

# CODE OF CONDUCT SUMMARY

## Effective 2018-2019 School Year

The goal of DASA is to create a safe supportive school climate where students can learn and focus, rather than fear being discriminated against and/or verbally and/or physically harassed. All public elementary and secondary school students have the right to attend school in a safe, welcoming, considerate and caring environment.

The Board of Education of the Grand Island Central School District has adopted and implemented a written policy on school conduct and discipline designed to promote responsible student behavior.

All students are entitled to exercise their constitutional rights as long as they do not interfere with the rights of others or the orderly process of the school. The school has the right to adopt reasonable regulations in order to provide an orderly school environment. We demonstrate that we value our rights by behaving in a responsible manner. Specific rights and responsibilities are set forth within the Code, which cover such topics as attendance, dress and discipline.

In accordance with the **Dignity for All Students Act**, School District policy and practice must ensure that no student is subject to discrimination or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex by school employees or students on school property, on a school bus, or at a school function. The Dignity Act emphasizes the creation and maintenance of a positive learning environment for all students. In addition, the amended Dignity Act requires the development of measured, balance, progressive and age-appropriate responses to discrimination, harassment, and bullying of students by students and/or employees. Remedial responses should place the focus of discipline on discerning and correcting the reasons why discrimination, harassment and bullying occurred. They should also be designed to correct the problem behavior, prevent another occurrence of the behavior, and protect the target of the act. Appropriate remedial measures may include but are not limited to:

- Peer support groups
- Assignment of an adult mentor at school that the student checks in with at the beginning and end of each school day.
- Corrective instruction that reemphasizes behavioral expectations or other relevant learning or service experience.

- Engagement of student in a reflective activity, such as writing an essay about the misbehavior and its impact on others and how the student might handle the situation differently in the future and/or make amends to those who have been harmed.
- Supportive intervention and/or mediation where the constructive conflict resolution is modeled.
- Behavioral assessment or evaluation.
- Behavioral management plans or behavior contracts, with benchmarks that are closely monitored.
- Student counseling and parent conferences that focus on involving person is parental relation in discipline issues.

### **Student Dress Code**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance.

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

- 1.) Be safe, appropriate and not disrupt or interfere with the educational process.
- 2.) Recognize that extremely brief garments such as tube tops, halter tops, midriffs, plunging necklines (front and/or back) short shorts, muscle shirts/tank-tops and see-through garments are not appropriate.
- 3.) Ensure that underwear is completely covered with outer clothing.
- 4.) Include footwear at all times. Footwear that is deemed inappropriate and/or a safety hazard as determined by the Administrator will not be allowed.
- 5.) Not including the wearing of hats in the classroom and/or building except for a medical, religious or relevant instructional purpose.
- 6.) Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
- 7.) Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

- 8.) Jewelry shall not be worn during the participation of athletic events and physical education including, but not limited to, any body piercing.

A listing of what would be considered acceptable as well as unacceptable clothing is disseminated to students and their parents periodically throughout the year if these are the revisions and through a letter along with the High School Student-Parent Handbook and the Middle School Agenda, which is given to all students.

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 or who repeatedly fails to comply shall be subject to discipline.

### **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.

Students are prohibited from using or having on or in an operational mode any paging device, mobile telephone, cellular telephone, laser pointer or pen or any other type of telecommunications or imaging device during instructional time, except as expressly permitted in connection with authorized use in classrooms. While students are permitted to possess such devices during the school day, they are prohibited from using them in any manner which invades the privacy of students, employees, volunteers or visitors. . This includes in the bathrooms and/or locker rooms and/or the videotaping of a physical or verbal altercation.

Students are not permitted to use any form of information technology, including their own personal electronic devices to intimidate, harass or threaten others. This type of harassment is generally referred to as cyber bullying. If a student violates this prohibition, then he/she is *subject* to discipline under this provision and/or any other provision in the District *Code of Conduct* that may be applicable to the circumstances involved. Any electronic device that is permitted on school property is encouraged to be kept on the person and in a concealed manner.

Teachers and all other Board personnel should exemplify and reinforce acceptable student dress and behavior (including possession/use of electronic devices” and help students develop an understanding of appropriate appearance and conduct in the school setting.

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.

Students may be subject to disciplinary action, up to and including suspension from school, when: he/she/they

- a.) Engage in conduct that is disorderly (e.g., making unreasonable noise, running in hallways, trespassing, using language that is profane, lewd, vulgar or abusive, etc.)
- b.) Computer/electronic communications misuse and destruction, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; evading the District's content filter; using an outside wireless network; including any software or other work of any other individual; or any other violation of the district's acceptable use policy.
- c.) Unauthorized use of personal electronic devices/equipment (i.e. cell phones, MP3 devices, cameras, iPads, iPods, nooks, kindles, and other personal electronic devices deemed inappropriate by the administration).
- d.) Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system is prohibited.
- e.) Engage in conduct that is insubordinate, such as failure to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect or lateness for, missing or leaving school without permission or skipping detention.
- f.) Engage in conduct that is disruptive and/or violent, such as failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students; committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator, another student, any other person lawfully on school property or other employee or attempting to do so.
- g.) Intentionally, recklessly and/or negligently damage or destroy school district property or the personal property of a student, teacher, administrator, or other district employee or any person lawfully on school property, including graffiti or arson.

- h.) Engage in any conduct that endangers the safety, morals, health or welfare of others and/or cause emotional harm (e.g., lying, stealing, defamation, discrimination, bullying, harassment, indecent exposure, etc.)
- *Discrimination – means 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 or sex.*
  - *Harassment/Bullying – means the creation of a hostile environment by conduct of by threats, intimidation or abuse, including cyberbullying as defined in Education Law 11(8), 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*
    - *reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or*
    - *reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or*
    - *occurs off school property and creates 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. The term threats, intimidation and abuse shall include verbal and non-verbal actions.*
  - *Emotional Harm – 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.*
- i.) Engage in cyber bullying through any form of electronic communication. This may include, among other things, the use,

both on and off school property, of electronic technology, including but not limited to e-mail, instant messaging, blogs, chat rooms, pagers, cell phones, gaming systems and social media websites, to deliberately harass or threaten others.

- j.) Engage in misconduct while on a school bus. Excessive noise, pushing, shoving and fighting will not be tolerated.
- k.) Engage in any form of academic misconduct (e.g., plagiarism, cheating, altering records, etc.)
- l.) Possess and/or use of tobacco and/or tobacco products, including but not limited to smoking a cigarette, e-cigarettes, vape, chewing tobacco, cigar, pipe or smokeless tobacco.
- m.) Coming to school under the influence, possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, counterfeit and designer drugs, or paraphernalia for the use of such drugs or being under the influence of such substances on school property or at a school function.

### **Reporting Violations**

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, bus driver, monitor, security, supervisor, the building principal or his or her designee.

### **Additional Reporting Requirements for Discrimination, Harassment, and Bullying**

The amendment to section 100.2(kk) of the Commissioner's Regulations revises the regulation to conform and implement the reporting requirements of Chapter 102 by adding provisions for reporting of incidents of harassment, bullying/cyber bullying and discrimination to the superintendent, principal, or their designee, including requirements that:

- School employees who witness harassment, bullying, and/or discrimination, or receive an oral or written report of such acts shall promptly orally notify the principal, superintendent, or their designee not later than one school day after such employee witnesses or receives a report of such acts, and shall also file a written report with the principal, superintendent, or their designee not later than two school days after making an oral report.
- The principal, superintendent or the principal's or superintendent's designee shall lead or supervise the thorough

investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after receipt of any written reports.

- When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the superintendent, principal, or designee shall take prompt action, reasonably calculated to end the harassment, bullying, and/or discrimination, 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 behavior was directed.
- The principal, superintendent, or their designee shall notify promptly the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct.
- Pursuant to Education Law section 13, 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.

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

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

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.

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. In certain instances, a minimum period of suspension may exist as more fully set forth in the Code of Conduct. The full Code also sets forth instances where procedural due process shall be followed together with the extent of such process. Parents and students are urged to consult the full Code of conduct for a more complete explanation of the specific procedures and penalties. Attention should also be given to the Student Handbooks, which are provided annually to all students.

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. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

#### **A. Penalties**

Students who are found to have violated the district's code of conduct may be subject to the following penalties, either alone or in combination (oral warning; written warning; written notification to parent; detention; suspension from transportation, athletic participation, social or extracurricular activities; in-school suspension; removal from classroom by teacher; short-term (five days or less) suspension from school; long-term (greater than five days) suspension from school; or permanent suspension from school.

#### **B. Procedures**

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

### **C. Referrals**

Referrals may also be made for counseling, the filing of a person in need of supervision petition in Family Court or as a juvenile delinquent and/or juvenile offender the County Attorney.

### **Alternative Instruction**

As far as is practical in the Grand Island Central Schools, alternative educational environments will be considered and offered to students where appropriate.

### **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 are entitled to certain procedural protections whenever school authorities intend to impose discipline upon them. The District shall take into account whether or not any discipline will result in a change of placement for the student. In the event a suspension or removal of a student with disabilities is deemed necessary, the District's Committee on Special Education shall intervene and review the relationship between the disability and the behavior and/or to develop or review behavioral intervention plans. Parents are directed to the complete Code of Conduct together with Federal and State authority and regulatory criteria for a more complete review of the procedural safeguards in place. Such Code shall also set forth the procedures for expedited due process hearings, where warranted.

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.

School personnel may order the suspension or removal of a student with a disability from his or her current educational placement.

### **Student Conduct on School Buses**

#### **Waiting for the Bus**

Students are to arrive at the stop at least five minutes, but not more than ten minutes before the bus is scheduled to stop. If your child misses the school

bus **NEVER** let them run after the bus. **NEVER** drop off your child behind the school bus at another stop.

As the bus approaches, students are to line up fifteen feet from the road. Students are not to approach the bus until it has stopped and the driver has opened the door. If the student has to cross the road to get to the bus from your bus stop, observe these precautions:

Make certain that the red lights are flashing. Wait for the driver to signal to begin crossing. The driver will signal with the P.A. or by using their thumb or forefinger to signal when it is safe for the student to approach the end of their driveway or curb. When at the end of their driveway or curb, students are to look both ways (left and right) to make certain that all traffic has stopped, and it is safe for them to cross the road. After they have crossed, students are then to walk along the shoulder of the road to the door entrance. Students are to be alert to any warning issued by the driver over the P.A. system.

Additionally, all students are to understand that if the horn blows while they are crossing the road, they are to immediately return to the side of the road that they started from. When students are boarding the school bus they must stay out of the school bus danger zone. They are to never walk behind the bus or touch or reach under the bus.

### **Unloading the Bus**

Students are not to leave their seat until the bus has come to a complete stop and the driver has opened the door. Before stepping off of the bus students are to look to the right to make certain that a car, motorcycle, bicycle, etc. is not passing the bus on the right. Crossers are to walk out along the shoulder of the road at least 10 feet (ten steps) in front of the bus. When it is safe to cross, the driver will aim with their thumb and forefinger at the student and then point toward the center of the road to signal when it is safe to proceed to the center of the road/edge of the bus. At the center of the road, all students are to individually stop and look both ways (left and right) to make certain that all traffic has stopped and it is safe for them to proceed across the road.

Students are to be alert to any warning issued by the driver over the P.A. system. Additionally, all students are to understand that if the horn blows while they are crossing the road, they are to immediately return to the side of the road they started from. They are to never walk behind or touch or reach under the bus.

## **Student Searches**

To achieve an atmosphere on school property and at school functions that is safe and orderly, 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 parent 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.

## **Student Lockers, Desks, and Other School Storage Places**

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks, and other school storage places. 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.

## **Police Involvement in Searches and Interrogation of Students**

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.

## **Visitors to the Schools**

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 (e.g., anyone who is not a regular staff member or student of the school) to the schools:

1. All visitors to the school (other than those attending school functions that are open to the public) 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.
2. 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.
3. Teachers are expected not to take class time to discuss individual matters with visitors.
4. 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.

### **Public Conduct on School Property**

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. In addition, the district reserves the right to pursue a civil or criminal legal action against any person violating the code.

#### **Grand Island Central School District and Building Dignity Act Coordinators**

**Cheryl Cardone: District 773-8815**

**Michael Lauria, Robert Julian, Karen Surdyke: High School 773-8820**

**John Fitzpatrick, Max Pikula: Veronica Connor Middle School 773-8830**

**Kerri Nowak: Huth Road 773-8850**

**Mary Haggerty: Kaegebein 773-8840**

**Denise Dunbar: Sidway 773-8870**