• Individualized case management for students with 504 plans or IEPs</li> <li>• Request for district hearing to request consideration of a long-term suspension, alternative placement or permanent suspension</li> <li>• Suspension from school for more than 5 days</li> </ul>

# Districtwide Behavior Chart

## Interventions & Consequences

**Level 1:** Classroom support and student support team response.

**Level 2:** Classroom support, intensive out-of-class support and appropriate administrative interventions, up to issuance of detention.

**Level 3:** Supports and discipline up to a short-term suspension

**Level 4:** Supports and discipline up to a long-term or permanent suspension.

- ▲ Students in pre-kindergarten through grade 6 cannot be suspended out-of-school unless the behavior at issue has a green triangle below and poses a serious and immediate threat to student, staff or public safety.
- A green circle under the “police” column indicates that law enforcement MAY be called or the district school resource officer may be involved.
- A red square under the “police” column indicates that law enforcement MUST be called.

### **CATEGORY 1: DISORDERLY CONDUCT**

The following examples include, but are not limited to, this category.

Behavior Violation	Level 1	Level 2	Level 3	Level 4	▲	Police	Notes
<b>Entering a Class Without Permission</b>							
Entering a class not enrolled without permission.	X	X					
<b>Environmental Distraction and/or Disruption</b>							
Use of profanity or obscene language in a conversation with peers heard by staff members and not targeted toward them or using inappropriate gestures	X	X	X				
Driving/Parking Violation		X	X				
<b>Hallway Misbehavior</b>							
Running, making excessive noise, loitering or occupying an unauthorized place in the school hallway	X	X					
Unauthorized use or possession of Skateboards, Rollerblades or Scooters on school property	X	X	X				

Public Space Misconduct							
Under the influence		X	X	X		●	
Technology Acceptable Use Policy							
Violate Policies, rules, or agreements signed by the student or the student's parents regarding the use of technology resources	X	X	X			●	
Trespassing							
Unauthorized presence on school property, including while on suspension or remaining on school grounds after receiving a request to depart			X	X	▲		








## ***CATEGORY 2: INSUBORDINATE CONDUCT***

The following examples include, but are not limited to, this category.

Behavior Violation	Level 1	Level 2	Level 3	Level 4	▲	Police	Notes
Absences							
Tardy to Class (Less than five minutes, first through third offense)	X						Significant unexcused tardies or absences will result in the involvement of the School Resource Officer (SRO) as the truancy officer and possible referral to youth court or filing a PINS petition and/or referral to community agencies.
Tardy to Class (Less than five minutes, fourth offense and beyond)	X	X					
Tardy to Class (Five and over minutes)	X	X					
Failing to attend class without permission (Cut Class)		X				●	
Repeated absences (Tier 2-9% absences or greater)		X				●	
Persistent/excessive absences (Tier 3-15% absences or greater)		X	X	X		●	
Chronic absenteeism (Tier 4-22% absences or greater)			X			●	
Leaving class without permission		X	X				
Leaving school building/grounds without permission			X	X			
Environmental Distraction and/or Disruption							
Inappropriate Attire	X	X					
Insubordination that Impacts the Safety or Learning of Others							
Failure to respond to school staff directives, questions or requests	X	X					
Failure to comply with school rules, regulations, policies, or procedures	X	X					
Persistent failure to comply with school rules, policies, and procedures	X	X	X				

## CATEGORY 3: DISRUPTIVE CONDUCT

The following examples include, but are not limited to, this category.

Behavior Violation	Level 1	Level 2	Level 3	Level 4		Police	Notes
<b>Environmental Distraction and/or Disruption</b>							
Classroom Disruption: <ul style="list-style-type: none"> <li>Makes distracting or disruptive movements or noises</li> <li>Does not follow directions</li> <li>Does not comply with classroom rules, routines, and procedures</li> <li>Exhibits difficulty maintaining focus on the task at hand</li> <li>Plays around and goofs off with others during work time</li> <li>Does not work silently as required or independently without bothering others</li> <li>Engages in demands, argumentative or adversarial speech, confrontations or backtalk</li> <li>Initiates or joins in “side bar” conversations, interrupts, and blurts out</li> <li>Engages in deliberate acts to annoy, provoke, or bother peers</li> <li>Demonstrates difficulty working cooperatively in small and/or large groups</li> <li>Does not bring necessary materials to class</li> <li>Does not attempt or complete assigned work</li> <li>Throws objects without physical injury to others</li> <li>Littering</li> <li>Possession of disruptive items</li> </ul>	X	X		X			
<b>Inciting or Participating in Disturbance</b>							
Participating in a large disruption to the atmosphere of order and discipline in the school that is necessary for effective learning, outside of general classroom disruption (such as a sit in, protest or riot)		X	X	X			
Causing a large disruption to the atmosphere of order and discipline in the school that is necessary for effective learning, outside of general classroom disruption (such as a sit in, protest or riot)			X	X			
Using an electronic device to bring others to initiate or engage in a disturbance				X			

## CATEGORY 4: VIOLENT CONDUCT

The following examples include, but are not limited to, this category.

Behavior Violation	Level 1	Level 2	Level 3	Level 4		Police	Notes
<b>Attack on Student or Other Individual - No Reciprocation of Physical Nature</b>							
Inappropriate physical contact without injury (horseplay)		X	X				
Inappropriate physical contact on student with bodily injury with or without provocation (hitting, kicking or punching another student)			X	X			
<b>Damage to School or Personal Property</b>							
Minor damage (Less than \$50)	X	X	X				
Damage to another person's or school property (\$50 to \$500)		X	X				
Damage to another person's or school property (\$50 to \$500)			X	X			
<b>Environmental Distraction and/or Disruption</b>							
Throws objects that pose a potential threat of harm	X	X	X				
<b>Fighting - Reciprocated Physical Contact</b>							
Inappropriate physical contact without injury (horseplay)		X	X				
Fighting with another with intent to harm (VADIR SSEC)			X	X			
Fighting that causes the principal to initiate "shelter in place" emergency procedures, prevents large numbers of students from moving throughout the hallways and disrupts the educational process for large numbers of students across the school, or poses a serious and grave threat to the safety of large numbers of students, such as a threat of substantial bodily harm to students (VADDIR SSEC)				X			
Fighting with serious bodily injury (VADIR SSEC)				X			
<b>Gang</b>							
Committing acts that intentionally further gangs or gang-related activities such as recruitment, intimidation, initiation and promotion of a gang	X	X	X				

Physical Contact with School Personnel or School Agent(s)							
Unintentional physical contact with school personnel/school agent (example: unintentionally bumping into an adult while being distracted)	X	X					
Unintentionally striking a staff member/ school agent who is intervening in a fight or other aggressive behavior with or without injury to the staff member/ school agent				X	▲	●	
Offensive touching, poking, pushing, shoving, or physical intimidation			X	X	▲	●	
Intentional physical attack on school personnel/school agent				X	▲	●	
Theft							
Under \$500		X	X	X	▲	●	
Over \$500			X	X	▲	●	
Threat Against School Personnel or School Agent(s)							
Throws objects that pose a potential threat of harm			X	X			
Threat Against School Community							
Verbal or written threat against school community			X	X			
Verbal Aggression Against School Personnel or School Agent(s)							
Misleading or giving false information to school staff	X	X	X				
Confrontational and aggressive arguing			X	X			
Name-calling, insults, making inappropriate gestures, symbols, or comments, or using profane or offensive language		X	X				
Weapons, Firearms, Explosives							
Possession of instruments or objects that could be used as weapons		X	X	X	▲	●	Expulsion for no less than one calendar year is mandated by state law for firearms violation, but can be modified on a case-by-case basis by the superintendent of schools.
Possession of an instrument or object used as a weapon with intent to cause injury			X	X	▲	■	
Possession of a weapon				X	▲	■	
Firearms (possession of a firearm as defined in 18 USC 921 of the federal code; e.g., handguns, rifles, shotguns, bombs)				X	▲	■	

Other guns (possession of any gun of any kind, loaded or unloaded, operable or inoperable including BB guns and pellet guns, etc.)				X	▲	■	Expulsion for no less than one calendar year is mandated by state law for firearms violation, but can be modified on a case-by-case basis by the superintendent of schools.
Explosives (possession, sale, distribution, detonation or threat of detonation of an incendiary or explosive material or device including firecrackers, smoke bombs, flares or any combustible or explosive substances or combination of substance or articles, other than a firearm)				X	▲	■	
Possession of instruments or objects that could be used as weapons		X	X	X	▲	●	
Possession of an instrument or object used as a weapon with intent to cause injury			X	X	▲	■	
Possession of a weapon				X	▲	■	
Firearms (possession of a firearm as defined in 18 USC 921 of the federal code; e.g., handguns, rifles, shotguns, bombs)				X	▲	■	
Other guns (possession of any gun of any kind, loaded or unloaded, operable or inoperable including BB guns and pellet guns, etc.)				X	▲	■	
Explosives (possession, sale, distribution, detonation or threat of detonation of an incendiary or explosive material or device including firecrackers, smoke bombs, flares or any combustible or explosive substances or combination of substance or articles, other than a firearm)				X	▲	■	



## CATEGORY 5: CONDUCT THAT ENDANGERS THE SAFETY, MORALS, HEALTH OR WELFARE OF OTHERS

The following examples include, but are not limited to, this category.

Behavior Violation	Level 1	Level 2	Level 3	Level 4	▲	Police	Notes
<b>Alcohol</b>							
Under the influence				X		●	School nurse will be notified immediately and conduct an evaluation. School staff will refer student to appropriate substance abuse counseling.
Possession				X		●	
Distributing or selling				X		■	
<b>Damage to School or Personal Property</b>							
Starting a fire			X	X	▲		NYS Uniform Fire Prevention and Building Code 401.3 requires building principals to contact the fire department for any and all unwanted fires. Principals must complete NYSED Office of Facilities Planning Fire Incident Report Form 2014.
Starting a fire: Destruction of property as a result of starting a fire			X	X	▲	■	
<b>Bomb Threat</b>							
Making threat or providing false information about the presence of explosive materials or devices on school property				X		■	
<b>Bullying, Harassment, and/or Discrimination</b>							
Intentional conduct (including verbal, physical or written conduct) that constitutes bullying, discrimination or harassment	X	X	X				A Dignity for All Students Act Investigation is always required when bullying, discrimination and/or harassment are suspected. Depending on the allegations a Title IX or other investigation as outlined in applicable board policies may be required.
Intentional conduct via electronic communication that constitutes bullying, discrimination or harassment	X	X	X				
Persistent and repeated incidents targeted at the same person or group		X	X	X		●	
Very serious incident that is life-threatening, seriously harmful or personally damaging to the person who is targeted			X	X	▲	■	
Hazing		X	X	X		●	
<b>Environmental Distraction and/or Disruption</b>							
Use of inappropriate language and/or gestures toward a staff member		X	X				

<b>False Activation</b>							
Making false accusations or perpetrate hoaxes regarding safety)			X	X			Principals must complete NYSED Office of Facilities Planning Fire Incident Report Form. If the fire alarm is activated the fire department must be notified and they have jurisdiction until the event is investigated.
Misuse of 911 (VADIR/SSEC and false alarm)			X	X			
Discharging a fire extinguisher			X	X			
Activating AED			X	X			
Activating Fire Alarm or Disaster Alarm				X			
<b>Gambling</b>							
Participating in games of chance or skill for money, things of value, or exchangeable goods	X	X	X				
<b>Illegal Behavior</b>							
Engaging in illegal behavior that interferes with the school's educational process and/or poses a risk of serious +injury to a person or persons			X	X	▲	■	
<b>Illegal Drugs (Including Marijuana)</b>							
Under the influence				X	▲	●	School staff will refer student to appropriate substance abuse counseling. School administrator and/or his or her designee will be notified immediately to conduct an evaluation.
Using and/or possessing				X	▲	■	
Distributing or selling				X	▲	■	
Possession of paraphernalia for use or distribution of illegal substances				X	▲	■	
<b>Inhalants</b>							
Under the influence			X	X	▲	■	School staff will refer student to appropriate substance abuse counseling. School nurse will be notified immediately.
Using and/or possessing			X	X	▲	■	
Distributing or selling			X	X	▲	■	
<b>Robbery</b>							
Taking money or property from another by force (VADIR SEC)				X	▲	■	
<b>Sexual Offenses</b>							
Sexual harassment toward student check VADIR Definition		X	X	X	▲	●	School staff is required to refer students for appropriate counseling. Possession and/or transmission of child pornography is subject to prosecution and must be reported to the police. Certain actions may constitute a DASA investigation.
Sexual harassment toward staff			X	X	▲	●	
Forced sexual act (VADIR SSEC)				X	▲	■	
Sexual activity or misconduct			X	X	▲	■	

Selling, using or possessing obscene material (pornographic material)		X	X	X			School staff is required to refer students for appropriate counseling. Possession and/or transmission of child pornography is subject to prosecution and must be reported to the police. Certain actions may constitute a DASA investigation.
Distribution of pornographic materials			X	X	▲	■	
Sexting: Send, post, or possess electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal including cyberbullying and "sexting" either on or off school property, if the conduct causes a substantial disruption to the educational environment.			X	X	▲	■	
Indecent exposure (exposing the private parts of the body in a lewd or indecent manner).			X	X	▲	■	
<b>Technology Acceptable Use Policy</b>							
Use of Internet or other electronic communications to threaten district students, employees or volunteers, including off school property if the conduct causes a substantial disruption to the educational environment.			X	X	▲	●	
Use email or websites to engage in or encourage illegal behavior or threaten school safety, including off school property if the conduct causes a substantial disruption to the educational environment.			X	X	▲	●	
<b>Tobacco Use or Possession</b>							
Possession or use			X	X	▲		
Possession of tobacco paraphernalia			X	X	▲		
<b>Vaping</b>							
Possessing vaping devices or paraphernalia on school property or at a school function.		X	X	X			
Using vaping device on school property or at a school event.		X	X	X			
Selling or attempting to sell vaping devices or paraphernalia on school property or at a school function.			X	X			
Distributing or exchanging vaping devices or paraphernalia on school property or at a school function.			X	X			








## CATEGORY 6: MISCONDUCT ON A SCHOOL BUS

The following examples include, but are not limited to, this category.

Behavior Violation	Level 1	Level 2	Level 3	Level 4		Police	Notes
<b>Environmental Distraction and/or Disruption</b>							
Bus Misbehavior including excessive noise, pushing, shoving or fighting, or unauthorized or inappropriate use of technology on school transportation.	X	X	X				

## CATEGORY 7: ACADEMIC MISCONDUCT

The following examples include, but are not limited to, this category.

Behavior Violation	Level 1	Level 2	Level 3	Level 4		Police	Notes
<b>Academic Dishonesty</b>							
Plagiarism, copying another's work, cheating or altering records	X	X	X				Students may receive a failing grade for the assignment.
Plagiarism		X					Students will receive a referral and detention and will be required to redo the assignment.
Cheating		X					
Copying		X					
Altering records			X				
Altering records in SchoolTool/ParentSquare/Google Classroom /Teams				X			
Assisting another student in any of the above actions		X	X	X			
Forging records/notes/pass			X	X			
<b>Forgery</b>							
False or fraudulent making or altering of a school document or the use of such a document		X	X				
<b>Technology Acceptable Use Policy</b>							
Attempt to access or circumvent passwords or other security-related information of the district, students, or employees, or upload or create computer viruses, including off school property if the conduct causes a substantial disruption to the educational environment.		X	X	X			
Attempt to alter, destroy, disable district technology resources including but not limited to computers and related equipment, including off school property if the conduct causes substantial disruption to the educational environment.		X	X				
Attempt to alter, destroy, disable			X	X			

district technology resources including but not limited to district data, the data of others, or other networks connected to the district's system, including off school property if the conduct causes substantial disruption to the educational environment

--	--	--	--	--	--	--

## ***CATEGORY 8: UNAUTHORIZED USE OF PERSONAL ENTERTAINMENT OR ELECTRONIC DEVICES***

The following examples include, but are not limited to, this category.

Behavior Violation	Level 1	Level 2	Level 3	Level 4	Police	Notes
<b>Electronic Devices</b>						
Use of cell phones, handheld mobile devices, electronic game devices and other similar items (see Board of Education Policy #7316)	X	X				Possession and/or transmission of child pornography must be reported to the police.
Violation of the Internet Safety Policy		X	X			
Use of electronic devices that lead to the threat of harm to another person			X	X		
Recording or publishing a fight			X	X		



# REPORTING VIOLATIONS



All students are expected to promptly report violations of the Code of Conduct to a teacher, staff member, 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, stored in a safe, secure area and promptly turned over to the law enforcement agency after that agency has been notified. This shall be 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, followed by a letter mailed on same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

# GETTING HELP WITH A PROBLEM

When a problem arises, students should arrange to speak privately with an adult they trust. Students may bring another student along for support. All school staff know how important it is for students to get help when they need it.

## School Problems

If students have a problem related to discipline, security, personal safety or welfare, or vandalism, the student should:

1. Tell the nearest teacher, adult staff member, or trusted adult to talk to the principal and assistant principal right away. Tell her/him exactly what has happened to the student or what the student has observed happening to someone else. Problems of discipline, security, and personal safety are considered very serious.
2. Express feelings. It is natural to feel worried and upset. Talk to someone who will listen and understand —such as a teacher, school counselor, school psychologist, social worker, or an adult mentor. Ask to talk to a school counselor, school psychologist, or social worker who can help students learn ways to deal with problems so that they may feel safer and more comfortable when faced with similar problems in the future.
3. In addition to alerting school personnel, a student should inform their parents about the problem. For further support, a student can reach out to school counselors or administration via in-person, through email, or through Microsoft Teams.



# Bullying, Cyberbullying, Harassment, Intimidation, Hazing, And Bias Behavior



Bullying and cyberbullying, harassment and intimidation, hazing, and bias behaviors are unsafe and do not reflect respect for others as defined by the Code of Character, Conduct, and Support. If you or someone you know is a target of one of these behaviors, you can report it using the Bullying, Harassment, or Intimidation Reporting Form, the school website or in the main office or the counseling office of your school. You can also tell a staff member, who will respond quickly and provide a practical, private, and safe place to report.

1. If You are Being Bullied...
  - Calmly tell the student to stop...or say nothing and walk away.
  - Tell someone - a parent, a teacher, a counselor.
2. If You Know Someone who is Being Bullied...
  - If you feel safe, be an “Upstander.”
  - Tell the person bullying to stop by saying, “We don’t do that at this school,” Or “That’s not right to treat someone like that.”
  - Say words of support to the student being bullied - Be a friend!
  - Don’t encourage the bullying by laughing, smiling, or joining in.
  - Tell other bystanders how to help stop the bullying.
3. If you don’t feel safe....
  - Tell an adult.
  - Encourage the bullied student to talk to someone.

If a building administrator determines that one of these behaviors has occurred, the students involved will receive interventions and support from a school counselor, school psychologist, school social worker, student behavioral assistant, or school health staff person to be sure everyone involved feels safe and supported and understands how to avoid these situations in the future.

## ***Personal Problems***

For help with personal problems which may affect a student's school life or activities the school has several options:

1. If possible, the student should discuss the problem with parents.
2. If a student and her/his parents cannot solve the problem, there are a number of people in the school who may be able to offer additional help. The student may speak to a teacher with whom he/she feels comfortable.
3. School counselors, psychologists, and social workers at the school are trained to offer help with personal problems. They can also lead the student to other resources he/she may not be aware of.
4. The principal will also be able to discuss the problem with the student and attempt to work on a solution. If they are unable to do so, they will seek assistance.
5. If it is a personal problem not affecting school activities, consider seeking out a counselor or social worker for resources that meet the student's needs.

## ***Academic Problems***

Solving an academic problem requires the student's help, along with the help from teachers and sometimes parents, school counselors, and other school professionals. For help with an academic problem, the student should follow these steps:

1. See the teacher who teaches the subject. Students may seek out teachers on an individual basis. Teachers routinely work with individual students who are having academic problems. The teacher may recommend help sessions or mentoring or may make a referral for additional assistance. The teacher may ask for a conference with the student and his/her parents/guardians.
2. If the teacher is unable to help the student resolve the problem to the student's satisfaction, the student can get further help from the school counselor.
3. For problems that are still not resolved after the student has talked with the school counselor, the student should discuss the matter with his/her parents/guardians and with the principal or assistant principal. Parents may wish to join the student in discussions with the principal.

## ***Group Problems***

For help with a group problem related to discipline, security, personal safety, or welfare: If a group of students feels it shares a common problem, the best way to seek assistance is for the group to send two or three representatives to the teacher or building administrator involved and present the group's point of view on the matter. Communication between one or two people and a large group is extremely difficult and is an ineffective approach to problem solving. The most effective approach is one that involves communication between representatives of the groups involved.

## ***Extracurricular Problems***

For help with problems involving extracurricular activities, the student should follow these steps:

1. See the activity advisor or athletic coach assigned to the activity at a time when he/she can give you her/his undivided attention. Try not to discuss the problem during the activity period itself.
2. If the activity involves athletics, see the athletic coach, then the Athletic Director.
3. If the student does not know who is assigned as advisor to the activity, the student should see an administrator.
4. If the student is unable to get help in solving the problem by doing the above, discuss the matter with parents and with the building administrator. Parents may wish to join the student in discussions with the principal.

# REPORTING *Discrimination, Bullying Or Harassment*

The building principal is the school employee charged with receiving all reports of harassment, bullying and discrimination; however, students and parents may make an oral or written complaint of harassment, bullying or discrimination to any teacher, administrator or school employee.

The district will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment, bullying and cyberbullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment, bullying and cyberbullying.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator. The staff member/administrator to whom the report is made (or the staff member/administrator who witnesses or suspects bullying/cyberbullying behavior) shall document and take appropriate action to address the immediacy of the situation and shall promptly report in accordance with the following paragraphs.

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

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

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

The superintendent or designee will notify promptly the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct. Retaliation by any school employee or student shall be prohibited against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination.

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

In the event that the principal is the alleged offender, the report will be directed to the superintendent.

All complaints of alleged harassing, bullying (including cyberbullying) and/or retaliatory conduct shall be:

1. Promptly investigated in accordance with the terms of district policy;
2. Forwarded to the school building's Dignity Act Coordinator for monitoring; and
3. Treated as confidential and private to the extent possible within legal constraints.

The principal of each building shall provide a regular report to the superintendent at least once during each school year, on data and trends relating to harassment, bullying and/or discrimination.

Prevention is the cornerstone of the District's effort to address bullying and harassment. In order to implement this bullying prevention program, the Board will designate, at its annual organizational meeting, individuals at each school to act as the Dignity for All Students Act Coordinator (DASA Coordinator). These individuals shall 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, and sex.

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

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



# DIGNITY ACT

## Coordinators

---

### DISTRICT COORDINATORS

**Mr. W. Scott Rudnicki, Director of PPS**

(716) 676-8012 | [srudnicki@tbafcs.org](mailto:srudnicki@tbafcs.org)

**Mrs. Meghan Russell, School Psychologist**

(716) 676-8016 | [mrussell@tbafcs.org](mailto:mrussell@tbafcs.org)

### ELEMENTARY COORDINATORS

**Mrs. Jennifer Layton, School Counselor**

(716) 676-8023 | [jlayton@tbafcs.org](mailto:jlayton@tbafcs.org)

### MIDDLE SCHOOL AND HIGH SCHOOL COODINATORS

**Mr. Matthew Harris, School Counselor**

(716) 676-8025 | [mharris@tbafcs.org](mailto:mharris@tbafcs.org)



# MENTAL HEALTH

## Service Providers

For Help Now, Call or Text: 988 Or Text Got5 to 741741

Cattaraugus County Crisis Hotline: 1-800-339-5209		
Location/Agency	Phone Number	Services Offered
<b>Olean Area</b>		
<b>Catholic Charities</b> 2636 W. State Street, Olean	716-372-0101	Individual & Couples Counseling, Case-Management, Kinship Caregivers Support Group
<b>Child Advocacy Center</b> 772 Main Street, Olean <a href="http://www.sthcs.org">www.sthcs.org</a>	716-372-8532	Counseling services specializing in trauma treatment for children who speak through age 18. Non-offending caregivers' group, Girls Circle
<b>Council on Addiction Recovery Services (CAREs)</b> 201 S. Union Street, Olean <a href="http://www.councilonaddiction.org">www.councilonaddiction.org</a>	716-373-4303	Child/Teen/Adult/Family Counseling, Drug/Alcohol Counseling, Gambling Evaluation and Treatment. Vocational Education Domestic Violence Support
<b>Christian Intervention Program</b> Bob Lent United Pentecostal Church 1100 Homer Street, Olean	716-307-2520	A Christian alternative to Alcoholics Anonymous and Narcotics Anonymous
<b>Dept. of Community Services Olean Counseling Center</b> 1 Leo Moss Drive, Suite 4308 Olean <a href="http://www.cattco.org/community-services/">www.cattco.org/community-services/</a>	716-373-8040	Individual Counseling, Psychiatric Services, Case Management for Children & Adults ages 4+
<b>Dept. of Community Services Personal Recovery Oriented Services</b> 203 Laurens St., Olean <a href="http://www.cattco.org/community-services/">www.cattco.org/community-services/</a>	716-373-8080	Rehabilitation, psychiatric, group therapy, individual therapy and support services for individuals with serious and persistent mental illness
<b>Directions in Independent Living</b> 512 W. State Street, Olean	716-373-4602	Person Centered agency that serves individuals with cognitive, mental, physical, disabilities, visual impairment, sensory disability and families

<b>Kathleen L Hardiman, LCSW-R</b> 2656 W. State Street, Olean	716307-3619	Individual Counseling Adults & Children trauma therapy
<b>Mary Lou Stewart LCSW-R</b> 2656 W. State St Suite 517, Olean	716-373-4602	Private Counseling
<b>Miriam Center for Hope &amp; Healing</b> 112 S. Clinton St., <a href="https://miriamcenterforhope.com/">https://miriamcenterforhope.com/</a>  Mary Plonka, LCSW, CASAC  Christine Brown, LMSW  Linda Baker, LCSW-R  Stephanie Young, MEd, LMHC  Meghan Springer, LCSW-R	  716-373-6735  585-376-0224  716-307-8587  716-395-0156  716-241-9141	  Private trauma focused therapy providers  EMDR, PC, 30+ years as a school social worker EMDR, 20+ years' experience working with children  EMDR, 25 years of experience  EMDR, PC, CBT, DBT - trauma, loss, depression, dissociation, anxiety - teenagers and adults  EMDR, PC, CBT, DBT- depression, anxiety, trauma
<b>Paragon Behavioral Health Services</b> 2646 W. State St. Suite 309, Olean <a href="https://paragonbhs.com/">https://paragonbhs.com/</a>	716-790-8202	Individual Counseling Ages 5 and up, individual, couples/marital counseling, ADHD, ODD, trauma, PMDD, LGBTQ
<b>Rehabilitation Today Services</b> Dr. Craig Zuckerman	716-372-3550	Assessment/Diagnosis & counseling for all ages. Cash payment only (no insurance)
<b>Sarah Larson LCSW</b> 124 N. Union Street, Olean	716-701-6716	Adult and Couples Counseling
<b>Thomas Norton LCSW</b> 112 1/2 W. Main Street, Allegany	716-373-8909	Individual, Marital & Family Counseling for ages 12 and up
<b>Tom Stephens</b> 114 South 10th Street, Olean	716-378-7210	Counseling for couples, individuals, families, and children ages 3 and up
<b>Universal Primary Care Outpatient Mental Health Services</b> 135 N. Union St, Olean <a href="http://www.upchealth.net">www.upchealth.net</a>	716-375-7500	Federally qualified health center that offers family, adolescent, and individual counseling

Northern County Area		
<b>Center for Positive Solutions Family Support Services for Pioneer Schools</b> <a href="http://www.pioneerschools.org">www.pioneerschools.org</a>	716-492-9485	Short term counseling for individuals, couples, and families. Linkages with community resource. Encourage and support for parent of children in Pioneer Central School District
<b>Council on Addiction Recovery Services (CAREs)</b> 9824 Route 16 Machias <a href="http://www.counciladdiction.org">www.counciladdiction.org</a>	716-353-8018	Childs/Teen/Adult/Family Counseling, Drug/Alcohol Counseling, Gambling Evaluation and Treatment, Vocational Education, Domestic Violence Support
<b>Dept of Community Services Satellite Site: Gowanda Schools</b> 10674 Prospect Street, Gowanda	76-532-3325	Individual Counseling for middle and high school students. Linkages to all Dept of Community Services, Counseling Center Services (psychiatric, case management, etc.)
<b>Dept of Community Services Satellite Site: Pioneer Schools</b> 579 Countyline Road, Yorkshire	716-492-9341	Individual Counseling for middle and high school students. Linkages to all Dept of Community Services, Counseling Center Services (psychiatric, case management, etc.)
<b>Dept of Community Services North County Counseling Center</b> 9824 Route 16 Stone House 3rd Floor, Machias <a href="http://www.cattco.org/community-services/">www.cattco.org/community-services/</a>	716-353-8241	Individual counseling, Psychiatric Services, Case Management for Children and Adults ages 4 and up.
<b>Mary Beiter, LCSW-R</b> 552 Linden Ave., East Aurora, NY 14052	716-652-8100 Ext 7	Private Counseling for Adults and Teens; CBT, DBT, EMDR, PC
Zoar Valley MH Clinic Taylor-Hollow Rd, Collins <a href="http://www.omh.ny.gov/omhweb/Facilities/Bupc/page/zoar_valley.html">http://www.omh.ny.gov/omhweb/Facilities/Bupc/page/zoar_valley.html</a>	716-532-2231	Clinic service that provides a broad range of mental health services to meet the need of adults with a diagnosis of mental illness.

Salamanca Area		
<b>Council on Addiction Recovery Services (CAREs)</b> 100 Main St Suite 6, Salamanca <a href="http://www.cattco.org/community-services/">www.cattco.org/community-services/</a>	716-945-1928	Child/Teen/Adult/Family Counseling, Drug/Alcohol Counseling, Gambling Evaluation and Treatment, Vocational Education Domestic, Violence Support
<b>Dept of Community Services Salamanca Counseling Center</b> 117 1/2 Main Street, Salamanca <a href="http://www.cattco.org/community-services/">www.cattco.org/community-services/</a>	716-945-5211	Individual Counseling, Psychiatric Services, Case Management for Children & Adults ages 4+

<p><b>Seneca Nation Behavioral Health</b> Lionel R. John Health Center 987 RC Hoag Drive, Salamanca www.senecahealth.org</p>	<p>716-945-5894</p>	<p>Psychiatric services, Mental Health counseling for children (3+) and adults, family treatment, group therapy, addiction/substance abuse treatment, aftercare/recovery/relapse prevention program, family addiction counseling (adults and children), prevention program</p>
--	---------------------	--

<b>Allegany County</b>		
------------------------	--	--

<p><b>Clarity Wellness Community The Counseling Center</b> 4220 State Rt. 417W Wellsville, NY 14895 www.claritywellnesscommunity.org</p>	<p>585-593-6300</p>	<p>Case management, crisis intervention, forensic services, group therapy, individual therapy, marital and family therapy, psychiatric services/medication management services, schoolbased programs Chemical dependency and day treatment programs available</p>
--	---------------------	---

<p><b>M W Mental Health Counseling</b> 5659 West Shore Rd. Cuba, NY 14727 mball@mwmhcs.com</p>	<p>716-202-0203</p>	<p>Private counseling</p>
--	---------------------	---------------------------

<p><b>Personal Recovery Oriented Services</b> 4222 Bolivar Road Wellsville, NY 14895</p>	<p>585-593-1655</p>	<p>Rehabilitation, treatment, and support services for people with serious mental illness</p>
--	---------------------	---

<p><b>Tina Wilson LMHC</b> 17 South Street Cuba, NY 14727</p>	<p>585-593-1655</p>	<p>Private Counseling Ages 11 and up</p>
---	---------------------	--

<b>Other Counties</b>		
-----------------------	--	--

<p><b>Autism Spectrum Disorder</b> 1001 Main Street, Buffalo, NY www.claritywellnesscommunity.org</p>	<p>716-323-6560</p>	<p>Offers the tools necessary for parents and professionals to take an active role in lives of individuals with Autism Spectrum Disorders; Support groups, workshops, and resources for Autism Spectrum Disorders</p>
---	---------------------	---

<p><b>Best Self Behavioral Health</b> multiple locations throughout the Buffalo area www.bestselfwny.org</p>	<p>716-884-0888</p>	<p>Child and Family Counseling, Child Advocacy Center, Community Learning Program, Home based counseling/case management services, independent living program, violence prevention</p>
--	---------------------	--

<p><b>Center for Family Development</b> 5820 Main Street, Suite 406 Williamsville, NY www.center4familydevelop.com/</p>	<p>716-636-6243</p>	<p>Specialized treatment of foster and adopted children and families with trauma and attachment disorder.</p>
---	---------------------	---

<p><b>The Center for Psychosexual Health</b> 737 Delaware Avenue, Suite 216A Buffalo, NY</p>	<p>716-322-6394</p>	<p>Psychological and support services for the various challenges surrounding healthy sexual development and gender related concerns</p>
--	---------------------	---

<b>Chautauqua Tapestry</b> 2 Academy Street., Suite 202 Mayville, NY 14757	716-753-4507	Individualized supports & services that are accessible and comprehensive to meet needs of youth with emotional & behaviors challenges and their families
<b>Daniel Woodruff Psy D.</b> Licensed Psychologist 2518 Thomas Dr. Ste 6, Lakeville NY	585-944-3219	Academic, behavioral, social emotional assessments. Counseling specialty with ADHD, ODD, anxiety, and Autism Spectrum Disorders
<b>Dent Neurological Institute</b> 3980 Sheridan Drive, Amherst, NY 200 Sterling Drive, Orchard Park, NY	716-250-2000	Advanced neurodiagnostics for the diagnosis or ruling out of Developmental disorders, physical/mental health disorders/conditions.
<b>Dunkirk Mental Health</b> 319 Central Avenue, Dunkirk	716-363-3500	Child and Adult counseling, psychiatric services, for ages 5 and up, drug and alcohol services.
<b>Jamestown Psychiatric</b> 305 E. Fairmont Ave, Lakewood	716-483-2603	Psychiatric services for children age 4 and up.
<b>Jamestown Mental Health</b> Municipal Building 5th Floor 200 East Third Street, Jamestown	716-661-8330	Child and Adult counseling, psychiatric services, for ages 5 and up, drug and alcohol services
<b>Mental Hygiene Services</b> 2 Academy Street, Suite 201 Mayville, NY 14757	716-753-4104	Plan, develop, and provide accessible, comprehensive, integrated, outcome-based mental hygiene services
<b>Sean Seibert PhD Clinical Psychologist</b> 517 Spring Street, Jamestown	716-664-7501	Assessments, evaluations, and counseling for ages 4 and up.
<b>Spectrum Human Services Springville Counseling Center</b> 27 Franklin St, Springville NY	716-592-9301	Counseling and psychiatric services for children and adults ages 5 and up, Chemical Dependency program for adolescents and adults
<b>Spectrum Human Services Wyoming County Counseling Center</b> 34 N. Main St, Warsaw	585-786-0220	Counseling and psychiatric services for children and adults ages 5 and up, Chemical Dependency program for adolescents and adults
<b>UPMC Chautauqua Jones Memorial Health Center</b> 51 Glasgow Avenue, Jamestown	716-664-8641	Chemical Dependency and Mental Health programs for children, adolescents and adults on an inpatient/outpatient basis age 5 and up
<b>UPMC Chautauqua Dunkirk Health Center</b> 51 Glasgow Avenue, Jamestown	716-363-0018	Mental Health/ Drug and Alcohol Abuse outpatient services for children/adults ages 5 and up

<b>WCA Psychology Department</b> 51 Glasgow Avenue, Jamestown	716-664-8611	Assessments and evaluations to rule out or diagnose mental health conditions, treatment and counseling for children/adults ages 2 and up
--	--------------	--

<b>Neuropsych Providers</b>		
-----------------------------	--	--

<b>Buffalo Neuropsychology</b>	716-690-2560	The evaluation of brain and behavior relationships
--------------------------------	--------------	--

<b>The Jacobs Neurological Institute Buffalo General Hospital/Kaleida Health</b> Building E, Second Floor 100 High St, Buffalo NY 14203	716-859-5800	Board certified pediatric neurologists provide diagnosis and management of children adolescents with neurologic disorders including seizures, headaches, brain tumors, neuromuscular disease, developmental disabilities, disabilities, movement disorders (including Tourette’s Syndrome), sleep disorders, degenerative diseases, and neurocutaneous syndromes including Neurofibromatosis, Sturge-Weber, and tuberous sclerosis
---	--------------	--

<b>U of R Golisano Children’s Hospital</b> 601 Elmwood Ave, Rochester NY 14642	585-275-2986	Pediatrician and Specialists who diagnose and rule out Developmental Disorders, physical/mental health disorders/conditions.
---	--------------	--

<b>PA Mental Health Providers:</b>		
------------------------------------	--	--

<b>Bradford Regional Medical Center</b> Bradford, PA	1-800-446-2583	
---	----------------	--

<b>Guidance Center</b> 110 Campus Dr, Bradford PA	814-362-6535	
--	--------------	--

<b>John W. Addis PhD</b> 125 Main St, Bradford PA	814-362-2136	
--	--------------	--

<b>Port Psychological Services</b> 10 Church t, Port Allegany, PA 16743	814-642-7772	
--	--------------	--

<b>Sagewood Inc</b> Coudersport, PA	814-274-1121	
--	--------------	--

<b>UPMC Cole</b> Coudersport, Port Allegany, Emporium, and Shinglehouse	814-274-5571	
---	--------------	--

# UNDERSTANDING TYPES OF DISCIPLINE

- 1. Detention** – Teachers, principals and the superintendent may use detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student’s parent/guardian has been notified to confirm that they have had the opportunity to discuss the situation and consequence with the building administrator and to ensure the student has appropriate transportation to and from detention should other alternatives not be available.
- 2. Suspension from transportation** – If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal’s attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student’s parent/guardian will become responsible for seeing that his/her child gets to/from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student’s education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student’s parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal’s designee to discuss the conduct and the consequence involved.
- 3. Suspension from athletic participation, extracurricular activities and other privileges** – A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student’s parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the consequence involved.
- 4. Alternative Learning Center** – The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in the Alternative Learning Center (ALC). The ALC teacher will be a certified teacher. A student who is serving in ALC will be provided with assignments from his/her classroom teacher. Those assignments will be completed under the supervision of the ALC teacher.
- 5. Teacher disciplinary removal of disruptive students** – A student’s behavior can affect a teacher’s ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student’s behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his/her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term “timeout” in an elementary classroom or in an administrator’s office; (2) sending an elementary student into the

hallway briefly; (3) sending a student to the principal's office for the remainder of the class time only; or (4) sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code. On occasion, a student's behavior may become disruptive. For purposes of this Code of Conduct, 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. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules. A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only. If the disruptive student does not pose a danger or on-going threat of disruption to the academic process, the teacher must provide the student with an explanation for why he/she is being removed and an opportunity to explain his/her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately.

The teacher must, however, explain to the student why he/she was removed from the classroom and give the student a chance to present his/her version of the relevant events within 24 hours. The teacher must complete a district-established disciplinary removal form and meet with the principal or his/her designee 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 removal form. If the principal or his/her designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24 hours after the student's removal, the principal or another district administrator designated by the principal, must notify the student's parent/guardian, in writing, that the student has been removed from class and why. The notice must also inform the parent/guardian that he/she has the right, upon request, to meet informally with the principal or his/her designee to discuss the reasons for the removal. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purposes of contacting parents.

If at the informal meeting the student denies the charges, the principal or his/her designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.

The principal or his/her designee may overturn the removal of the student from class if the principal finds any one of the following:

- a. The charges against the student are not supported by substantial evidence;

- b. The student's removal is otherwise in violation of law, including the District's Code of Conduct;
- c. The conduct warrants suspension from school pursuant to Education Law 3214 and a
- d. suspension will be imposed

The principal or his/her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less. Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he/she is permitted to return to the classroom. Each teacher must keep a complete log (on a district provided form) for all cases of removal of a student from his/her class. The principal must keep a log of all removals of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

## **SUSPENSIONS FROM SCHOOL**

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals. Any staff member may recommend to the superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension. Upon receiving a recommendation or referral for suspension the superintendent or principal shall gather the facts relevant to the matter. These facts shall be recorded for subsequent presentation, if necessary.

### **a. Short-term (5 days or less) suspension from school**

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214 (3), the suspending authority must immediately notify the student orally.

If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of

contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as established by the principal.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so.

The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the Board of Education with the district clerk within 10 business days of the date of the superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

**b. Long-term (more than 5 days) suspension from school**

When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

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

An appeal of the decision of the superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's

decision, unless the parents can show that extraordinary circumstances precluded them from doing so.

The Board may adopt in whole or in part the decision of the superintendent. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

**c. Permanent suspension**

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property, transportation vehicle or attending a school function.

**MINIMUM PERIODS OF SUSPENSION**

***1. Students who bring a weapon to school***

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

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

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

***2. Students who commit violent acts other than bringing a weapon to school***

Any student, other than a student with a disability, 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.

***3. 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 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 of Conduct, "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 code 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 parent 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 parent 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.

## **REFERRALS**

1. Counseling
2. Youth Court
3. PINS Petitions

The District may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law;
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school;
- c. Knowingly and unlawfully possesses inhalants, marijuana or any other illegal substances in violation of Penal Law §221.05. A single violation of §221.05 will be a sufficient basis for filing a PINS petition.

4. Juvenile Delinquents and Juvenile Offenders

The superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

- a. Any student under the age of 16 who is found to have brought a weapon to school; or
- b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).

The Superintendent is required to refer students, age 16 and older, or any student 14 or 15 years old who qualifies for juvenile offender status, to the appropriate law enforcement authorities.

## **ALTERNATIVE INSTRUCTION**

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the District will take immediate\* steps to provide alternative means of instruction for the student. \*(“Immediately” does not mean instantaneously, but it does mean that the district should act promptly, with due regard for the nature and circumstances of the particular case.)

# DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. This Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

## **A. Authorized Suspensions or Removals of Students with Disabilities**

1. For purposes of this section of the Code of Conduct, the following definitions apply:

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

A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an Interim Alternative Educational Setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

An “IAES” means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student’s current Individualized Education Program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
- a. The Board, the District (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior;
  - b. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period

in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior;

- c. The superintendent may order additional suspensions or not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement;
- d. The superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function:
  - i. “Weapon” means the same as “dangerous weapon” under 18 U.S.C. §930 (g) (w) which includes “a weapon, device, instrument, material or substance, animate or inanimate that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 ½ inches in length”;
  - ii. “Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy;
  - iii. “Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed health care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

## **B. Change of Placement Rule**

1. A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either: a. for more than 10 consecutive school days; or b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
2. School personnel may not suspend or remove a student with a disability if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student’s disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

## **C. Special Rules Regarding the Suspension or Removal of Students with Disabilities**

1. The District's Committee on Special Education shall:
  - a. Conduct a functional behavioral assessment(s) to determine why a student engages in a particular behavior, and develop or review a behavioral intervention plan(s) whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary;
  - b. 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;
  - c. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
  - a. The superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability;
  - b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the District had knowledge the student was a student with a disability, the District either:
    - i. conducted an individual evaluation and determined that the student is not a student with a disability; or
    - ii. determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made while such non-disabled student is

subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the nondisabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

3. The District shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or other; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
4. The parents of a student with a disability subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
6. The removal of a student with a disability other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of nondisabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

#### **D. Expedited Due Process Hearings**

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
  - a. The District requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
  - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
    - i. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision

of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.

- ii. If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

### **E. Referral to Law Enforcement and Judicial Authorities**

In accordance with the provisions of IDEA and its implementing regulations:

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement. The superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.
2. All school districts must suspend a student who brings or possesses a firearm at school for a period of not less than one calendar year. The superintendent of schools, district superintendent of schools or community superintendent may modify, in writing, the suspension requirement on a case-by-case basis. See Appeal of R.S., 38 Educ. Dep't Rep. 419 (1998). A superintendent's determination may be appealed to the school board and the commissioner of education (20 USC § 7151(b)(1); § 3214(3)(d)). All school districts must have a policy which requires superintendents to refer students under the age of 16 who have been determined to have brought a firearm to school to
3. the county attorney for a juvenile delinquency proceeding, and students 16 years of age or older to the appropriate law enforcement officials (§ 3214(3)(d); 20 USC § 7151(h)(i)).

### **CORPORAL PUNISHMENT**

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. *Corporal punishment of any student by any district employee is strictly forbidden.* However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

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

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

# STUDENT SEARCHES & INTERROGATIONS

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the District Code of Conduct. Students are not entitled to any sort of “Miranda”-type warning before being questioned by school officials, nor are school officials required to contact a student’s parents before questioning the student. However, school officials will tell all students why they are being questioned. In addition, the board authorizes the superintendent, building principals, the school nurse and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the District Code of Conduct. An authorized school official may conduct a search of a student’s belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student’s belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or 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 authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they 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.

## **A. Student Locker, Desks and other School Storage Places**

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks, and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control

over them. This means that, student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

### **B. Strip Searches**

A strip search is highly intrusive. Under no circumstances will the Franklinville Central School District conduct a strip search

### **C. Documentation of Searches**

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

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

In addition, a metal detector or wand may be utilized during searches to assist in identifying any prohibited items.

The building principal or the principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the item is turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

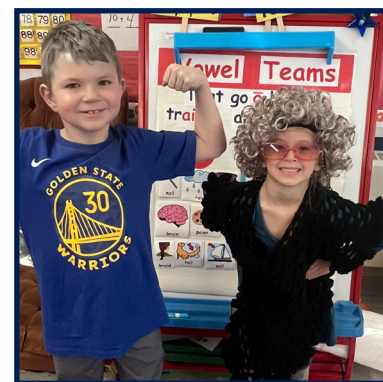
### **D. Police Involvement in Searches and Interrogations of Students**

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work.

Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving a student only if they have:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Been invited by school officials.

Before police officials are permitted to question or search any student, the building principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.



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

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

**NOTE:** In the event that there is a School Resource Officer assigned to the district, he/she may be involved in all aspects of searches, interrogations and investigations.

### **E. Child Protective Services Investigations**

Consistent with the District's commitment to keep students safe from harm and the obligation of school officials to report to Child Protective Services when they have reasonable cause to suspect that a student has been abused or maltreated, the District will cooperate with local Child Protective Services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by Child Protective Services to interview a student on school property shall be made directly to the building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is



such that it may be necessary for the student to remove any of his or her clothing in order for the Child Protective Services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a Child Protective Services worker or school District official of the opposite sex.

A Child Protective Services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

# VISITORS TO THE SCHOOL



The Board encourages parents and other District citizens to visit the District's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor;
2. All visitors to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building;
3. Visitors attending school functions that are open to the public, such as parent teacher organization meetings or public gatherings, are not required to register after regular attendance hours;
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum;
5. Teachers are expected not to take class time to discuss individual matters with visitors;
6. Any unauthorized person on school property will be reported to the principal or his or her designee; unauthorized persons will be asked to leave. The police may be called if the situation warrants;
7. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.



# PUBLIC CONDUCT

## On School Property

The District is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school function including students, teachers and district personnel. The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the District. The purpose of this code is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

### A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so;
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson;
3. Disrupt the orderly conduct of classes, school programs or other school activities;
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program;
5. Intimidate, harass or discriminate against any person for any reason;
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed;
7. Obstruct the free movement of any person in any place to which this code applies;
8. Violate the traffic laws, parking regulations or other restrictions on vehicles;
9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, inhalants, tobacco or be under the influence of any on school property or at a school function;
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district;
11. Loiter on or about school property;
12. Gamble on school property or at school functions;
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties;
14. Willfully incite others to commit any of the acts prohibited by this code;
15. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function

### B. Consequences

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

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

### **C. Enforcement**

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

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

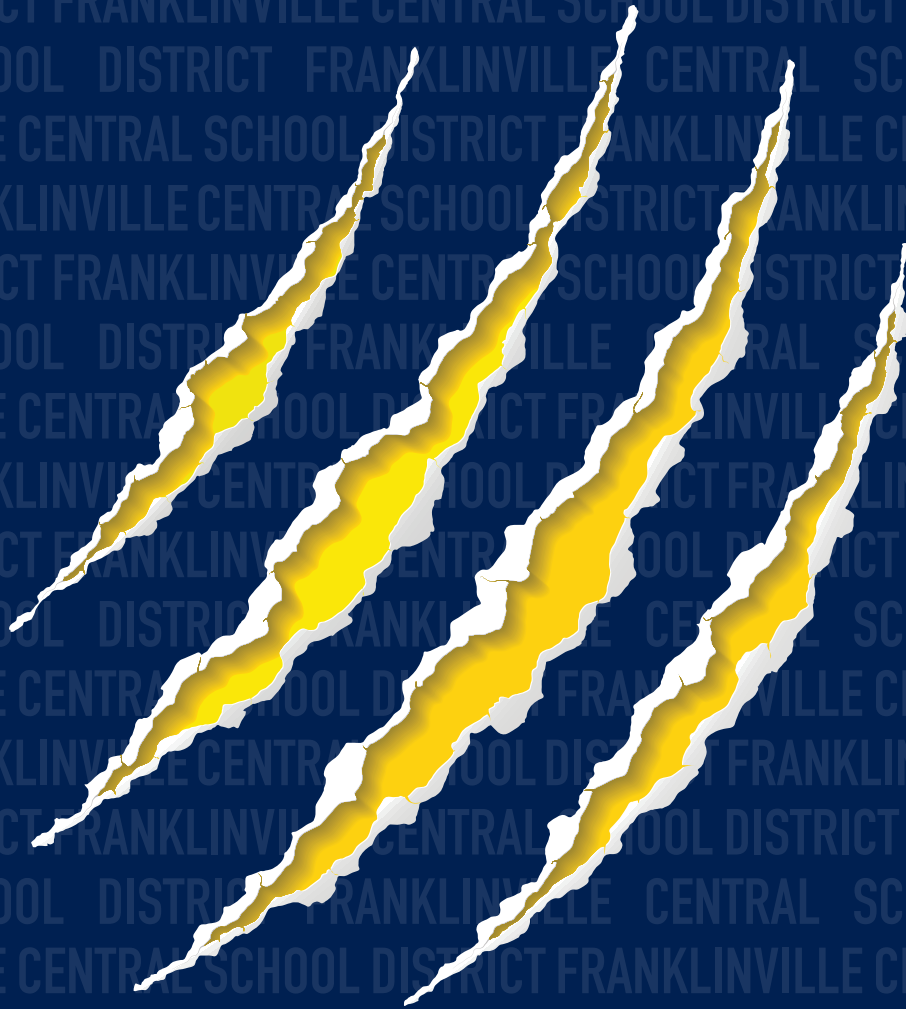
## **DISSEMINATION** OF THE CODE OF CHARACTER, CONDUCT, & SUPPORT

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, in an age-appropriate, plain language version, at a general school assembly held at the beginning of each school year;
2. Making copies of the code available to all parents at the beginning of the school year;
3. 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;
4. 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;
5. Providing all new employees with a copy of the current Code of Conduct when they are first hired;
6. Making copies of the code available for review by student, parents and other community members

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.

# APPENDIX A



# DEFINITIONS

## APPENDIX A: DEFINITIONS

For purposes of this Code, the following definitions apply.

**“Bullying”** shall mean the creation of a hostile environment *repeatedly over a period of time* 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 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.

There are at least three kinds of bullying: verbal, physical and social/relational.

- Verbal bullying includes, but is not limited to, name-calling, insulting remarks, verbal teasing, frightening phone calls, violent threats, extortion, taunting, gossip, spreading rumors, racist slurs, threatening electronic communications (“cyberbullying”), anonymous notes, etc.
- Physical bullying includes, but is not limited to, poking, slapping, hitting, tripping or causing a fall, choking, kicking, punching, biting, pinching, 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, looks, giving dirty looks, aggressive stares, etc.

Bullying may also involve the following characteristics:

- a. Power imbalance** - occurs when a bully uses his/her physical or social power over a target.
- b. Intent to harm** - the bully seeks to inflict physical or emotional harm and/or takes pleasure in this activity.
- c. Repetition** - incidents of bullying happen to the same person over and over by the same person or group
- d. Threat of further aggression** - the bully and the target believe the bullying will continue.
- e. Terror** - when any bullying increases, it becomes a systematic violence or harassment used to intimidate and maintain dominance.

Bullying may also be based on any characteristic including but not limited to a person’s actual or perceived race, color, weight, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, gender (including gender identity and expression), or any other legally protected category.

**“Cyberbullying”** – means “harassment” or “bullying” where such harassment or bullying occurs through any form of electronic communication. Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying can involve, but is not limited to: sending mean, vulgar, or threatening messages or images; posting sensitive, private information about another person; pretending to be someone else in order to make that person look bad. Cyberbullying involving district students may occur both on campus and off

## APPENDIX A: DEFINITIONS

school grounds and may involve student use of the district internet system or student use of personal digital devices including but not limited to:

cell phones, digital cameras, personal computers, electronic tools. Cyberbullying or harassment has or could have the effect of:

- Causing physical, social/relational, emotional or mental harm to a student;
- Placing a student in reasonable fear of physical, emotional or mental harm;
- Placing a student in reasonable fear of damage to or loss of personal property; or
- Interfering with a student's educational performance and/or denying or limiting a student's ability to participate in or to receive benefits, services or opportunities in the school's programs.

**“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 as 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])

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

**“Disruptive Student”**- means an elementary or secondary 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.

**“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 IX, Part B of article V 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 or any individual volunteering their services and/or expertise to the District (Education Law Sections 11[4] and 1125[3]).

**“Harassment”** - shall mean 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 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]).

## APPENDIX A: DEFINITIONS

- **“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”, “and Hispanics/Latinos “etc. to describe and classify the inhabitants of the United States.
- **“Color”** means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.
- **“Weight”** means aside from the obvious meaning in the physical sciences, the word is used in reference to a person’s “size”.
- **“National Origin”** means a person’s country of birth or ancestor’s country of birth.
- **“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.
- **“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.
- **“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”.) Actual or perceived sex and includes a person’s gender identity or expression (Education Law Section 11[6]).

**“Hazing”** is a form of harassment among students defined as any humiliating or dangerous activity expected of a student to join a group or be accepted by a formal or informal group, regardless of their willingness to participate. Hazing 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 public ridicule is likely to occur.

Hazing behaviors include, but are not limited to, the following general categories:

- a. Humiliation: socially offensive, isolating or uncooperative behaviors.
- b. Substance abuse: abuse of tobacco, alcohol or illegal/legal drugs.
- c. Dangerous hazing: hurtful, aggressive, destructive, and disruptive behaviors.

**“Informal Conference”** is an open-ended discussion of a disciplinary incident to include the student/teacher/parent/principal without the requirements of tape recording or transcription associated with a superintendent’s hearing, where the parent/student may request to confront witnesses.

**“Illegal Substances”** include, but are not limited to, alcohol, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs, and look alikes (including but not limited to, synthetic cannabinoids), prescription or over-the-counter drugs and other related paraphernalia when possession is unauthorized or such are inappropriately used or shared with others and any product with, when misused, will result in an impaired or altered state.

**“Material Incident of Harassment, Bullying and/or Discrimination”** - means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying and/or

## APPENDIX A: DEFINITIONS

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

**“Parent”** - means parent, guardian or person in parental relation to a student.

**“Principal”** - within the context of teacher removal of a student from class means either the principal of the building or any other administrator in the district acting in the principal's absence or at the principal's direction.

**“Restorative Practice or Restorative Contract”**- According to the International Institute for Restorative Practices, Restorative practices promotes inclusiveness, relationship-building and problemsolving, through such restorative methods as circles for teaching and conflict resolution to conferences that bring victims, offenders and their supporters together to address wrongdoing. Instead of punishment, students are encouraged to reflect on and take responsibility for their actions and come up with plans to repair harm.

**“Retaliation”** - means when any member of the school community retaliates against any person who reports alleged harassment or against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to such harassment. It is possible that an alleged harasser may be found to have retaliated even if the underlying complaint of harassment is not found to be a violation of this Code of Conduct. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment.

**“School Function”** - means any school-sponsored event or activity including extracurricular events and activities.

**“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 any real property leased owned by the School District, or in or on a school bus or district owned vehicle (as defined in Education Law Section 11[1]) or in any location or facility rented/leased or otherwise under the direction and control of school personnel.

**“School Vehicle”** - 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).

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

**“Sexual Orientation”** - means actual or perceived heterosexuality, homosexuality, or bisexuality).

## APPENDIX A: DEFINITIONS

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.

**“Threat of Violence”** refers to any written, electronic, verbal message, or gesture that poses risk to a victim and/or public safety.

**“Tobacco Products”** - means cigarettes, cigars, pipes, chewing tobacco, snuff, herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, e-cigarettes, vaping and/or nicotine containing devices and any part of or accessory to such devices, cloves, bidis and kreteks, and any other smoking or tobacco-containing product in any form, as well as matches, lighters and other related paraphernalia.

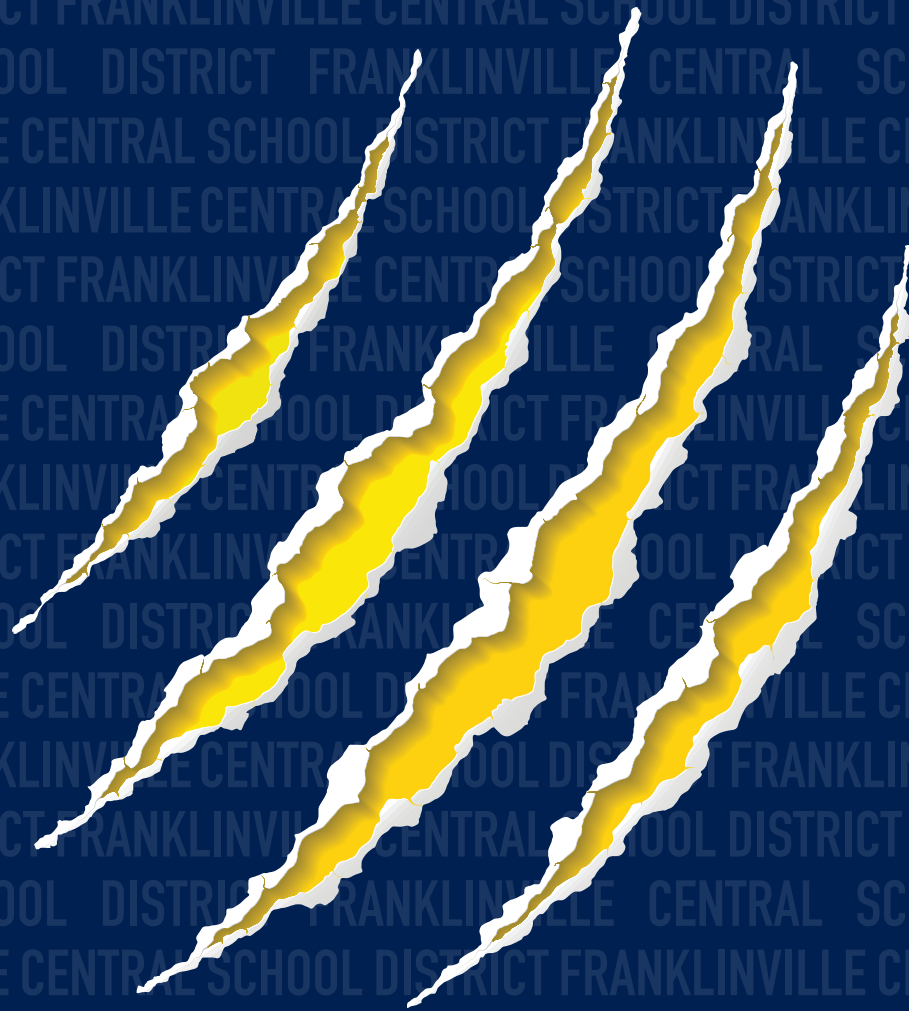
**“Under the Influence”** – A student shall be considered “under the influence” if he or she has used any quantity of Illegal Substance or alcohol within a time period reasonably proximate to his/her presence on School Property, on a School Bus, in a school vehicle or at a school-sponsored School Function and/or exhibits symptoms of such use as to lead to the reasonable conclusion of such consumption.

**“Violent Student”** - means a student under the age of 21 who:

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

**“Weapon”** - means a weapon or firearm as defined in 18 USC §921 of the Gun Free Schools Act: any weapon (including a starter gun) that will be, or is designed to or may readily be, converted to expel a projectile by the action of an explosive, the frame or receiver of any weapon described above, any firearm muffler or firearm silencer. It also means any other gun, rifle, shotgun, pistol, razor blade, pepper spray or other noxious spray, revolver, ammunition, other firearms, any knife, dangerous chemicals, explosive or incendiary bomb or other device, electronic stun gun or any other device, instrument, material or substance (“Other Item”) that can cause physical injury or death when such Other Item is used as a weapon. Any “look-alikes,” fake or toy weapons or Other Items wielded as a weapon are considered a weapon for purposes of this definition.

# APPENDIX B



# CHAIN OF CONTACT

<b>AREA</b>	<b>STEP 1</b>	<b>STEP 2</b>	<b>STEP 3</b>	<b>STEP 4</b>
Academics: Difficulties Scheduling Curriculum	Class/Course Teacher	School Counselor	Building Principal	Director of Pupil Personnel Services & Instruction/Superintendent
Attendance	Attendance Clerk/ Main Office Secretary	School Nurse	Principal	Superintendent
Athletics	Coach	Athletic Director	Principal	Superintendent
Behavior and Classroom Procedures	Teacher	School Counselor	Principal	Superintendent
Board of Education Policy	District Clerk	Superintendent	Board of Education	
Budget	Business Executive	Superintendent		
Buildings and Grounds	Building Main Office	Director of Facilities	Business Executive	Superintendent
Counseling	Teacher/School Counselor	Principal	Director of Pupil Personnel Services & Instruction	Superintendent
Employment	Bldg Main Office/Website	Principal	Business Executive	Superintendent
Extracurricular Activities	Advisor	Principal	Superintendent	
Food Service/ Meal Program	Building Cafeteria Mgr.	Food Service Director	Business Executive	Superintendent
Health/Medical	Teacher	School Nurse	Principal	Superintendent
Registration and Residency	Registrar	Principal	Director of Pupil Personnel Services & Instruction	Superintendent
Safety	Principal	Business Executive	Superintendent	
Scholarships	HS Counselor	Principal	Superintendent	
Special Education	Teacher	Principal	Director of Pupil Personnel Services & Instruction	Superintendent
Transportation	Dir. Of Transportation	Principal	Business Executive	Superintendent
Use of Facilities	Business Office	Athletic Director	High School Principal	Superintendent

**Phone:** (716) 676-8000

**Fax:** (716) 676-8041

**Elementary School:** (716) 676-8020

Principal: Melissa Martin

**Ten Broeck Academy:** (716) 676-8060

Principal: Robert Hirsch

**Office of Athletics:** (716) 676-8053

Athletic Director: Allan Dunlap

**Business Office:** (716) 676-8005

Business Executive: Donna Howard

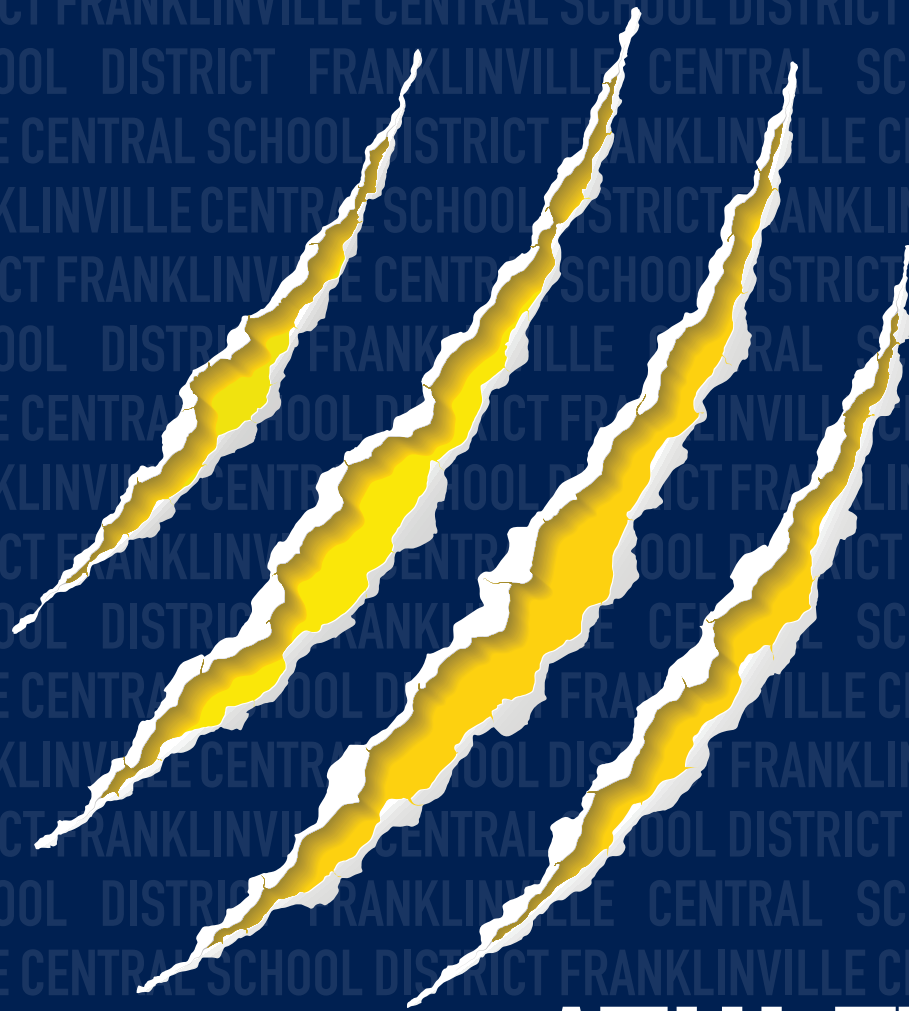
**Office of Pupil Personnel Services & Instruction:** (716) 676-8012

Director: W. Scott Rudnicki

**District Office:** (716) 676-8059

Superintendent: Donald Putnam

# APPENDIX C



## ATHLETIC & EXTRACURRICULAR CODE OF CONDUCT

## Franklinville Central School District Athletic and Extracurricular Code of Conduct

### **I. Purpose:**

Present an overview of general philosophy, policies of interscholastic athletics and responsibilities of students/athletes and parents involved in the Interscholastic Athletic Program and district extracurricular activities

### **II. Application of this Code:**

The Athletic and Extracurricular Code of Conduct will apply to all athletic teams/activities as well as extracurricular groups and activities. For the purpose of this Code, extracurricular activities shall include school-related clubs and organizations, athletics, musical productions, drama productions, the prom, school dances, class trips and field trips. Regular choral and band concerts that count toward a student's course grade are not subject to the provisions of this Code.

### **III. Objectives:**

- A. Operate within principles, objectives, rules and regulations of the New York State Public High School Athletic Association, Section VI Athletic Council, Board of Education, and all athletic conferences with which we are affiliated.
- B. Instill good sportsmanship; respect for rules and authority; establish leadership, self-control, and good human relationships; develop team pride, work, and discipline; develop self-discipline and emotional maturity; develop moral and ethical standards with physical and mental growth; and respect the rights of others.
- C. It shall be the philosophy of the high school Interscholastic Athletic Program that athletes should enjoy as many sports seasons as the student athlete and their parent want them to participate in without influence from any coach to specialize in one sport. All coaches are expected to advocate for multi-sport engagement across different seasons.
- D. Ensure the delivery of a quality program to the public, featuring competitive teams across various disciplines, exemplifying high standards of sportsmanship, skill, and commitment to the sport.
- E. Ensure the development of well rounded, responsible student-athletes.

### **IV. Student Responsibilities**

- A. It is a distinct privilege and not a right to represent Franklinville Central School in interscholastic athletic competition and extracurricular clubs and activities. This privilege must be earned by promise and continuing performance. To this end, one's conduct, both within and outside of the school district's jurisdiction, is to meet an acceptable norm as outlined in the District Code of Character, Conduct and Support.
- B. Signify acceptance of N.Y.S.P.H.S.A.A., Section VI Athletic Council, Board of Education, all athletic conferences and coaching rules and regulations through participation in the athletic programs.
- C. Requirements for participation:
  - a. Physical Examination – required yearly.
  - b. Health History update form
  - c. Emergency medical authorization form
  - d. Parent/guardian and student acknowledgement of Athletic Policies (BOE Policy #7420).
  - e. Parent/guardian and student acknowledgement of realization of risk of injury from minor to severe (death).
  - f. Financial obligation – to replace any issued equipment that is lost or damaged.
- D. Once school equipment is checked out by the student-athlete, it is their responsibility to keep it clean and in good condition. Replacement of any lost equipment will be at the athlete's and parents' expense. All equipment and/or obligations to the team must be returned and satisfied before starting a new sports season.

## V. Parent Responsibilities

- A. It is a distinct privilege and not a right for a student represent Franklinville Central School in interscholastic athletic competition and extracurricular clubs and activities. This privilege must be earned by promise and continuing performance. To this end, student conduct, both within and outside of the school district's jurisdiction, is to meet an acceptable norm as outlined in the District Code of Character, Conduct and Support. Parents should know and talk with your child about the expectations set forth in the Athletic Code of Conduct.
- B. At the start of each athletic season, parents shall attend, with their student-athletes, the pre-season meeting held with the coach of each team. Coaches will review the Athletic Code of Conduct, including any team participation expectations with students and parents at this meeting.
- C. Ensure your children attend athletic practices regularly and on time.
- D. Support your children in managing the time commitment necessary to be a successful student-athlete, including monitoring student academic progress during the athletic season.
- E. Work with the coach and teachers to address any academic or behavioral struggles your children may be facing.
- F. Be respectful and courteous to coaching staff, other parents, guardians, caregivers, and students while on school premises and at athletic contests.

## VI. Guidelines for Coaches/Advisors Regarding Academics

### 1. Coaches/advisors should regularly monitor the academic progress of their student-athletes.























- Coaches/advisors should encourage and support academic achievement by promoting study halls, tutoring, and time management.
- Coaches/advisors should communicate with teachers and academic advisors to stay informed about student performance.
- Participation in athletic and extracurricular activities may be contingent upon maintaining satisfactory academic standing.

### 2. Coaches/Advisors' Responsibility to the Code of Conduct

- Coaches/Advisors are expected to model and uphold the standards outlined in the Coach's Athletic Handbook and the school's Code of Character, Conduct, and Support.
- Coaches/Advisors must ensure that all athletes understand and adhere to the athletic code of conduct.
- Coaches/Advisors are responsible for creating a respectful, inclusive, and disciplined team environment
- **Equipment:** The coach of each team shall be responsible for submitting a pre- and post- season inventory list of equipment to the Athletic Director. The coach will be responsible for dissemination and collection of all equipment.

### 3. Protocol for Addressing Student Issues with Academics, Attendance, or Behavior

- When a student is experiencing academic difficulties, the Coach/Advisor should:
  - Meet with the student to discuss concerns and offer support.
  - Communicate with the student's parent/guardian, teacher, athletic director/or building principal.
  - Support a plan for appropriate academic support.
- **For attendance issues:**
  - Coaches/Advisors should track attendance and follow up on unexcused absences.
  - Repeated absences should be reported to the athletic director or school administration.
- **For behavioral concerns:**
  - Coaches/Advisors should address minor infractions directly and document the incident.
  - Serious or repeated behavior issues must be reported to the athletic director or the school administration and may result in suspension from participation.
  - All interventions should be documented and communicated with relevant school personnel.

Behavior Violation	Level 1	Level 2	Level 3	Level 4		Police	Notes
<b>Alcohol</b>							
Under the influence				X			School nurse will be notified immediately and conduct an evaluation.  School staff will refer student to appropriate substance abuse counseling.
Possession				X			
Distributing or selling				X			
<b>Illegal Behavior</b>							
Engaging in illegal behavior that interferes with the school's educational process and/or poses a risk of serious injury to a person or persons			X	X			
<b>Illegal Drugs (Including Marijuana)</b>							
Under the influence				X			School staff will refer student to appropriate substance counseling School administrator and/or his or her designee will be notified immediately to conduct and evaluation.
Using and/or possessing				X			
Distributing or selling				X			
Possession of paraphernalia for use of distribution of illegal substances				X			
<b>Inhalants</b>							
Under the influence			X	X			School staff will refer student to appropriate substance abuse counseling.
Using or possessing			X	X			
Distributing or selling			X	X			School nurse will be notified immediately.
<b>Tobacco Use or Possession</b>							
Possession or use			X	X			
Possession of tobacco paraphernalia			X	X			
<b>Vaping</b>							
Possessing vaping devices or paraphernalia on school property or at a school function		X	X	X			
Using vaping device on school property or at a school event.		X	X	X			
Selling or attempting to sell vaping devices or paraphernalia on school property or at a school function.			X	X			
Distributing or exchanging vaping devices or paraphernalia on school property or at a school function.			X	X			

## **VII. Preseason Expectations:**

- 1. With Coaches:** To ensure consistent communication regarding the Athletic and Extracurricular Code of Conduct, the Athletic Director will meet with coaches prior to the commencement of the relative athletic season. This meeting will include a review of the Code of Conduct, the expectations of the Athletic Director for implementation of the Code, procedures for maintaining an inventory of district-owned uniforms and equipment, and expectations for parent and student communication.
- 2. With Parents and Students:** To ensure consistent communication and clarity of expectations, each coach or extracurricular advisor will meet with parents and students prior to the commencement of the athletic season or extracurricular activity season. This meeting will include a review of the Athletic and Extracurricular Code of Conduct, a review of coach/advisor expectations for student performance and behavior, and a discussion of any potential student conflicts during the season. A record of these meetings will be provided by the coach to the athletic director or by an advisor to the building principal.

## **VIII. Statement of Policy on Training and Participation Rules**

### **A. Alcohol / Drugs / Tobacco Products**

- Definitions – A student/athlete who has consumed ANY amount of a controlled substance, alcohol, or tobacco products including e-cigarettes, is automatically termed to be “under the influence.”
- REGULATION: Any student/athlete apprehended with a controlled substance or who is apprehended with alcohol and/or under the influence of alcohol or who is apprehended with a tobacco product, including e-cigarettes, shall be assigned consequences in accordance with the Franklinville Code of Character, Conduct, and Support. Additionally, any student in direct contact or association with a student apprehended as described above may also be assigned consequences in accordance with the Franklinville Code of Character, Conduct, and Support, if the investigating school official determines there to be reasonable evidence that the student may have engaged with the possession, use, or distribution of the substance.
  - During periods of school suspension, students will not be permitted to attend practices or be present at any contest or extracurricular event. It may be recommended that the student/athlete participate in and complete a rehabilitation program agreed to by parent/guardian, athletic directors, administration, and substance abuse officials if deemed necessary.
  - Additional consequences may be imposed by the coach impacting a student’s status on a team (i.e., sitting out a contest, status change from first string to second string, removal of designation as team captain, etc.); however, a coach may not remove a student from the team for a violation of this policy. Such consequences will be determined by the Coach in consultation with the Athletic Director and based on the individual circumstances and details of the situation.
  - In accordance with the Franklinville Central School District Code of Character, Conduct and Support, below are expected consequences for violation of this policy.

## **IX. Basic Athletic Department Policies:**

Policies and provision of this section shall apply only to athletic events and activities.

- A. Participation:** An athlete may participate in only one sport per season, unless mutually agreed upon by coaches of both sports/activities.
- B. Dropping or Transferring Sports:** Quitting a sport or activity is strongly discouraged. On occasion, however, a student may find it necessary to drop a sport or activity for a good reason. If this is the case, the following procedure must be followed:
  - Consult with your immediate coach, then the head coach.
  - Report your situation to the Athletic Director, if the student desires to transfer sports.
  - Check-in all equipment issued to you.

If an athlete wishes to change sports during a season, they shall consult with both the coaches concerned and the Athletic Director to assure a smooth transfer.

**C. Missing Practice:** An athlete should always consult with their coach before missing practice.

**D. Travel:** All athletes are encouraged to travel to and from out-of-town contests by the provided athletic department transportation. During this time:

1. Athletes will remain with their squad and under coach supervision when attending any contest.
2. All regular school bus rules will be followed.
3. The Code of Character, Conduct and Support is in full effect on the school bus and while attending extracurricular events and athletic contests. This includes provisions governing student attire.
4. Athletes who are not using athletic department transportation to travel to athletic contests will be required to provide the Athletic Director with a written letter from their parent/guardian indicating the reason for the alternative transportation. Acceptable reasons shall include medical, dental, or counseling appointments or academic tutoring or supports.
5. Athletes who are not using the athletic department provided transportation to return from athletic contests will require permission from a parent or guardian and must be signed out with a coach at the conclusion of the contest.

**E. College Recruitment Policy:** College recruitment NCAA standards are available from your coach. In the event an athlete is contacted personally by a college recruiter, it is recommended that they work through their coach and the athletic department.

**F. Conflicts in Extra-Curricular Activities:** An individual student who attempts to participate in several extra-curricular activities will undoubtedly be in a position of conflict of obligations. The athletic department recognizes that each student shall have the opportunity for a broad range of experiences in extra-curricular activities, and to this end, will attempt to schedule athletic and extracurricular events in a manner to minimize conflicts. Students have a responsibility to do everything they can to avoid continuous conflict, including being cautious about participating in too many activities where conflicts are bound to happen. It also means immediately notifying the faculty advisors or coaches involved when a conflict does arise.

**In the event of a conflict, advisors and coaches will collaborate to devise a resolution, thus ensuring that students are not subjected to undue stress.** If a solution cannot be found, the Athletic Director or principal will make the decision based on the following criteria:

1. The relative importance of each event
2. The importance of each event to the student
3. The relative contribution the student can make
4. How long each event has been scheduled
5. A conversation with the parents

Upon reaching a decision and the subsequent adherence of the student to said decision, it is guaranteed that neither the advisor nor the coach will impose any form of penalty or negative repercussion on the student. If it becomes obvious that a student cannot fulfill the obligation of a school activity, they will withdraw from the activity.

**G. Attendance:** For students to participate in athletics, it is necessary that students attend classes for at least 4 hours of the school day. Excused absences in accordance with the District's Comprehensive Student Attendance Policy

(BOE Policy #7110) will be accepted. Excessive tardiness or absences from school may result in ineligibility in athletics. The athlete will receive a warning prior to a suspension from activities for attendance issues.

**H. Release from Class:** It is the responsibility of the athlete to inform their teacher(s) at least a day before that a class will be missed because of an athletic contest. All work shall be made up at the convenience of the teacher.

**I. Grooming and Dress Policy:** Students should remember that they serve as representatives of the Franklinville Central School District when attending contests in other schools. It is preferred that student athletes wear special game day attire when it is provided to actively participate in this manifestation of team spirit. When attire is not provided, all members of an athletic team are expected to comply with the dress code as detailed in the Franklinville CSD Code of Character, Conduct and Support.

**J. Vacation Policy:** Vacations by athletic team members during a sports season are discouraged. Parents or athletes contemplating vacations during a sports season may wish to reassess their commitment to athletics. If an absence due to a vacation is unavoidable, an athlete must:

- a. Contact the head coach prior to vacation
- b. Be willing to assume the consequences related to their status on that squad as a starter, 2nd string, 3rd string, etc.

**K. Squad Selection:** In harmony with the District's athletic philosophy and commitment to maximize student participation in sports, coaches are urged to ensure students engage at an appropriate league level that aligns with their skills and maturity. This approach will not compromise the integrity of their sport and, at the same time, promote a beneficial and rewarding experience for the athlete involve. Time, space, facilities, equipment, personal preference, and other factors will influence appropriate squad size for any sport.

**L. Cutting Policies:** Choosing the members of athletic squads is the sole responsibility of the coaches of those squads. Prior to a student trying out, the coach shall provide the following information to all candidates for the team:

- a. Extent of try-out period
- b. Criteria used to select the team
- c. Number of athletes to be selected
- d. Practice
- e. Game commitment

**M. Reporting of Injury:** All injuries that occur while participating in athletics must be reported to the coach. If the injury requires medical attention by a doctor, it will be necessary to have an injury report form completed. Once an athlete is treated by a physician, the athlete must obtain the physician's permission to return to the activity. The school physician must approve all returns, as well.

**N. Violation of Athletic Department Rules**

1. Penalty – determined by the Board of Education N.Y.S.P.H.S.A.A., Athletic Conference, and the athletic department.

**O. Social Ineligibility:**

Serious infractions and repeated violations of the Code of Character, Conduct and Support will result in a student being placed on social ineligibility by the high school principal or the superintendent.

Students assigned social ineligibility are not only prohibited from participation, but also attendance at athletic and extra-curricular activities.

**P. In-School Suspension (ISS) and Out-Of-School Suspension (OSS):**

On days in which students are assigned ISS/OSS, they will be deemed ineligible for the day.

- Ineligible students may not participate in extracurricular activities and events.
- Ineligible students may not attend extracurricular activities and events as a spectator.
- Ineligible students who are involved in sports may NOT practice or compete.
- The building principal shall have discretion over all discipline matters.

**Q. Appeals Procedure:**

1. Appeal to the Coach
  - a. An athlete who has a grievance may take the grievance to the coach under whom they play, or to the Head Coach.
  - b. A conference will be held between the Coach and the athlete. If the grievance is not resolved, the student will proceed to step 2.
2. Appeal to the Athletic Director
  - a. The athlete will present to the Athletic Director, in writing, the nature of the grievance and why step 1 was not satisfactory.
  - b. A conference will be held with the athlete, Coach, and Athletic Director. If the grievance is not resolved, the student will proceed to step 3.
3. Appeal to the High School Principal
  - a. The athlete will present to the High School Principal, in writing, the nature of the grievance and why step 2 was not satisfactory.
  - b. A conference will be held with the athlete, Coach, Athletic Director, and High School Principal. If the grievance is not resolved, the student will proceed to step 4.
4. Appeal to the Superintendent
  - a. The athlete will present to the Superintendent, in writing, the nature of the grievance and why step 3 was not satisfactory.
  - b. A conference will be held with the athlete, Coach, Athletic Director, and Superintendent.
  - c. If the grievance is not resolved, the student will proceed to step 5.
5. Appeal to the Board of Education
  - a. The athlete will present to the Board of Education, in writing, the nature of the grievance and why step 4 was not satisfactory.
  - b. A decision will be given to the Athlete, Coach, Athletic Director, and Superintendent.





# **Franklinville**

**Central School District**

Code of Character, Conduct, & Support