



## **CODE OF CONDUCT**

# **EAST SYRACUSE MINOA CENTRAL SCHOOL DISTRICT**

Public Hearing  
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## TABLE OF CONTENTS

ARTICLE	TITLE	PAGE
I.	Introduction.....	1
II.	Dignity for All Students Act (DASA) .....	1-2
III.	Definitions .....	2-5
IV.	Essential Partners .....	6-10
	A. Parents.....	6
	B. Teachers .....	6-7
	C. Teacher Aides and Other School Employees.....	7-8
	D. Counselors/Psychologists .....	8-9
	E. Principals.....	9
	F. Superintendent .....	9-10
	G. Board of Education .....	10
V.	Student Conduct .....	11-23
	A. Student Rights.....	11
	B. Student Responsibilities .....	11-12
	C. Student Dress Code .....	12
	D. Behavior-Related Offenses and Consequences .....	12-18
	E. Teacher Removal of Disruptive Students .....	18-20
	F. Students Who Are Repeatedly Disruptive .....	20
	G. Minimum Suspension for Violent Students.....	20-21
	H. Referrals – PINS .....	21
	I. Discipline of Students with Disabilities.....	22-23
	J. Corporal Punishment/Emergency Interventions .....	23-24
VI.	Reporting Violations of the Code of Conduct .....	24-27
VII.	Remedial Responses to Violations of Code of Conduct.....	27-28
VIII.	Staff-Student Relations .....	28-29
IX.	Visitors to Schools .....	29
X.	Public Conduct on School Property.....	29-31
XI.	Transportation of Students.....	31-32



XII.	Interrogation of Students by Law Enforcement.....	32
XIII.	Related Board of Education Policies .....	32-33
XIV.	In-Service Educational Programs .....	33
XV.	Dissemination and Review .....	33-34
XVI.	Prohibition of Retaliation.....	34-35
	Form A Teacher Report of a Disruptive Pupil.....	36
	Form B Building Principal Report.....	37

# CODE OF CONDUCT

## I. INTRODUCTION

The East Syracuse Minoa Board of Education (“Board”) is committed to providing a safe and orderly school environment where students may receive and District personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other staff, parents, and visitors is essential to achievement of this goal. Accordingly, in collaboration with students, parents, teachers and administrators, the Board has established this Code of conduct. It applies to all students, school personnel, parents, and other visitors when on school property or in attendance at a school function.

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

### **Dignity for All Students Act (DASA)**

The Dignity for All Students Act (DASA) effective July 1, 2012, contains similar requirements for maintaining a positive learning environment for all students and will be integrated with the District Code of Conduct. DASA specifically prohibits bullying, discrimination and harassment by school employees and students on school property or at a school function by school employees and students based on, BUT NOT LIMITED TO, actual or perceived: race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex. Also included are provisions for reporting and intervening in cases of discrimination, harassment or bullying. Any related complaints should be brought to the attention of the building Principal who also serves as the Dignity Act Coordinator (DAC) to assist in implementation of the DASA in each school building. Cheryl West, Coordinator for Youth Development and Leadership will provide District coordination of the DASA.

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

The DAC’s shall be employed by the District and be licensed and/or certified by the Commissioner as a classroom teacher, school counselor, school psychologist, school nurse, school social worker, school administrator or supervisor or Superintendent of schools.

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

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

**The DAC's for each building are:**

Greg Avellino – Central High School 434-3300  
Doug Mohorter – Pine Grove Middle School 434-3050  
Ron Perry – East Syracuse Elementary 434-3850  
Shane Hacker – Fremont Elementary 434-3480  
Amy Fiedler-Horack – Minoa Elementary 434-3420  
Gina Terzini – Woodland Elementary 434-3440  
Pam Buddendeck – Park Hill School 434-3800

Board of Education Policies which support implementation of the DASA are referenced at the back of this document.

## **II. DEFINITIONS**

For purposes of this Code, the following definitions apply:

**“Cyberbullying”** means harassment or bullying where such harassment or bullying occurs through any form of electronic communication. Cyberbullying includes the use of information technology, including, but not limited e-mail, instant message, blogs, chat rooms, pagers, cell phones, and gaming systems, to harass, threaten, isolate or intimidate others. (Education Law §11[8])

**“Disability”** means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law §292[21]).

**“Disruptive student”** means a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

**“Employee”** means any person receiving compensation from a school District or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the

Social Services Law, and consistent with the provisions of such title for the provision of services to such District, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §11[4] and §1125[3]).

**“Firearm”** means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon, any firearm muffler or firearm silencer; or any destructive device including any explosive, incendiary, poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the devices described above. Any “look-alikes” or other instruments wielded as a firearm are considered a firearm for purposes of this definition.

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

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

- a. on school property; and/or
- b. at a school function; or
- c. off-school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

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

For the purposes of this definition the term “threats, intimidation or abuse” shall include verbal and non-verbal actions. “Emotional harm” that takes place in the context of “harassment or bullying” means harm to a student’s emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student’s education. (Education Law §11[7]).

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

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

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

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

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

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

**“School Bus”** means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law §11[1] and Vehicle and Traffic Law §142).

**“School function”** means a school-sponsored extra-curricular event or activity (Education Law §11[2]).

**“School Property”** means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a

public elementary or secondary school; or in or on a school bus (Education Law §11[1] and Vehicle and Traffic Law §142).

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

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

**“Tobacco Products”** means cigarettes, cigars, pipes, chewing tobacco, snuff, herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, e-cigarettes, vapes, cloves, bidis, juules and kreteks as well as matches and lighters.

**“Under the Influence”** – A student shall be considered “under the influence” if he or she has used any quantity of an 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 function and/or exhibits symptoms of such use as to lead to the reasonable conclusion of such consumption.

**“Violent student”** means a student who:

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

**“Weapon”** means a weapon or firearm as defined in 18 USC§ 930 and 18 USC § 921 respectively of the Gun Free Schools Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, air-gun, spring-gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance (“Other Item”) that can cause serious physical injury

or death when such Other Item is used as a weapon (e.g. pocket knife, folding knife, lockback knife, or pen knife). Any “look-alikes” or other instruments wielded as a weapon are considered a weapon for purposes of this definition.

### **III. ESSENTIAL PARTNERS**

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

#### **A. PARENTS**

Recognize that the education of their child(ren) is a joint responsibility of parents and the school community.

1. Send their children to school ready to participate and learn.
2. Ensure their children attend school regularly and on time.
3. Ensure their children are absent only for legal reasons.
4. Ensure their children be dressed and groomed in a manner consistent with the student dress code.
5. Help their children understand that in a democratic society, appropriate rules are required to maintain a safe, orderly environment.
6. Know school rules and help their children understand them.
7. Convey to their children a supportive attitude toward education and the District.
8. Build positive relationships with school personnel.
9. Help their children deal effectively with peer pressure.
10. Inform school officials of changes in the home situation that may affect student conduct or performance.
11. Provide a place for study and support teachers’ requirements to complete school assignments.
12. Maintain ongoing and frequent communication with appropriate school personnel.

## **B. TEACHERS**

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

## **C. TEACHER AIDES AND OTHER SCHOOL EMPLOYEES**

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Assist students in their daily activities as directed by the classroom teacher(s) and administrator(s).
3. Maintain an environment of mutual respect and dignity for all students

regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, sex or any other legally protected status, which will strengthen students' confidence and promote learning.

4. Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
5. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
6. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the school employee's attention to the Building Administrator and/or Dignity Act Coordinator in a timely manner.

#### **D. COUNSELORS/PSYCHOLOGISTS**

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor/psychologist conferences as necessary and parent/teacher/student/counselor/psychologist conferences, as necessary, as a way to resolve problems or in the case of threats or actions by students against themselves, including suicide, immediately contact parents/guardians and the school administrators.
3. Report information to a school administrator which might impact a safe, orderly school environment.
4. Encourage students to benefit from the curriculum and extracurricular programs.
5. Participate in crisis management.
6. Refer students and/or parents to appropriate human service agencies outside the school.
7. Assess student social and emotional behaviors.
8. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

10. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to an employee's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
11. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

#### **E. PRINCIPALS**

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

#### **F. SUPERINTENDENT**

1. Promote a safe, orderly and stimulating school environment, supporting teaching and learning.

2. Review the policies of the Board and state and federal laws relating to school operations and management with District administrators.
3. Ensure that staff and parents have the opportunity to communicate with the Superintendent.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with District administrators, when appropriate, in reinforcing the Code of Conduct to ensure that cases are resolved promptly and fairly.
6. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
8. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to the Superintendent's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
9. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

**G. BOARD OF EDUCATION**

1. Collaborate with student, teacher, administrator, and parent organizations, East Syracuse Minoa safety personnel and other East Syracuse Minoa personnel to develop a code of conduct that clearly defines expectations for the conduct of students, East Syracuse Minoa personnel, and visitors on East Syracuse Minoa property and at East Syracuse Minoa functions.
2. Adopt, review at least once a year, and modify as appropriate, the District's Code of Conduct.
3. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
4. Report incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to the board member's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.

5. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

#### **IV. STUDENT CONDUCT**

##### **A. STUDENT RIGHTS**

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

1. A safe, healthy, orderly and civil school environment.
2. Take part in all District activities on an equal basis regardless of age, race, religion, color, national origin, sex, sexual orientation or disability.
3. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty as in connection with the imposition of the penalty.
4. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
5. Be free from discrimination, bullying and harassment on school property or school functions including but not limited to the educational program, activities, or admission policies of their school. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, gender (including gender identity and expression), or any other legally protected category.

##### **B. STUDENT RESPONSIBILITIES**

All students have the responsibility to:

1. Obey all school rules and regulations.
2. Attend school regularly and punctually.
3. Show respect for fellow students, teachers and all school District staff.
4. Accept responsibility for their actions.
5. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.

6. Conduct themselves as representatives of East Syracuse Minoa when participating in or attending East Syracuse Minoa sponsored extra-curricular events and to hold themselves to the highest standards of conduct.
7. Respect all property.
8. Be safe, and not disrupt or interfere with the educational process.

**C. STUDENT DRESS CODE**

The intent of the dress code is to foster an environment that is sanitary, safe and conducive to teaching and student learning. It is also intended to provide guidance to prepare students for their role in the work place and society. All students are expected to give attention to personal grooming and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other District personnel should exemplify and reinforce acceptable student dress, thereby helping students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance shall:

1. Not endanger the health, safety and welfare of self or others.
2. Not disrupt or interfere with the educational process.
3. Not include any item that is vulgar, obscene, libelous, or that denigrates another's race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity, or disability.
4. Not promote and/or endorse the use of alcohol, tobacco, or illegal drugs, and/or encourage other illegal or violent activities.
5. Comply with all rules and regulations as identified in each school building handbook.

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

**D. BEHAVIOR-RELATED OFFENSES AND CONSEQUENCES**

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

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

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

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

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

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

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

<b>RANGE OF CONSEQUENCES FOR BEHAVIOR RELATED OFFENSES</b>		
<b>I OPTIONS</b> <ul style="list-style-type: none"> <li>• Warning/verbal reprimand</li> <li>• Time-out or out of classroom</li> <li>• Loss of privilege</li> <li>• Conference with student</li> <li>• Communication with parent</li> <li>• Detention</li> <li>• Counseling</li> <li>• *Restitution</li> </ul>	<b>1. II OPTIONS</b> <ul style="list-style-type: none"> <li>• Removal from class</li> <li>• *Suspension <ul style="list-style-type: none"> <li>√ In-school</li> <li>√ Out-of-school</li> </ul> </li> <li>• *Saturday detention</li> <li>• *Police notification</li> <li>• *Removal from school property <ul style="list-style-type: none"> <li>*Social probation</li> <li>**Superintendents hearing</li> </ul> </li> </ul>	<b>2. III OPTIONS</b> <ul style="list-style-type: none"> <li>• **Alternative placement</li> <li>• **Long-term suspension <ul style="list-style-type: none"> <li>**Superintendents hearing</li> </ul> </li> </ul>
*Administrator action only **Superintendent action only		

<b>OFFENSES AND CONSEQUENCES</b>		
<b>Offense</b>	<b>Definition</b>	<b>Range of Consequences</b>
1. Absence (Unlawful)	An absence for a day or any portion of a day for any reason other than those cited as lawful and/or failure to bring a note by a parent/guardian to verify a lawful absence.	I – II
2. Alcohol/Drug Violation	Possession, distribution, consumption, being under the influence, or sale of Illegal Substances, alcoholic beverages or drug paraphernalia on school property, at a school function, on a school bus, or in a school vehicle. Over the counter medications cannot be possessed or distributed. Possession will be presumed if Illegal Substance(s), alcoholic beverage(s) or drug paraphernalia are found in an area of control by the student (i.e. backpack, automobile, personal belongings)	II - III
3. Arson/fire	Attempting to, aiding in, or setting fire to a building or other property.	II - III
4. Bus Misbehavior	Any violation of bus behavior rules.	I - II
5. Cheating/Academic Dishonesty	Copying, plagiarizing, altering records, or assisting another in such actions.	I - III
6. Computer/ Electronic Communication Misuse	Any unauthorized use of computers, software, or internet/intranet account to access internet/intranet; accessing another's e-mail or an inappropriate website; misuse of a website, including transmission of inappropriate language or images via electronic/digital devices.	I - III
7. Cutting class	Illegal absence from a class or school activity.	I - II

8. Cyberbullying	Harassment or bullying where such harassment or bullying occurs through any form of electronic communication. Cyberbullying includes the use of information technology, including, but not limited to e-mail, instant message, blogs, chat rooms, pagers, cell phones, and gaming systems, to harass, threaten, isolate or intimidate others. (Education Law §11[8]).	I - III
9. Defamation	False or unprivileged statement or representation about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group.	I - II
10. Destruction of Property/ Vandalism	Damage, destruction, or defacement (graffiti) of property belonging to another or the school.	II - III
11. Discrimination	Discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status.	I - III
12. Disrespect Toward Others	Inappropriate comment or physical gesture to a student, teacher, staff member, or other adult.	I - II
13. Disorderly Conduct	Behavior disturbing the atmosphere or order, to include obstructing or restraining the authorized or lawful movement or participation of another.	I - II
14. Disruption – Classroom	Behavior that is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.	I - III
15. Disruption – School	Behavior that interferes with the safe and orderly environment of the school or school activity.	I - III
16. Driving/ Parking Violations	Failure to obey all state, District, and campus traffic and parking signs and rules.	I - II
17. Failure to Serve Assigned Consequences	Failure to serve detention, Saturday detention, suspension or other assigned consequences.	I - II
18. False Alarms/Bomb Threats	Causing or initiating a report or warning of fire, or catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.	II - III
19. Fighting	A hostile confrontation with physical contact involving two or more students.	II - III
20. Fireworks or Explosives	Possession, use, and/or threat to use a firework, smoke bomb, flare, or combustible or explosive substance.	II - III

21. Firearm	Possession of a firearm	II - III
22. Gambling	Wagering money or property.	I - II
23. Harassment and/or Bullying	<p>The creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that either (1) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or (2) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety. Such definition includes acts of harassment or bullying that occur:</p> <ul style="list-style-type: none"> <li>a. on school property; and/or</li> <li>b. at a school function; or</li> <li>c. off-school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.</li> </ul> <p>Such conduct shall include, but not be limited to, those acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status.</p> <p>For the purposes of this definition the term “threats, intimidation or abuse” shall include verbal and non-verbal actions. “Emotional harm” that takes place in the context of “harassment or bullying” means harm to a student’s emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student’s education. (Education Law §11[7]).</p>	I - III

	Bullying includes, but is not limited to, threatening, stalking, ostracizing or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal or physical conduct that threatens another with harm, including, but not limited to, intimidation through the use of epithets or slurs.	
24. Hazing	Negative or reckless act required for the purpose of initiating into, affiliating with, or maintaining membership in any activity, organization, club, or team.	I - III
25. Indecent Exposure	Exposing the private parts of the body in a lewd or indecent manner.	I - II
26. Insubordination	Refusing to follow reasonable requests of teachers, staff, or administration, including failure to identify self or knowingly providing false information.	I - III
27. Leaving school grounds without permission	Leaving school grounds during regular school hours without written or verbal permission from parent/guardian, administrator or someone listed on the emergency procedure card.	I - II
28. Loitering	Idle presence in an area without authorization.	I - II
29. Physical Attack on Staff, Students/Others	Assault, or aggressive physical action, directed at students, staff, or others, including a situation where a staff member is intervening in a fight or other disruptive activity.	II - III
30. Possession of Disruptive Items	Unauthorized possession of a sound box, laser pointer, squirt gun, water balloon, personal audio device, or any other disruptive item.	I- II
31. Possession of Portable Electronic Communication Devices	Unauthorized possession of pager or cellular phone.	I -II
32. Possession of Skate boards, Roller blades/ Scooters	Unauthorized use or unauthorized possession of a skateboard, scooter, or roller blades on school property.	I - II
33. Sexting	Sending, receiving or forwarding sexually suggestive nude or nearly nude photos through text message, email or other electronic/digital means.	I - III
34. Sexual contact with another student	Any form of sexual contact between students.	II - III

35. Sexual Harassment	Unwanted and inappropriate verbal, written, or physical conduct of a sexual nature directed toward another person.	I - III
36. Tardiness	Lateness to school or class.	I - II
37. Theft	Taking or obtaining property of another without permission of the owner.	II - III
38. Threat to Staff, Student or Other Person	Expression, conveyed by word or action, of intent to abuse, intimidate, coerce, or injure a staff member, student, or other person.	I - III
39. Tobacco Violation	Possession or use of any Tobacco Product; This prohibition extends to on school property, at a school function, on a school bus, or in a school vehicle.	I - II
40. Trespassing	Unauthorized presence on school property, including while on suspension.	I - II
41. Truancy	Unlawful absence without parental knowledge and/or permission.	I - II
42. Unacceptable Language	Using vulgar or abusive language, cursing, or swearing.	I II
43. Weapon Possession	Possession of a weapon.	II - III

## **E. TEACHER REMOVAL OF DISRUPTIVE STUDENTS**

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

A classroom teacher may remove a student from class for up to two days if the teacher determines that the student is disruptive or violent. The removal from class applies to the class of the removing teacher only.

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

1. Teacher explains why. Student may respond.
2. Student is sent to office (office is notified by teacher).
  - a) High School – the teacher can remove a student for up to two consecutive instructional blocks including the day of removal. In a

class of double blocks the teacher removes the student for up to two consecutive school days including the day of removal.

- b) Pine Grove Middle School & Elementary School – The student is removed from the class for up to two days, not including the day of removal.
  - c) Summer School – The teacher can remove the student for up to two consecutive school days including the day of removal.
3. Teacher completes, Form – A.
  4. Administrator confirms with the teacher date/time and reason for removal.
  5. Administrator confirms that student is receiving educational instruction outside the classroom.
  6. Person in Parental Relationship is notified within 24 hours.
  7. Informal conference is held within 48 hours (if requested by Person in Parental Relationship) with parent/guardian, Principal, teacher.
  8. Administrator makes determination of consequences, Form – B.

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

1. Student is immediately removed to the office.
  - a) High School – The teacher can remove student for up to two consecutive instructional blocks including the day of removal. In a class of double blocks the teacher removes the student for up to two consecutive school days including the day of removal.
  - b) Pine Grove Middle School & Elementary School – The student is removed from the class for up to two days, not including the day of removal.
  - c) Summer School – The teacher can remove the student for up to two consecutive school days including the day of removal.
2. Teacher notifies administrator.
3. Teacher completes, Form – A.
4. Administrator confirms with the teacher date/time and reason for removal.

5. Administrator confirms that student is receiving educational instruction outside the classroom.
6. Teacher notifies student of reason for removal within 24 hours.
7. Person in Parental Relationship is notified within 24 hours by the administrator.
8. Conference is held within 48 hours (if requested by Person in Parental Relationship) with student, parent/guardian, administrator and teacher.
9. Administrator makes determination of consequences, Form – B.

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

After meeting with an administrator, a student who is removed from class may be placed in a supervised setting until the period of removal is completed. As soon as possible, but no later than the beginning of the next school day, the removing teacher must provide a guide for instruction (on a District prepared form) and appropriate instructional material(s).

Each teacher must keep a log for all cases of removal of students from his/her class. Teachers must ensure that the cumulative days of removal of a special education student do not violate state or federal law or regulation. The Principal must keep a log of all removals of students from class.

#### **F. STUDENTS WHO ARE REPEATEDLY DISRUPTIVE**

Any student, who engages in conduct which results in the student being removed from a classroom by any teacher on four or more occasions in a semester, will be suspended from school for three days. Upon the 5<sup>th</sup> removal from class, other educational options may be considered. In addition, there may be an occasion when it will be appropriate to refer a disruptive student to a school counselor or psychologist who in turn may refer a student (and parent) to appropriate human services organizations outside the school.

#### **G. MINIMUM SUSPENSION FOR VIOLENT STUDENTS/FIREARMS**

Any student that engages in conduct described in a “Violent Student” on page 3, will be suspended for a minimum of one (1) day. If a suspension exceeds five (5) days, a Superintendent’s Hearing will be required.

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

1. The student’s age; and /or
2. The student’s grade in school; and/or
3. The student’s prior disciplinary record; and/or
4. The Superintendent’s belief that other forms of discipline may be more effective; and/or
5. Input from parents, teachers and/or others; and/or
6. Other extenuating circumstances.

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

## **H. REFERRALS**

### **1. 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 marijuana in violation of Penal Law §221.05. A single violation of §221.05 will be a sufficient basis for filing a PINS petition.

### **2. 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 or firearm 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.

## **I. DISCIPLINE OF STUDENTS WITH DISABILITIES**

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

This Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

### **1. CHANGE OF PLACEMENT RULE**

- a. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
  - For more than 10 consecutive school days; or
  - 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.
- b. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

However, the District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability.

**2. SPECIAL RULES REGARDING THE SUSPENSION OR REMOVAL OF STUDENTS WITH DISABILITIES**

- a. The District's Committee on Special Education shall conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the District is first suspending or removing a student with a disability for more than 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 Interim Alternative Educational Setting for misconduct involving weapons, illegal drugs or controlled substances.

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

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

**J. CORPORAL PUNISHMENT/EMERGENCY INTERVENTIONS**

**Corporal Punishment**

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

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

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

**Emergency Interventions**

However, if alternative procedures and methods which would not involve physical force do not work, then the use of reasonable physical force is not prohibited for the following reasons:

- a) Self-protection;

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

Such emergency interventions shall only be used in situations where alternative procedures and methods not involving the use of reasonable physical force cannot reasonably be employed. Emergency interventions shall not be used as a punishment or as a substitute for systematic behavioral interventions that are designed to change, replace, modify or eliminate a targeted behavior.

Staff who may be called upon to implement emergency interventions will be provided appropriate training in safe and effective restraint procedures. The parent(s) of the student shall be notified whenever an emergency intervention is utilized.

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

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

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

## **V. REPORTING VIOLATIONS OF THE CODE OF CONDUCT**

All students are expected to promptly report violations of the Code of Conduct and any potential criminal activity to a teacher, 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, including volunteers, who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct and any potential criminal activity to their supervisor who 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 should immediately notify the appropriate local law enforcement agency of those code violations, and any other conduct that occurs on school property or at a school function or in travel to and from school, that is criminal in nature and substantially affects the physical, mental or emotional well-being of a student or the order, security or overall safety of the school, and, in the absence of extenuating circumstances, such notification should occur no later than the close of business the day the Principal or his or designee learns of the conduct. The notification should identify the persons involved in the conduct, the names of any victims and witnesses and an explanation of the conduct that may constitute a crime.

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

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

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

#### **A. Reporting Discrimination, Harassment and Bullying**

The School 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 and bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment and bullying.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or

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

Upon receipt of a complaint (even an anonymous complaint), or if a District official otherwise learns of any occurrence of 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 School Principal shall lead or supervise a thorough investigation of the alleged harassing, bullying and/or retaliatory conduct. The Principal or the Principal's designee shall verify 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 District official, employee, volunteer, vendor, visitor and/or student has violated the District's Code of Conduct or a material incident of harassment, bullying and/or discrimination has occurred, immediate corrective action will be taken as warranted, it will take prompt action reasonably calculated to end the violation, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and verify the safety of the student or students against whom such violation was directed.

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

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

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

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

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

## **B. Reporting Sex Crimes**

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

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

## **VI. Remedial Responses to Violations of Code of Conduct**

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

- a. peer support groups; corrective instruction or other relevant learning or service experience;
- c. supportive intervention;
- c. behavioral assessment or evaluation;

- d. behavioral management plans, with benchmarks that are closely monitored; and/or
- e. student counseling and parent conferences.

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

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

## **VII. STAFF-STUDENT RELATIONS**

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

Any student who believes that he/she has been subjected to inappropriate staff behavior, as well as school employees or third parties who have knowledge of or witness any possible occurrence of inappropriate staff-student relations, shall report the incident to any staff member, the employee's supervisor, the student's Principal or the District's designated Complaint Officer. In all events such reports shall be forwarded to the designated Complaint Officer for further investigation. Investigations of allegations of inappropriate staff-student relations shall follow the procedures utilized for complaints of harassment within the School District. Allegations of

inappropriate staff-student behavior shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

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

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

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

### **VIII. VISITORS TO THE SCHOOLS**

All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct as well as Board Policy 3410, "Public Order."

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

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

### **IX. 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 an environment, it is necessary to establish rules for public conduct on school property and at school functions. Dress and behavior will be appropriate to the school environment and will not detract from the educational process. For purposes of this section of the Code, "public" shall mean all persons when on school property or attending a school function including students, parents/guardians, teachers and District personnel. Such rules, as

well as consequences for violation of such rules, are contained in this Code as well as Board Policy 3410, “Code of Conduct on School Property” and related Administrative Regulations.

### **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, overly revealing, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school environment.
5. Threaten, intimidate, harass or discriminate against any school staff member or other person(s) on the basis of a person’s actual or perceived race, color, weight, national origin, ethnic origin, ethnic group, religion , religious practices, disability, sex, sexual orientation, gender (including gender identity and expression), or other legally protected status.
6. Enter any portion of the school premises, playing field (home or away) or other related school location without authorization, or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this Code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use firearms or weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the Board of Education (or its designee).
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 penalties:

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection and/or arrest.
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 who are 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 warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they 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 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.

## **X. TRANSPORTATION OF STUDENTS**

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

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

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

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

## **XI. INTERROGATION OF STUDENTS BY LAW ENFORCEMENT**

### **Law Enforcement**

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

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

1. Has a warrant for the arrest of the student;
2. Has a court order authorizing the removal or interrogation of the student; or
3. Is investigating a possible crime and law enforcement determines either:
  - a) exigent circumstances exist;
  - b) there is an immediate threat of serious physical harm; or
  - c) there is an emergency and immediate need for assistance.

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

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

expertise, should be the ones to initiate any interview and conduct the search for the weapon.

## **XII. RELATED BOARD OF EDUCATION POLICIES**

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

- 3210 Visitors to the School
- 3290 Operation of Motor-Driven Vehicles on District Property
- 3410 Code of Conduct on School Property
- 5640 Smoking/Tobacco Use
- 5681 School Safety Plans
- 5730 School Bus Safety Program
- 6151 Drug-Free Workplace
- 6180 Staff-Student Relations (Fraternization)
- 7320 Alcohol Tobacco and Other Substances (Students)
- 7330 Searches and Questioning of Students
- 7360 Weapons in School and the Gun-Free Schools Act
- 7410 Extracurricular Activities
- 7420 Sports and the Athletic Program
- 7530 Child Abuse and Neglect/Maltreatment
- 7550 Dignity for All Students Act
- 7551 Sexual Harassment of Students
- 7552 Bullying-In the Schools
- 7553 Hazing
- 8242 Civility, Citizenship, and Character Education/Interpersonal Violence Prevention Education
- 8271 Internet Safety/Internet Content Filtering Policy
- 8460 Field Trips

## **XIII. In-Service Educational Programs**

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

District staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

The following are suggested programs that may be utilized for in-service education for all staff members for effective implementation of this Code: (1) School-oriented programs developed at the District and building level; (2) Superintendent's workshop days; and (3) faculty meetings.

#### **XIV. Dissemination and Review**

The Board will work to inform the community about this Code of Conduct by:

1. Providing copies of an age-appropriate version of the summary of the Code to all students, written in plain language so that students may understand the standards of respect and appropriate behavior that the school community expects from them. This shall take place at a general assembly held at the beginning of each school year and on an on-going basis at registration for those students who enter the District after the beginning year meeting.
2. Making copies of the Code available to all parents, students and community members throughout the school year.
3. Mailing 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 students, parents and other community members.
7. Posting the Code of conduct on the District's web site.

This Code shall be reviewed by the Board of Education on an annual basis and shall be amended when appropriate. In conducting the review, the board will consider how effective the Code's provisions have been and whether the Code has been applied fairly and consistently. The board may appoint an advisory committee to assist in reviewing the Code and the District's response to Code of conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

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

## **XV. Prohibition of Retaliation**

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

## Form A Teacher Report of a Disruptive Pupil

To: \_\_\_\_\_  
(Building Principal)

Date: \_\_\_\_\_

From: \_\_\_\_\_  
(Name of Teacher)

Building: \_\_\_\_\_

Grade/Class/: \_\_\_\_\_

Time: \_\_\_\_\_

Name of Student: \_\_\_\_\_

Classified student:        \_\_\_ Yes    \_\_\_ No

I am referring to you the above-named pupil who was disruptive on \_\_\_\_\_ at \_\_\_\_\_ . I have removed this student from my class because: (Describe in detail the events, specify the particular conduct, what you did, what was said by you, the pupil, others.)

List witnesses to this event:

The student has a history of disruptive behavior:    \_\_\_ Yes    \_\_\_ No

    If yes, have you removed this student from your class previously    \_\_\_ Yes    \_\_\_ No

The pupil was accompanied by an adult to the Principal's Office    \_\_\_ Yes    \_\_\_ No

Number of days/blocks to be removed from class: \_\_\_\_\_ (Including day of removal)  
(circle one)

Dates of removal:

\_\_\_\_\_

\_\_\_ Yes \_\_\_ No Within 24 hours I provided the student with an explanation of the basis for the removal and allowed the pupil to informally present the pupil's version of the relevant events.

Specify what you believe would be the appropriate additional action to be taken:

\_\_\_ Yes \_\_\_ No I have attached to this form the class and homework assignments to be completed by the pupil for the period of the student's exclusion from my class.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

# ESM

East Syracuse Minoa Central School District

Disruptive/Violent Student

Law Enforcement Contacted \_\_\_\_\_ (CIRCLE)  
Person Called: \_\_\_\_\_ Yes No  
Date/Time: \_\_\_\_\_

## Form B Building Principal Report

Student Name: \_\_\_\_\_ Date of Referral: \_\_\_\_\_ Time: \_\_\_\_\_

Teacher Name: \_\_\_\_\_ Grade/Class: \_\_\_\_\_

Removal Period: From \_\_\_\_\_ (date) to \_\_\_\_\_ (date)

Building: \_\_\_\_\_ Location: \_\_\_\_\_

The notification of the pupil's removal and reasons for removal were given to the person in parental relationship within 24 hours of the removal by \_\_\_\_\_ on \_\_\_\_\_.  
(date/time)

The person in parental relationship requested an informal conference to discuss the reasons for removal.

YES NO

Summary of Informal Conference:

Those who attended:

Offense:

Consequence(s):

\_\_\_\_\_  
Building Principal  
cc: Student file, Counselor (if appropriate), Removing Teacher, Parent

\_\_\_\_\_  
Date