



CODE OF CONDUCT



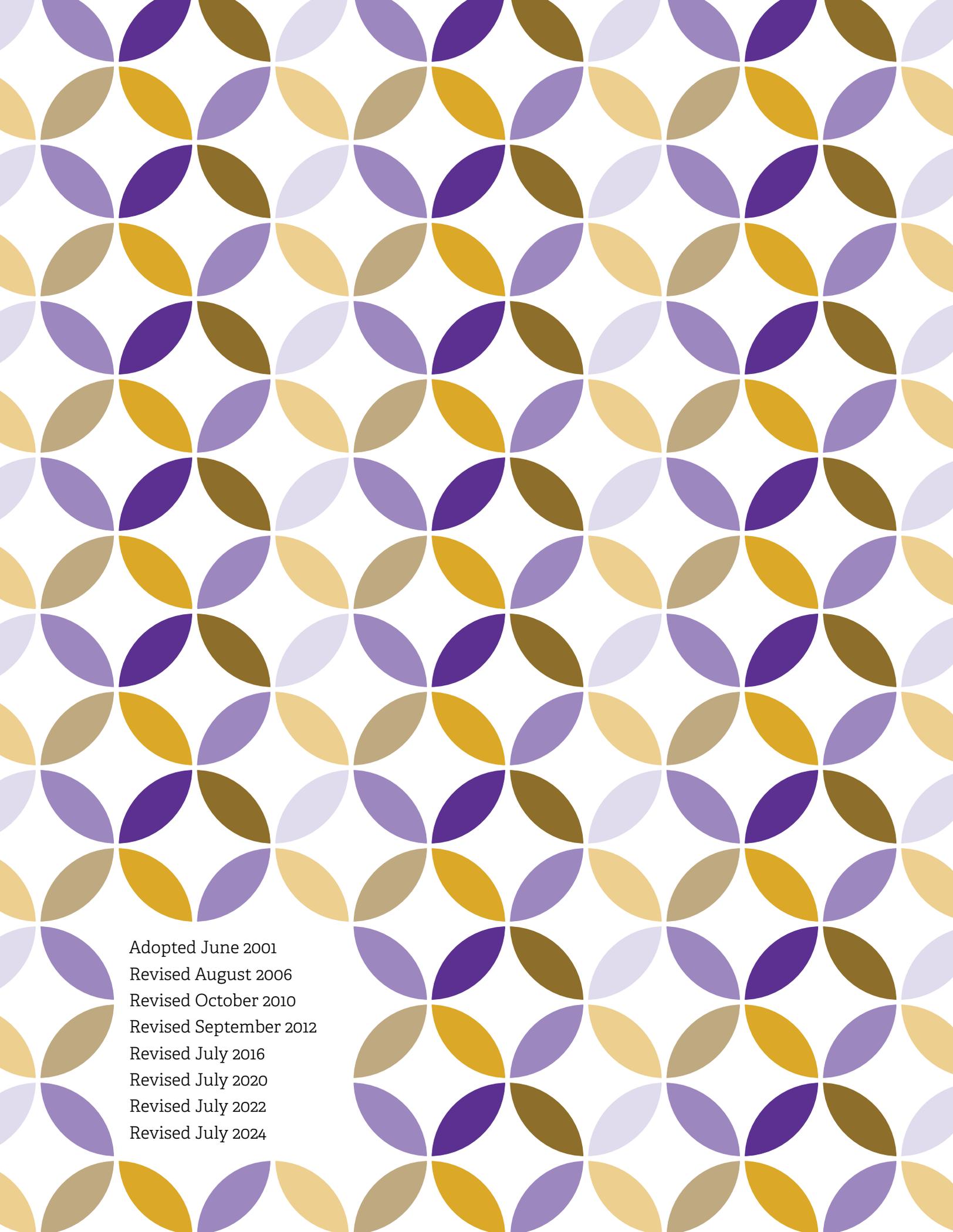
City School District of New Rochelle

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Adopted June 2001
Revised August 2006
Revised October 2010
Revised September 2012
Revised July 2016
Revised July 2020
Revised July 2022
Revised July 2024

Code of Conduct

Table of Contents

Welcome	5
Vision, Mission, Equity and Core Beliefs	6
Introduction	7
Rights, Responsibilities, and Expectations of Stakeholders	8
Students Expectations	8
Parents/Guardians/Caregivers Expectations	9
School Staff and Principal Expectations	10
Central District Administrators Expectations	10
Superintendent Expectations	11
Board of Education Expectations	11
Getting Help Guide for Students	12
The Dignity for All Students Act (DASA)	12
Crown Act	12
Guide for Students	13
Reporting Violations of the Code of Conduct	14
Responsibilities for Reporting and Dealing with Misconduct	14
School Personnel	14
Progressive Discipline	14
Restorative Practices and Approaches	15
Restorative Questions	15
Promoting Positive Behavior	15
Prohibited Conduct	16
Behavior, Interventions and Response	19
Multi-Tiered System of Support (MTSS)	19
Levels of Response	20
Behavior Violations and Levels of Response	21
Disciplinary Procedures, Penalties, and Referrals	26
Penalties, Staff Authorized to Impose Penalties and Students' Rights	26
Expectations to Consider for Pre-K through Grade 2	27
Removal of a Student & Suspension	28
Teacher Removal of a Student	28
Suspension from Transportation	28
Suspension from Athletics or Extra-curricular Activities	28
In-School Suspension	29
Suspension from School	29
Short-Term Suspension from School	29
Long-Term Suspension from School	30
Permanent Suspension (Expulsion)	31
Minimum Periods of Suspension in Specific Circumstances	31
Referrals	31
Alternative Instruction	31
Discipline of Students w/Disabilities	32
Disciplinary Change of Placement	32
The Role of the Committee on Special Education/Multidisciplinary Team	32
Superintendent's Hearing on Disciplinary Charges of Students with Disabilities	33
Interim Alternative Educational Setting	33
Parent Notice of Disciplinary Removal	33

Expedited Due Process Hearing..... 34

Referral to Law Enforcement Authorities 34

Provision of Services During Suspension..... 34

Corporal Punishment 34

Student Searches and Interrogations 35

Visitors to the Schools 36

 Public Conduct on School Property..... 36

Prohibited Conduct 36

 Penalties..... 37

 Enforcement 37

Publication, Distribution, Training, and Review..... 38

Terms/Definitions/Glossary of Terms 39

Welcome

July 3, 2024

Dear New Rochelle Learning Community,

The City School District of New Rochelle is committed to providing safe, supportive, connected schools that cultivate respectful environments conducive to learning and growth. Under the New York State Safe Schools Against Violence in Education (S.A.V.E.) Act, all school districts are required to develop a code of conduct designed to maintain and effectuate order on school property and at school functions. This aligns with federal guidance cautioning schools about excessive use of out-of-school suspensions.

The City School District of New Rochelle's Code of Conduct (the Code) reflects the school district's strategic direction of providing safe, supportive, connected, schools that create a welcoming and affirming environment and support our commitment to using Positive Behavioral Interventions and Supports (PBIS) and Restorative Practices as the frameworks to support the development of relationships and better student choices. The safety, well-being, and sound instruction of our students are our top priorities in our education settings. The Code is reviewed annually and approved by the Board of Education. The Code is made available to all stakeholders — students, parents, guardians, faculty, and staff — is posted on our website at www.nred.org in multiple languages, and an age-appropriate summary will be provided to each student.

The Board of Education approved a revised Code of Conduct on **July 2, 2024**, promoting the following shifts:

- A greater emphasis on promoting positive social behaviors and preventing disciplinary problems.
- More detailed descriptions of levels of response to inappropriate and disruptive behavior.
- Tiered interventions and responses to Code violations are age appropriate throughout our Pre-K through Grade 12 educational spectrum.

The use of Restorative Practices will support students in learning from their mistakes and, more importantly, develop their understanding of the impact of their behaviors on others. This model aims to limit the use of out-of-school suspension, in-school suspension, and removal of students from the classroom while creating opportunities for “healing” fractured relationships. This document also reflects changes made in response to the ever-changing social challenges we are all required to navigate.

These shifts will occur over time and will require additional professional learning for school staff and communication with the parents and community. We thank you for your partnership as we collectively work to ensure the safety and well-being of our students, parents, guardians, faculty, staff, and visitors here in the City School District of New Rochelle.

Sincerely,

Dr. Corey W. Reynolds

Superintendent of Schools



Vision, Mission, Equity and Core Beliefs

Our Vision

The City School District of New Rochelle is committed to fostering a safe environment and providing a high-quality education that is authentic, inclusive, collaborative, and prepares the whole child to engage in a diverse world.

Our Mission

The City School District of New Rochelle is a trusting, collaborative, and innovative high-performing educational organization that challenges, celebrates, and nurtures the whole child.

Equity Vision

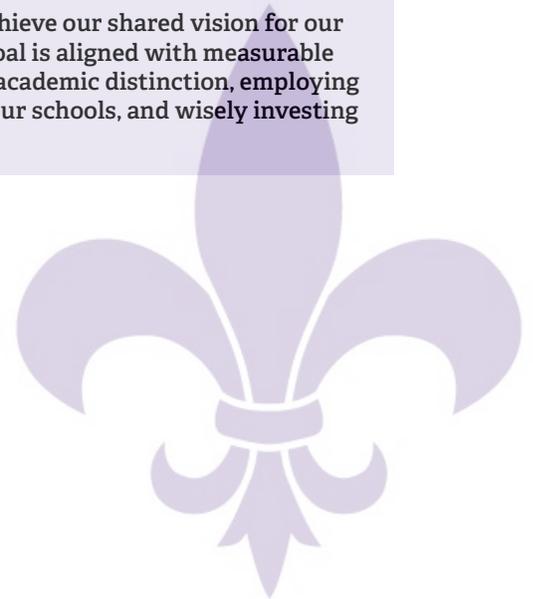
The City School District of New Rochelle (CSDNR) values the uniqueness of each individual in our community by honoring differences as strengths. We foster an appreciation for one another by cultivating a safe and inclusive environment that embraces our diverse identities. We are committed to ensuring a fair and equitable educational experience for every student by empowering each one intellectually, socially, and emotionally to be influential global citizens.

Our Core Beliefs

The City School District of New Rochelle believes:

- In the pursuit of equity, excellence, inclusion, and growth to drive academic outcomes;
- That schools should be safe, joyous places of learning;
- Students thrive with empowered families, school staff, and community partnerships;
- The diversity of our school is a gift;
- Every student and staff member is worthy of intellectual, social, and emotional respect and support;
- In providing student driven, varied, rigorous, and innovative learning experiences;
- In educating and developing the whole child, fostering a sense of belonging, and incorporating student voice;
- Our staff is central to the success of our mission; and
- Multiple perspectives, histories, cultures, and hopes of our students, families, and community at large are to be honored/respected.

Our strategic roadmap with its goals and metrics will guide us as we achieve our shared vision for our district. We are creating a community of collaborative learning. Each goal is aligned with measurable outcomes to hold us accountable. These are the catalysts for achieving academic distinction, employing excellent educators, educating students who feel safe and welcome in our schools, and wisely investing valuable resources.



Introduction

Why do we have a Code of Conduct?

The Board of Education is committed to providing a positive, safe, and orderly school environment in which all students are respected and guided in their learning by culturally competent adults. The Code of Conduct subcommittee was organized for the purpose of reviewing and revising the Code of Conduct to emphasize: the promotion of positive behavioral expectations; the prevention of discipline problems; the use of interventions to support students; and a more limited use of out-of-school suspensions, in-school suspensions, and teacher removals from class.

The purpose of the Code of Conduct is to set expectations that allow the City School District of New Rochelle to create and maintain a welcoming and affirming environment in which teachers can provide high quality instruction and students can be fully engaged in learning. With the recognition that all children make mistakes and that this is part of growing up, schools must help all students learn to grow from their mistakes. School discipline policies should support students and teachers and ensure that everyone is treated with dignity and respect. To achieve this goal, the Board expects that all students, teachers, other school district personnel, parents, and visitors demonstrate the positive behavioral expectations outlined in this Code of Conduct.

Parents and guardians are seen as essential partners in guiding and supporting their children throughout their education by reinforcing the positive behavioral expectations of the school and working with school personnel to address areas in need of growth.

Every student has the right to learn and the right to be free from harassment, fear, or intimidation. No student shall be subjected to discrimination, harassment or bullying by employees or students on school property or at school functions based upon actual or perceived race, color, weight, physical characteristics, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender identity, or sex.

The Board of Education adopts this Code of Conduct to maintain safety and public order, to prevent abuse of the rights of others, and to ensure that discipline, when necessary, is administered promptly and fairly in accordance with Sections 2801 and 3214 of the Education Law and Part 100 of the Regulations of the Commissioner of Education. The Code is not intended to limit freedom of expression or peaceful assembly, for the District recognizes the value of free inquiry and free expression. The Code shall apply to all students, school personnel, parents, and visitors when on school property and at school functions, or in transit to or from school property or a school function.

NOTE: Throughout this document, the term “parent(s)” refers to persons in parental relationship, including guardians and custodians.



Rights, Responsibilities, and Expectations of Stakeholders

Civility Statement

The City School District of New Rochelle intends to foster a culture and practice of civility in all schools, school-related settings, communications, and operations. Disruptive, volatile, hostile, aggressive, mean-spirited, and maligning communications or actions are not part of that culture and practice, nor are other forms of inappropriate interactions. It is the expectation of the Board of Education and district leadership that mutual respect, civility, and orderly conduct among district employees, families, students, and visitors are cultivated at all times when engaging with one another within our school district and in the greater community.

Responsibilities and Expectations

In an effort to promote positive behaviors and expectations, the City School District of New Rochelle recognizes that all school community members can grow and learn. Each school is expected to foster a welcoming and affirming environment so all students can succeed academically, socially, and emotionally. Additionally, the District supports a restorative approach to progressive discipline that combines prevention, intervention, and practices that foster a safe, inclusive, and accepting environment.

Students Rights, Responsibilities, and Expectations

Students have the right to:

- Attend school in the district in which one's legal parent or legal guardian reside and receive a free and appropriate public education from age 5 to 21, as provided by law;
- Be afforded a sound, quality education from Kindergarten through grade 12 in a school environment that is welcoming, affirming, safe, orderly and promotes learning;
- Be respected as an individual and treated fairly and with dignity by other students and school staff;
- Express their opinions verbally or in writing, with assistance, as needed;
- Dress in such a way that does not distract or disrupt the learning environment;
- Participate in all school activities, on an equal basis, regardless of race, color, creed, religion, religious practices, sex, sexual orientation, gender/gender identity/gender expression, national origin, ethnic group, political affiliation, age, marital status, disability, and any other legally protected class;
- Have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance to students;
- Be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender/age, gender identity/gender expression, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function or activity;
- Engage in youth opportunities that enable students to:
 - Be active learners in the educational process that takes into account student voice and views, teaches students effective leadership and participation skills, and provides explanations to students when decisions contradict their views;
 - Serve on student councils, advisory boards, and school teams and committees that make decisions about school life, with the necessary supports to participate;
 - Participate in school forums in which students can voice their opinions about school decisions and policies;
 - Participate in peer leadership initiatives and restorative practices; and
 - Form groups that represent their needs and interests.
- Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty; and
- To have a parent attend disciplinary conferences and hearings.

Student Responsibilities and Expectations

- Report concerns that impact the school learning environment to the appropriate staff;
- Seek support from appropriate school staff in solving problems;
- Communicate feelings and emotions in a safe, respectful way;

- Take responsibility for words and actions;
- Dress in a way that is appropriate and safe for the learning environment; and
- Use technology in a safe, responsible way that supports student engagement in the learning environment.

Students will show respect for self, others and property by:

- Treating others the way they want to be treated.
- Expressing thoughts and opinions in ways that are polite and respectful.
- Using a considerate tone of voice and appropriate body language.
- Listening when others are speaking to them
- Respecting others' personal space and keeping their hands to themselves
- Collaborating with others cooperatively in large and small groups.
- Acting with kindness, caring, and sensitivity toward others.
- Taking care of property that belongs to other students, adults, or the school.
- Using school or other people's materials carefully for the intended purpose.
- Requesting permission to use the property of others
- Reporting any problems to appropriate school staff regarding destruction or disrespect to school or personal property.

Students will contribute to a safe and respectful school environment (inclusive of District-sponsored events, activities, as well as District sanctioned transportation to and from those events and activities) that is conducive to teaching and learning by:

- Helping to make the school community free from violence, intimidation, bullying, harassment, and discrimination;;
- Asking for assistance when in need of help resolving conflicts and differences;
- Using all equipment in schools and on buses in a safe manner;
- Putting everyone's safety first by:
 - Refraining from engaging in violent or destructive acts that harm others and the community; and
 - Refraining from making threats about using dangerous objects or about harming others.

Students will attend school when it is in session, arrive on time and be prepared to learn by:

- Working to the best of their ability and demonstrating a strong work ethic in all academic and extracurricular pursuits and strive toward their highest level of achievement possible;
- Bringing an open mind and positive attitude to learning every day;
- Seeking help and assistance when needed; and
- Promoting a productive, supportive learning environment for yourself and others by focusing on positive relationship skills and social awareness.



Parents/Guardians/Caregivers Expectations

Parents/Guardians are vital to the success of your child and can support their educational progress by:

- Honoring that the education of your child is a shared partnership among the caregiver, child and the school community;
- Reviewing and reinforcing school rules and expectations with your child;
- Ensuring that your child attends school and arrives on time, both healthy and prepared to learn;
- Ensuring your child comes to school with necessary materials to productively engage in learning;
- Communicating openly and respectfully with designated school staff about updates regarding address and contact information;
- Supporting your child with the completion of work assigned in school and for home;
- Informing and collaborating with appropriate school staff in a timely and respectful manner regarding concerns that impact the child's academic progress and/or well-being;
- Participating in scheduled teacher conferences to discuss and collaborate in an effort to promote academic and social/emotional progress;
- Helping your child build positive, constructive relationships with peers, school staff, and members of the school community;
- Reinforcing that all children have the right to attend school and be treated with respect and dignity regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity/gender expression, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act (DASA); and
- Collaborating with the District to optimize their child's educational opportunities.

School Staff and Principal Expectations

School staff and principals are vital to the success of the students and support their educational progress by:

- Maintaining and encouraging a welcoming and affirming and culturally responsive environment that encourages 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/gender expression, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
- Maintaining safe and orderly schools by using MTSS framework and Tiered System of Support strategies and following the New Rochelle Code of Conduct and MTSS framework; (see page 19)
- Being respectful and courteous to students, parents and guardians, serving as role models for students;
- Being knowledgeable about the policies of the Board of Education and administrative regulations and rules and enforce them fairly and consistently.
- Being knowledgeable about federal and state laws and regulations about the disciplinary process for students with disabilities;
- Communicating policies, expectations and concerns, and respond to complaints or concerns from students and parents or guardians in a timely manner;
- Referring students to the appropriate committees, departments, offices, divisions, agencies or organizations when outside support is necessary;
- Informing parents and guardians of student academic progress and behavior, creating meaningful opportunities for their participation, and providing regular communication;
- Providing alternative education and makeup work for students who are legally absent, including those students who are absent for disciplinary reasons;
- Participating in required professional development opportunities;
- Confronting issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function and report incidents of discrimination and harassment that are witnessed or otherwise brought to the attention of the teacher, school counselor, student support services personnel, or other staff, to the building administrator who is the DASA Coordinator in a timely manner;
- Valuing the uniqueness of each individual in our community by honoring differences as strengths. We foster an appreciation for one another by cultivating a safe and inclusive environment that embraces our diverse identities. We are commit-

ted to ensuring a fair and equitable educational experience for every student by empowering each one intellectually, socially, and emotionally to be influential global citizens;

- Following up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner;
- Making every attempt to resolve conflicts with families; and
- Collecting and reporting data on the implementation of the district Code of Conduct and MTSS framework, including but not limited to, data on the use of in-school and out-of-school suspension by student demographic characteristics.

Central Office District Administrator Expectations

City School District of New Rochelle Central Office Administrators contribute to the success of students and can support their educational progress by:

- Implementing Board of Education policies and procedures that encourage safe and orderly schools for all students, school staff and principals;
- Protecting the legal rights of school staff, principals, students and parents or guardians;
- Being courteous, respectful and fair with students, parents or guardians, school staff and principals;
- Providing a broad-based and varied curriculum to meet individual school needs;
- Informing the community, students, parents or guardians, school staff and principals about policies of the Board of Education;
- Ensuring the protection of legal rights of students with disabilities;
- Providing staff who are trained to meet the needs of students;
- Providing support and professional development training to principals and school staff to help them support students;
- Supporting the principal and school staff in the fulfillment of their disciplinary responsibilities as defined by New Rochelle Code of Conduct and MTSS Framework, including parent contact when necessary; and
- Monitoring and analyzing data on the implementation of the district Code of Conduct including, but not limited to, data on the use of in- and out-of-school suspensions by student demographic characteristics.

Superintendent Expectations

The City School District of New Rochelle Superintendent has the responsibility to contribute to the success of students, staff members, principals, and district administrators by:

- Promoting a safe, orderly, respectful and stimulating environment, free from intimidation, discrimination and harassment, supporting active teaching and learning;
- Ensuring that a DASA Coordinator is identified in each school building and that the DASA Coordinator will be thoroughly trained to recognize, reduce, and address social patterns of harassment, bullying (including Cyberbullying) and discrimination. (The DASA Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity for All Students Act);
- Reviewing with District Administrators the policies of the Board of Education and state and federal laws relating to school operations and management;
- Informing the community, students, parents or guardians, school staff, principals and School Board about policies of the Board of Education, and educational trends, including student discipline;
- Working to create research-based instructional programs that are appropriate and sensitive to student and teacher needs;
- Working with District Administrators in enforcing the New Rochelle Code of Conduct and ensuring that all cases are resolved promptly and fairly;
- Addressing all areas of school-related safety concerns;
- Reviewing data and making recommendations on improvement when needed to reduce the use of suspensions; and
- Informing the Board of Education about educational trends relating to student discipline.

Board of Education Expectations

The City School District of New Rochelle Board of Education members have the responsibility to contribute to the success of students, staff members, principals, and district administrators by:

- Promoting a safe, orderly, and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender identity or expression or sex;
- Collaborating with students, teachers, administrators, and parent organizations, school safety personnel, other school personnel and the community to develop a Code of Conduct, Character and Support that clearly defines expectations for the conduct of students, District personnel and other persons on school property and at school functions;
- Annually reviewing and adopting the District's Code of Conduct and evaluating the Code's effectiveness and the fairness and consistency of its implementation;
- Addressing issues of 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;
- Addressing personal biases that may prevent equitable treatment for all students and staff
- Conducting Board meetings in a professional, respectful, and courteous manner;
- Reviewing data about educational trends relating to student discipline;
- Acting upon recommendations on improvement when needed to reduce the use of suspensions.



Getting Help

The Dignity for All Students Act (DASA)

New York State's Dignity for All Students Act (The Dignity Act) seeks to provide the State's public elementary and secondary school students with a safe and supportive environment free from discrimination, intimidation, taunting, harassment, and bullying on school property, a school bus and/or at a school function. The Dignity Act was signed into law on September 13, 2010 and took effect on July 1, 2012. Amendments to the act are effective as of July 1, 2013 and updates can be found on nysed.gov.



The original legislation amended State Education Law by creating a new Article 2 – Dignity for All Students. The Dignity Act also amended Section 801-a of New York State Education Law regarding instruction in civility, citizenship, and character education by expanding the concepts of tolerance, respect for others and dignity to include: an awareness and sensitivity in the relations of people, including but not limited to, different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, gender identity, and sexes. The Dignity Act further amended Section 2801 of the Education Law by requiring Boards of Education to include language addressing The Dignity Act in their codes of conduct. Additionally, under the Dignity Act, schools will be responsible for collecting and reporting data regarding material incidents of discrimination, harassment, and bullying.

DASA prohibits harassment or bullying by employees or students. This includes Cyberbullying. DASA prohibits retaliation against anyone reporting in good faith.

Each school has a DASA Coordinator can be found on the district website: www.nred.org. The DASA coordinator is trained to recognize, reduce, and address social patterns of harassment, bullying (including Cyberbullying) and discrimination.

Crown Act

In 2019, the Dignity for All Students Act, or DASA, was amended by the CROWN Act to add the definition of race that includes traits such as hair texture and protective hairstyles such as locs, braids, and twists in order to protect students' access to their public education regardless of how they choose to wear/style their hair.

The CROWN Act, which stands for Creating a Respectful and Open World for Natural Hair, prohibits racial discrimination based on hair texture and protective hairstyles. While DASA already protects the right of all students to learn in schools free of discrimination, harassment, and bullying, it is now clarified that those rights include self-expression through hairstyle.

The CROWN Act protects students' rights to wear or treat their hair however they desire, without the threat of racial discrimination or loss of access to school, participation in activities, and inclusion in opportunities inside and beyond typical classrooms. School administrators can work to create a culturally responsive and sustaining school environment that reflects the diversity of its students, including their hairstyles, and supports student self-expression.



Are you being bullied?

If you are being bullied, you should:

- Tell someone: a trusted adult, counselor, parent, or teacher;
- Calmly tell the student to stop; or say nothing, walk away and proceed to the main office for assistance.
- Report the bullying to the school's DASA Coordinator.
- Each school's Incident Form & DASA Coordinator can be found on the district website: www.nred.org



Do you know someone who is being bullied?

If you know someone who is being bullied, you should:

- Tell someone: a trusted adult, counselor, parent, or teacher; and
- Encourage the bullied student to talk to someone: a trusted adult, counselor, parent, or teacher.
- Each school's Incident Form & DASA Coordinator can be found on the district website: www.nred.org



Do you need assistance with a personal problem?

If you are having a personal problem, you should:

- If possible, discuss the problem with parents/guardians. If a student and his/her parents/guardians cannot solve the problem, there are a number of people in the school who may be able to offer additional help. The student may speak to a teacher with whom he/she feels comfortable.
- The student may speak with a school counselor, psychologist, social worker and/or Student Assistance Counselor at the school who are trained to offer help with personal problems. They can also lead the student to other resources in the community.
- The Principal, Assistant Principal will also be able to discuss the problem with the student and attempt to work on a solution.



Do you need assistance with academics?

For help with an academic problem, you should:

- Speak to your classroom teacher and ask for assistance. Possible options for help may include an extension of time to complete an assignment, extra credit assignments, or extra help in the particular subject after school or during available extended learning time. The teacher will determine, on an individual basis, what is appropriate and discuss the decision with you.
- If the issue remains unresolved, speak to a school counselor or other trusted advisor.
- You and your parents can request a conference with your teacher, school counselor and/or administrator to attempt to resolve the academic problem.



Are you having problems with extracurricular activities?

For help with problems involving extracurricular activities, you should:

- See the assigned staff member and/or coach for the activity at a time when he/she can give you their undivided attention. Try not to discuss the problem during the scheduled activity period.
- If you do not know who the assigned staff member and/or coach for the activity is, go to the main/house office.
- Discuss the matter with your parents and with the school staff if you are unable to get help.



Are you part of a group that needs assistance?

For help with a group problem related to personal safety or overall well-being, you should:

- Send two or three representatives from the group to the teacher, school counselor, other trusted adult or administrator to present the group's point of view. Communication between one or two people and a large group is extremely difficult and is an ineffective approach to problem-solving. The most effective approach is one that involves communication between representatives of the groups involved.
- You and your parents can request a conference with your school counselor, other trusted adult or administrator.

Reporting Violations of the Code of Conduct

Responsibilities for Reporting and Dealing with Misconduct

Any student who observes a violent or criminal act or who is aware of a potentially violent or criminal act in school, at a school function (in school or within the community) is expected to report the matter promptly to an adult. Any student observing another student possessing a weapon, alcohol, or illegal substance on school property or at a school function is encouraged to promptly report this information immediately to any staff member or administrator. All students who are witnesses to, or are subjected to, incidents of discrimination, harassment and or bullying by another student, employee, and/or visitor on school property or at a school function, are expected to promptly report the matter to an adult.

The school district will hold the identity of the reporter in confidence to the extent possible.

Any student who is a witness, is target of, or becomes aware of any incident of discrimination, harassment and/or bullying (including cyberbullying) is expected to report such behavior to their school counselor, psychologist, social worker, principal, the school building Dignity for All Students Act (DASA) Coordinator or the Districtwide Dignity Act Coordinator as soon as possible after the incident so the district may investigate the situation and impose appropriate sanctions as necessary in a timely, fair, consistent, impartial, and lawful manner. No retaliatory action shall be taken against any person who, acting reasonably and in good faith, makes a report or initiates, testifies, or participates in any formal or informal proceeding or interrogation.

School Personnel

All school district administrators who witness or become aware of violations of this Code of Conduct including, without limitation incidents of discrimination, harassment and/or bullying against any student are expected to investigate the situation and impose appropriate sanctions as necessary in a timely, fair, consistent, impartial, and lawful manner. All other school district personnel who witness or become aware of such a violation shall promptly make a verbal report of violations of the Code of Conduct to their building principal, the principal's designee, or the DASA Coordinator in the school building.

Violations of the Dignity Act must be reported to administration no later than one school day after witnessing an incident or receiving a report. A written report must be completed no later than two school days after the verbal report. No retaliatory action shall be taken against any person who, acting reasonably and in good faith, makes a report or initiates, testifies, or participates in any formal or informal proceeding or interrogation.

Each school's DASA Coordinator will promptly and impartially investigate all complaints — formal or informal — verbal or written. To the extent possible, all complaints will be treated in a confidential manner, although limited disclosure may be necessary to complete a thorough investigation.

To assist investigators, individuals should document the bullying, harassment, or discrimination as soon as it occurs and with as much detail as possible including: the nature of the incident(s); dates, times, and places it occurred; name of perpetrator(s); witnesses to the incident(s); and the target's response to the incident. Please visit the school district website for the most up to date DASA coordinator information at each school.

Progressive Discipline

Understanding discipline as a “teachable moment” is fundamental to a positive approach to discipline. Progressive discipline, to be employed where appropriate, uses incremental interventions to address inappropriate behavior with the ultimate goal of teaching prosocial behavior. Progressive discipline does not seek punishment. Instead, progressive discipline seeks concurrent accountability and behavioral change.

The goal of progressive discipline is the prevention of a recurrence of undesired behavior by helping students learn from their mistakes. Essential to the implementation of progressive discipline is helping students who have engaged in unacceptable behavior to:

- Understand why the behavior is unacceptable and the harm it has caused;
- Understand what they could have done differently in the same situation;
- Take responsibility for their actions;
- Be given the opportunity to learn prosocial strategies/skills to use in the future; and

- Understand the progression of more stringent consequences if the behavior reoccurs.

Restorative Practices and Approaches

“Anger begets anger, kindness begets kindness, calmness begets calmness.”

The classroom teacher is the FIRST and the most important line of defense in ensuring that all students are participating fully in the educational process. An effective management system, a clear line of communication with parents, a mutually respectful relationship with students and a curriculum and pedagogy that keeps students engaged are essential elements that serve to minimize disruption.

The security staff, school counselors, psychologists, social workers, support staff and administration are all resources that have been put in place to support your efforts in the classroom. If there are any questions or concerns about other resources that are available to you, please reach out to your school counselor or administrator. The City School District of New Rochelle Code of Conduct provides guidelines for the removal of substantially disruptive students; however, a series of steps should be taken before it becomes necessary to remove any student from a class.

Restorative practices and approaches are interventions designed to promote strong interpersonal relationships and community building and provide students with meaningful opportunities to be accountable for their actions. Restorative approaches change the focus from asking “who is to blame and what the punishment will be” to answering key questions.

Examples of these practices include classroom meetings, circles, victim-offender mediation, reparation of harm, family or group conferencing, restitution, and may include referrals to community organizations.

Restorative Questions

When there is challenging behavior

- What happened?
- What were you thinking at the time?
- What have you thought about since?
- Who has been affected by what you have done? In what way?
- What do you think you need to do to make things right

Restorative circles should account for 80% of the circles that are done in a setting. Restorative circles include but are not limited to: creating norms, community building, course content, games, and faculty meetings. Restorative circles can be used in classrooms to strengthen relationships, foster community and proactively assist students in developing the interpersonal skills they need to respond to conflict.

Source: *International Institute of Restorative Practices*

Promoting Positive Behavior

School culture and climate have a profound impact on students’ academic progress and their relationships with peers and adults. Each school is expected to promote a positive school culture that provides students with a supportive environment in which to grow, both socially and academically. This is done by connecting students to school through opportunities to participate in a wide range of pro-social activities and to bond with caring, supportive adults. These pro-social opportunities are coupled with a program of prevention and intervention that provides students with the experiences, strategies, life skills, and support they need to thrive.

Social-emotional learning is a basic component of a school’s program of universal prevention for all students. Schools are expected to take a proactive role in nurturing students’ prosocial behavior. Providing a range of positive behavioral supports, as well as meaningful opportunities for social-emotional learning, fosters resiliency.



Prohibited Conduct

The City School District of New Rochelle is committed to promoting a safe & supportive environment. In order to do so, students may be subject to disciplinary action if they:

Engage in conduct that is dangerous or disorderly. Examples include but are not limited to:

- Running in hallways.
- Making disruptive noise.
- Engaging in dangerous horseplay.
- Using language or gestures that are profane, lewd, vulgar, abusive or threatening.
- Obstructing vehicular or pedestrian traffic.
- Engaging in any willful act that disrupts the normal operation of the school community.
- Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building. Students may not enter District property during a period of disciplinary suspension.
- Misuse of computer/electronic communications, including (a) any unauthorized use of computers or software; (b) accessing inappropriate websites via District equipment or networks; or (c) any violation of the District's Acceptable Use Policy.
- Tampering with fire safety equipment, including but not limited to fire alarms and fire extinguishers.
- Making bomb threats, false 911 or emergency services calls, or other threats against the security of persons or property.
- Possessing matches or lighters on District property.
- Use of personal electronic devices (including but not limited to cellular telephones) in a manner that is in violation of individual school policy.

Engage in conduct that is insubordinate. Examples include but are not limited to:

- Failing to comply with legitimate and reasonable directives of teachers, school administrators, and other school personnel;
- Lateness to school;
- Cutting class, homeroom or detention;
- Unauthorized, unexcused absences; and
- Leaving school without permission.

Engage in conduct that is disruptive, offensive or violent. Examples include but are not limited to:

- Committing, or attempting to commit, an act of violence (such as hitting, kicking, punching, or scratching) upon any person.
- Actual or attempted sexual assault, including sexual touching without consent.
- Possessing, displaying, using or threatening to use a weapon or what appears to be a weapon (including any instrument, object or device which is capable of causing physical injury). This prohibition does not apply to law enforcement officials acting in the line of duty.
- Intentionally damaging or destroying District property or the personal property of a student, District employee, or any person lawfully on school property, including but not limited to graffiti.
- Lighting a fire on or adjacent to School District property (arson).

Engage in conduct that endangers the safety, physical or mental health or welfare of others.

Examples include but are not limited to:

- Subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
- Stealing or attempting to steal the property of other students, school personnel or any other person lawfully on school property or attending a school function.
- Making statements about any individual or identifiable group of individuals which have the foreseeable effect of exposing such persons or group of persons to shame, humiliation, persecution or ostracism; this includes but is not limited to "hate speech."
- Making unwelcome sexual propositions, unwelcome sexual comments, or engaging in other acts of sexual harassment, all as further described by Board of Education Policy 5530.
- Engaging in discriminatory conduct, by engaging in actions or expressions based upon race, color, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual

orientation, physical characteristics or disability, which have the foreseeable effect of creating a hostile environment for another person or group of persons, or which have the foreseeable effect of denying rights, equitable treatment or access to facilities available to others.

- Harassment and/or bullying, including cyberbullying and “sexting.” See Board of Education Policy 0115 (Student Harassment and Bullying Prevention) and Board of Education Policy 5525, the Dignity for All Students Act.)
- Intimidation, including actions or statements that have the foreseeable effect of putting an individual in fear of bodily harm, or inducing an individual to take or abstain from taking an action which such individual might otherwise lawfully take or abstain from taking.
- Hazing in any form, including subjecting another person to potential physical or emotional harm or humiliation as a condition of participating in any group or activity.
- Intentionally exposing or attempting to expose a student, staff member or visitor to a food to which that person is known to be allergic.
- Selling, distributing or possessing obscene material.
- Using vulgar or abusive language, cursing, or swearing.
- Smoking a cigarette, cigar, pipe, electronic cigarette (VAPING), or using chewing or smokeless tobacco, or possessing any of the foregoing on school grounds.
- Possessing, consuming, selling or offering for sale, offering, distributing, or exchanging alcoholic beverages or illegal substances, or being under the influence of either. “Illegal substances” include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any synthetic version thereof, whether specifically illegal or not, commonly referred to as “designer drugs” which are substances designed and synthesized to mimic the intended effects and usages of, which are chemically substantially similar to, illegal drugs, which may or may not be labeled for human consumption.
- Selling, or offering for sale, any substance represented to be an alcoholic beverage or illegal substance as defined above, whether or not such beverage or substance is authentic.
- Inappropriately using or sharing prescription and over-the-counter drugs.
- Gambling.
- Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
- Aiding or abetting any other person to commit a violation of this Code of Conduct.

Engage in misconduct while on a school bus, or on public transportation for which the School District provides reduced-fare transportation cards.

- Students shall enter, sit on and leave buses in an orderly manner and shall not delay the bus or intentionally engage in conduct which distracts the bus driver.
- Eating food is not allowed on school buses.
- All other rules of conduct which apply to conduct on District property or at school or District sponsored events apply to student conduct on buses.

The school bus is an extension of the classroom. 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. Student cooperation is mandatory for the safety of our children. Excessive noise, pushing, shoving and fighting will not be tolerated. In order to ensure discipline, health, welfare and safety, video cameras may be used to monitor student behavior on vehicles transporting students to and from school or extracurricular activities. In addition to the guidelines set forth in the Code of Conduct students riding on school buses must abide by the following rules:

- Never engage in conduct that creates an unsafe environment for yourself or other students or impairs the driver’s ability to drive safely.
- Never run to catch the bus if you are late.
- Follow the bus driver’s instructions & always obey all safety rules. At no time will a student act toward, or address comments to a bus driver in a disrespectful manner, or refuse to cooperate with the driver.
- Never cross behind the bus
- While waiting for the bus, stay in a spot that is safely away from the road.
- Do not run or play while waiting for the bus.
- Stay in line and do not push when getting on or off the bus.
- Always remain seated while on the bus. Do not change seats.
- Bus drivers are authorized to assign seats.
- No eating or drinking on the bus.
- No drugs or alcohol on the bus.
- No smoking on the bus (this includes the use of vaping devices and e-cigarettes). No lighting matches.

- Keep head, arms, etc. inside the bus at all times.
- Keep books, feet and other objects out of the aisles of the bus.
- During the bus ride students should face forward and keep their feet on the floor in front of them.
- Talk in a quiet voice; loud noises create an unsafe condition.
- No horse playing, fighting, or use of obscene, vulgar or profane language either on the bus or at the bus stop.
- Do not be destructive to the bus. Do not mark, cut or scratch any part of the bus.
- Emergency doors and exits are to be used only during supervised drills or actual emergencies.
- Never attempt to operate the passenger door or other driver controls except in case of an emergency.

Students who engage in inappropriate conduct on the school bus will be subject to disciplinary action for their behavior, including, but not limited to: conference with Principal, conference with Principal and parent(s), suspension from the bus and/or additional suspension from school.

The District reserves the right to impose disciplinary responses and/or PPS interventions for offenses not listed in the charts contained in the Code of Conduct. The District also reserves the right to modify disciplinary responses and/or PPS interventions based on the student's age, the nature of the offense, the circumstances which led to the offense, the student's prior disciplinary record, the effectiveness of other forms of discipline, information from parents, teachers and/or others, as appropriate and other extenuating circumstances.

Unacceptable behavior includes, but is not limited to: Intentionally taking an unassigned bus without permission, failing to properly take seat upon boarding bus; unauthorized use of bus pass; occupying an unreasonable amount of seating space; failing to remain properly seated while bus is in motion; littering or soiling the bus; shouting or other loud or boisterous behavior; refusing to follow driver's instructions; engaging in horse-playing, rough-housing or wrestling; crossing roadway improperly after leaving bus; annoying other children; behaving in an unsafe or unruly manner at bus stop; using improper bus or bus stop; engaging in profanity or obscene talk; eating on bus; and talking back to driver or otherwise showing lack of respect.

Engage in any form of academic misconduct. Examples include but are not limited to:

- Plagiarizing: the reproduction or intentional paraphrase of someone else's work without proper attribution.
- Cheating or otherwise compromising academic integrity, including but not limited to representing someone else's work as one's own (copying), using unauthorized assistance by any means during an examination, test or quiz, improperly obtaining an examination, test, quiz or answer key in advance, substituting for a test-taker, and/or assisting another student to cheat
- Altering District records by written or electronic means.
- Violations of the District's Acceptable Use Policy for computers and the Internet.
- Assisting another student in the above activities.



Behavior, Interventions and Response

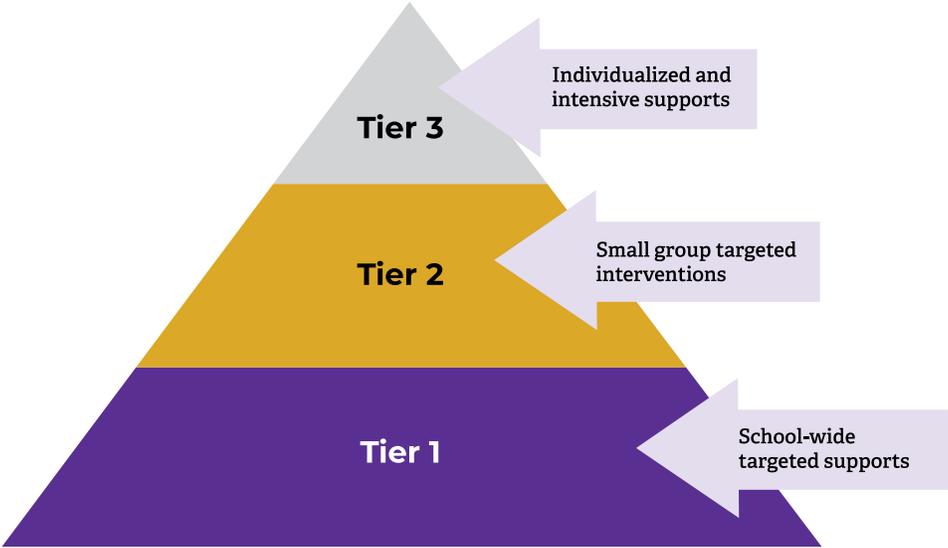
Multi-Tiered System of Support (MTSS)

The City School District of New Rochelle is committed to the implementation of a Multi-Tiered System of Support (MTSS), which includes proactive strategies for defining, supporting, and teaching appropriate behaviors to create positive learning environments. MTSS is focused on utilizing a three-tiered approach to supporting the whole child and ensuring student learning.

Tier 1: Universal instruction: Students receive high-quality instruction and universal screening. This tier includes school-wide behavior management and is effective for most students.

Tier 2: Intervention: Students receive small-group interventions focused on addressing specific academic or behavioral concerns. This tier provides additional support for students who need it.

Tier 3: Intensive intervention: Students receive individualized and intensive support, which is more frequent and tailored to their needs. This tier is for students who require extensive support and may involve a special education evaluation.



Practices that allow educators to address disciplinary matters as opportunities for learning instead of punishment are more successful in changing a student's behavior than a reliance on increasing punitive measures. Interventions are most effective with students when they deal directly with the problem in a way that students view as fair and impartial. When choosing interventions for students' behavior, teachers, administrators, and staff must balance the school district's dual goals of (a) eliminating school disruptions and (b) maximizing student instruction time. This philosophy is evident in the commitment to the implementation of Multi-Tiered System of Support in each school building and in the discipline consequences that occur as a result of the most serious offenses in Superintendent's Hearings.

Levels of Response

Students often need encouragement and new skills to improve their behavior and assistance in learning to do so. Through the use of intervention and prevention strategies that engage students and give them a clear sense of purpose, school staff members facilitate students' academic and social-emotional growth and assist them in following school rules and policies. School personnel recognize that maintaining and changing student behaviors involves a continuum of acknowledgments, supports, and interventions.

Some possible responses include but are not limited to:

Level 1 Responses: Level 1 behaviors are addressed by the classroom teacher and support staff using appropriate responses.		
Universal teaching of behavioral expectations, acknowledgment of positive behaviors, and consistent responses to inappropriate behaviors. If these responses are successful, referral to the school administration is not necessary.		
Use Affective Statements/ Questions or other restorative practice	Give positive directives that state expectations	Teacher/student conference
Reteach expectations	Progress monitoring sheet	Establish positive relationship with student
Increase teacher proximity	Seat change	Use of evidence-based student specific strategy
Use of reflection activity	Detention with teacher	Loss of Classroom privileges

Level 2: Level 2 behaviors require more intensive support on a short-term basis. School Counselors, school staff (including clinicians), classroom teacher(s) and administration may be engaged to address concerns.		
Level 2 responses focus on students who may require more intensive support on a short-term basis		
Use Affective Statements/Questions or other restorative practice	Use of reflection activity	Preteach, reteach, and rehearse skill or procedure
Create a classroom check-in plan	Support Plan/collect progress monitoring data about support and intervention attempted	Referral to MTSS building level support
Teacher/student conference	Parent Contact/Conference	Conference with Building Administrator/Counselor
Short-term targeted counseling	School Service Project	Detention (Before or After school or Lunch time)

Level 3: Long term interventions may be implemented to address and work to diminish challenging behavior. Administration and support staff may be engaged to provide support and consequences.		
Use of specific interventions for students who exhibit a pattern of problem behaviors. The goal of these interventions is to diminish problem behaviors and to increase the student's social skills and functioning.		
Use Affective Statements/Questions or other restorative practices	Referral for MTSS building level support	Detention
Consent/referral to community agencies	Consent/referral for in-school/outside targeted counseling	
Suspension from bus	Removal from class/In-school suspension	Out-of-school suspension (up to five days)

Level 4: Level 4 behaviors present a major disruption or threat to the school community. Level 4 responses are used for long term removal from the school environment for alternative instruction, placement or program.		
Use of specific interventions is for students who need to be removed from the school community because of the severity of the behavior. The goal of use of these interventions focuses on both the safety of the school community and ending the dangerous and/or self-destructive behavior of students. These interventions may include referral to community agencies for additional services – substance abuse counseling; alternative instruction; or placement in alternative programs.		
Superintendent's Hearing	Long-term suspension (6 or more days)	Wraparound Conference
Parent Conference	Consent/referral for resources and support	Create/implement/monitor a transition plan for student returning to classroom

Behavior Violations and Levels Of Response

This Code of Conduct describes four levels of possible response to inappropriate and disruptive behavior of individual students as outlined in the Behavior Violations and Levels of Response table. Each inappropriate or disruptive behavior is assigned to one or more of these levels of intervention and consequences. Interventions from the lower levels should generally be considered, and where practicable, applied, before the interventions and responses from the higher levels. In the event of a disruptive behavior which warrants a level 4 consequence, the administrator can go directly to that level. Repeated chronic or cumulative offenses may require higher levels of interventions/consequences. For serious violations, consequences will begin at a higher level.

As to violations which may constitute a crime, the building principal or designee will consult with the appropriate local law enforcement agency regarding violations that constitute a crime.

Levels of consequences and options for progressive interventions follow:

The following table outlines levels of support with possible individualized interventions and consequences for inappropriate behavior.

Parental Contact

Building administrators communicate with parents/guardians as soon as possible regarding any significant disciplinary issue. Schools record minor and major behavioral referrals when students do not demonstrate the expected school-wide and/or classroom behavioral expectations. Most minor behavior referrals involve behaviors that can be addressed by the classroom teacher. Major behavior referrals generally involve behaviors that require interventions that involve building administrators.

****Any calls to 911, the Fire Department, Police Department, or Emergency Medical Services must be reported to building principal, Office of the Superintendent, Director of Security and Assistant Superintendent of Student Support Services.***

Level 1	Level 2	Level 3	Level 4
<p>Addressed by classroom teacher(s)/school staff to reinforce school-wide behavioral expectations.</p> <p>May be appropriate when the behavior is a minor infraction.</p>	<p>Used when behaviors require more intensive support on a short-term basis.</p> <p>Initiate MTSS Process.</p> <p>May be appropriate when supports have been put in place in the classroom to address behavior, but the behavior has become persistent and has continued to negatively influence the learning of the student and others.</p>	<p>Used to address a patterned or single incident of problem behavior that presents a major disruption to the school environment.</p> <p>May be appropriate given the seriousness of the offense and impact on the school community, and/or when documented interventions and supports have been put in place but the behavior is escalating.</p> <p>Out-of-School suspension may be used up to 5 days.</p>	<p>Used for long-term removal from the school environment.</p> <p>May be appropriate when behavior is illegal, presents an imminent threat of serious harm to the school community, or when the student's behavior seriously affects the safety of others in the school and/or educational process.</p> <p>Out-of-School suspension may be used up to 5 days with a request for a Superintendent's hearing.</p>

Behavior Violation	Level 1	Level 2	Level 3	Level 4	Notification of Authorities	Notes
Absences						
Cutting Class: Student is in school but did not report to scheduled class.	X	X				Contact parent/guardian Inform school counselor Initiate MTSS Process
Excessive tardiness to class or school.	X	X				
Chronically Absent: Student is absent from school two or more times per month.	X	X				
Academic Dishonesty						
Plagiarism, copying another's work, cheating, or altering records (including the use of AI and/or online platforms).	X	X	X			Student may receive a failing grade for assignment or additional consequences may apply.
Alcohol, Tobacco, and Other Substances (including those that are banned, illegal or prohibited by age)						
Using or possessing		X	X			Student should be taken to the nurse. Referral to Student Assistance Counselor
Under the influence		X	X			
Distributing or selling			X	X	X	
Arson						
Starting a fire			X	X	X	NYS Uniform Fire Prevention and Building Code 401.3 requires building principals to contact the fire department for all unwanted fires. Principal or designee must notify Superintendent's Office.
Starting a fire causing destruction of property or physical harm.			X	X	X	
Bomb Threat/Swatting						
Making threats or providing false information about the presence of explosive materials or devices on school property (a telephoned, written, or electronic message that a bomb, explosive, or chemical or biological weapon has been or will be placed on school property).				X	X	Notify the police department

Behavior Violation	Level 1	Level 2	Level 3	Level 4	Notification of Authorities	Notes
Bullying (Verbal, Physical and/or Electronic): Includes harassment (cyber or otherwise) against members of the school community based on race, ethnicity, gender, gender identity, gender expression, sexual orientation, disability or religion						
Repeated and persistent verbal, physical or written conduct or electronic communication that is threatening, discriminatory, harassing, or personally damaging.		X	X	X	X	DASA investigation must be conducted. Patterns of ongoing conduct including the use of violence, weapons, electronic communication, and physical intimidation influence intervention(s).
Cyberbullying/sexting or harassment that occurs through any form of electronic communication, including but not limited to cell phones, computers, tablets, or other communication tools such as social media sites, text messages, chat rooms, and websites.		X	X	X	X	*Authorities may be notified.
Classroom Disruption						
Any action that impacts teacher's ability to teach or student's ability to learn.	X	X				
Destruction of Property/Vandalism						
Damage or destruction of property	X	X	X			
Electronic Device Misuse						
Violation of CSDNR Technology Acceptable Use Policy	X	X				This includes district-issued devices.
Taking pictures of others without their consent.	X	X	X			Possession and/or transmission of child pornography is subject to prosecution and must be reported to the police. See Sexual Offenses Behavior Violation and Level of Response.
Recording, posting, distributing, or sharing a fight.		X	X			
Use of electronic devices for which it is determined that such use directly causes physical or emotional harm to another person.		X	X			
Unauthorized use of cell phones, handheld mobile devices, electronic game devices, smart watches, and other similar items.	X	X				
Using the name, likeness, or logo of the CSDNR or school to create inappropriate or fake web pages or social media		X	X	X	X	
Use of electronic devices that lead to the threat of harm to the school community		X	X	X	X	

Behavior Violation	Level 1	Level 2	Level 3	Level 4	Notification of Authorities	Notes
False Activation of Fire Alarm						
Intentional false activation of fire alarm, causing a fire alarm or other disaster alarm to be activated knowing there is no danger, or through false reporting of a fire or disaster.		X	X	X	X	Automatic notification once alarm is pulled
Fighting/Physical Aggression						
Physical aggression toward another student.	X	X	X			
Physical aggression among two or more students that results in a fight.		X	X	X		
Attack on student — a student or students set upon another student in a forceful, hostile or aggressive way with or without provocation.		X	X	X	X	
Gambling						
Requires the use of money or exchangeable goods.		X	X			
Hazing						
Any activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers them, regardless of a person's willingness to participate			X	X		
Inappropriate Language						
Use of inappropriate language	X	X				
Abusive language directed at others	X	X	X			
Inappropriate racial or cultural comments (verbal, written, or cyber)	X	X	X	X	X	
Inciting or Participating in Disturbance						
Causing, organizing, instigating, or participating in a major disruption to the atmosphere of order and discipline in the school, during arrival/dismissal, on the bus (such as a riot or large crowd gathering).		X	X	X	X	A large disruption is defined as any disruption that may prevent large numbers of students from moving through the hallways, disrupting the educational process for large numbers of students across the school, or posing a serious and grave threat to safety of large numbers of students.
Using an electronic device to bring others to initiate or engage in a disturbance.		X	X	X	X	
Leaving Classroom or School Without Permission						
Leaving classroom without permission	X	X				Student may be returned to School Counselor or other support staff.
Leaving school without permission	X	X				
Non-compliance						

Behavior Violation	Level 1	Level 2	Level 3	Level 4	Notification of Authorities	Notes
Failure to comply with classroom/school expectations, regulations, policies, or procedures.	X	X	X			
Failure to respond to school staff directives, questions, requests.	X	X	X			
Physical Contact/Threat Against School Personnel (Written or Verbal)						
Unintentional physical contact with school personnel.	X					
Unintentional striking of a staff member who is intervening in a fight or other aggressive behavior.		X	X			
Intentional physical attack on school personnel.			X	X	X	
Unwanted touching, poking, pushing, shoving or physical intimidation of school personnel.			X	X	X	
Verbal or written threat against school personnel or school community.			X	X	X	
School Safety and Physical Security						
Permitting an unauthorized person or item to enter a school building by opening, and/or propping an exterior door.			X	X		
Sexual Assault or Offense						
Forced sexual act without consent				X	X	
Sexually-based Infraction						
Sexual harassment (e.g. unwelcome sexual advances; request for sexual favors; other inappropriate verbal, written, or physical conduct of a sexual nature)				X	X	School staff is required to refer students to appropriate counseling. Possession and/or transmission of child pornography is subject to prosecution and must be reported to the police.
Sexual activity or sexual misconduct (e.g. indecent exposure, engaging in sexual activity, etc.)			X	X	X	
Distribution of Pornography			X	X	X	
Theft						
Taking money or property from another	X	X	X			Use of restorative practices may be applied as appropriate.
Taking money or property from another by force (robbery).			X	X	X	
Trespassing						

Behavior Violation	Level 1	Level 2	Level 3	Level 4	Notification of Authorities	Notes
Entering property without permission		X	X			Entering or failing to exit school ground without the permission of the Administrator in charge.
Unsafe Behavior						
Engaging in dangerous horseplay	X	X	X			
Exposing another to a known allergen	X	X	X	X		Incidents with malintent influences level.
Obstructing vehicular or pedestrian traffic	X	X	X			Concerted effort influences level.
Weapons, Firearms, Explosives						
Possession of a firearm				X	X	Suspension for no less than one calendar year is mandated by state law for firearms violation but can be modified on a case-by-case basis by the Superintendent of Schools.
Possession of other weapons, such as knives, switchblades, machetes, etc.			X	X	X	
Threatening to use			X	X	X	
Use of weapons to cause or attempt to cause bodily harm or injury			X	X	X	

Disciplinary Procedures, Penalties, and Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary. School personnel who are not authorized to impose disciplinary penalties are expected to promptly report violations of the Code of Conduct to school administrators.

Penalties, Staff Authorized to impose penalties and Students' Rights

Detention (lunch, before school and after school) may be imposed as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Lunch detention should be used for student misconduct related to lunch or recess. Detention during recess should be used on a limited basis, as recess allows for physical activity and a time for students to develop social skills.

Students may be assigned to detention by Assistant Principals, Principals, and the Superintendent. Detention will be imposed only after a student's parent has been notified to confirm that the student has appropriate transportation home following after-school detention.



Expectations to Consider for Pre-K through Grade 2

Aggressive behavior in young children is rarely an intentional act to harm another. Rather, aggressive acts are often a result of children's unskilled attempts to communicate what they want, what they need, and what they don't like. When a child engages in an aggressive act that threatens or harms other children or makes the learning environment feel unsafe, supportive procedures need to be in place to ensure that both children involved in the incident (the child who has been threatened or hurt and the child who has engaged in the aggressive act) receive immediate attention and care. In addition, students who have experienced traumatic events may have emotional, social development, behavioral, or academic problems that need to be responded to with extreme sensitivity and awareness.

Parents can expect that these actions will take place:

- A staff person will temporarily remove the child who has engaged in the aggressive act immediately from the environment to help the child regain a sense of calm so that the staff member can speak with the child about the incident.
- A staff person will speak to the child who has been threatened or harmed immediately to ensure that the child has an opportunity to talk about the incident and to help the child regain a sense of safety.
- Parents of children involved in the incident will be contacted and school staff will explain what happened prior to the incident, share how adults responded to the incident, discuss the short-term plan for restoring a sense of calm and safety, and discuss the longer-term plan for preventing similar incidents in the future.
- When warranted, the clinicians will conduct a Functional Behavioral Assessment (FBA) and create a Behavior Intervention Plan (BIP).



All responses to Pre-Kindergarten through Grade 2 children's inappropriate behavior will be delivered in an age-appropriate manner.

In determining the appropriate disciplinary action, the following will be considered:

- The student's English proficiency;
- The student's disability, suspected disability, or special education status;
- Consideration at the school level of whether the inappropriate conduct is related to the student's disability and IEP implementation;
- The student's prior disciplinary history;
- The nature of the offense and the circumstances that led to the offense;
- Whether the student behavior threatened school safety;
- The effectiveness of particular interventions or forms of discipline;
- Information from parents, teachers, and/or others as appropriate;
- Health or Medical conditions that may be affecting the student;
- Other extenuating circumstances; and
- The student's age.

Discipline will be developmentally appropriate and, as a general rule, progressive. This means that a student's first offense will often merit a lighter penalty than subsequent violations. The understanding that the use of disciplinary consequences or penalties can serve as "teachable moments" is important to a positive approach to discipline. Progressive consequences use incremental interventions to address the inappropriate behavior with the goal of teaching prosocial behavior. Progressive consequences do not seek to punish but are used to establish accountability and behavioral change. (Refer to page 20 for Levels of Support)

However, there may be instances where a student's behavior is sufficiently serious that a more severe form of disciplinary action may be warranted, even if it is the student's first offense or violation.

The amount of due process a student is entitled to receive before a penalty is imposed depends on the proposed penalty. Except in extraordinary and emergency circumstances, students should be informed of the alleged misconduct and given an opportunity to present their version of the facts before a final or intermediate penalty is imposed. Additional rights pertaining to out-of-school suspensions are outlined below.

Removal of a Student & Suspension

Teacher Removal of a Student

Removal of Disruptive Students may be imposed with administrative support when a student's behavior becomes a substantial disruption or substantially interferes with the teacher's authority over the classroom. In most cases, the classroom teacher manages a student's behavior and restores control over the class by using good classroom management techniques. A classroom teacher may remove a student from class for up to two days if the teacher determines that the student is disruptive. However, the teacher must, as soon as practicable, inform the student and the principal or the principal's designee of the reasons for the removal and such suspension may be reduced on a case-by-case basis. The removal from class applies to the class of the removing teacher only.

- If the disruptive student does not pose a danger or ongoing threat of disruption of the educational process, the teacher must provide the student with an explanation of why they are being removed and the opportunity to explain their version of the events before removal.
- If the disruptive student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. Within 24 hours, however, the teacher must explain to the student why the student was removed and give the student a chance to present the student's version of the events.
- The teacher must complete a discipline removal form and communicate with the Principal or designee as soon as possible, but no later than the close of the school day, to explain the circumstances and present the referral form.
- Within one school day after the student's removal, the Principal or designee must notify the student's parent in writing, that the student was removed from class and why. The notice must inform the parent of their right, upon request, to meet informally with the Principal or designee within two school days to discuss the reasons for the removal and the behavior modification(s) to remedy the cause for removal. The timing of the informal meeting may be extended by mutual agreement of the parent and Principal or designee.
- If the student denies the charges at the informal meeting, the Principal or designee must explain why the student was removed and give the student and parent a chance to present the student's version of the events.
- The Principal or designee may overturn the removal of the student from class if the principal or designee finds either of the following:
 - The charges against the student are not supported by substantial evidence.
 - The student's removal is not otherwise in violation of state or federal law, or of the district's Code of Conduct.
- The Principal or designee must make a determination as to whether to overturn the teacher removal before the close of business on the day following the informal hearing. No student removed from a classroom by the classroom teacher will be permitted to return to that classroom until the Principal or designee makes a final determination, or the period of removal expires, whichever is less. At the teacher's request, the classroom removal may be rescinded prior to the expiration of the full period of removal. Any student removed from a classroom by the classroom teacher shall be offered continued educational programming as appropriate.
- Each teacher must maintain a log (on a school district form) for all cases of removal of students from their classroom. The principal or designee must enter all removals into the eSchool PLUS Behavior Module.
- A removal from class does not preclude additional detention, in-school suspension, or suspension out of school where circumstances warrant.

Suspension from Transportation

Suspension from transportation may be imposed when students do not conduct themselves properly on the bus, at bus stops, or when entering or leaving the bus. Bus drivers are expected to report student misconduct to the Director of Transportation. This information will then be relayed to the School Principal for appropriate action. Bus transportation may be suspended by the Principal or the Superintendent. A student subjected to a suspension from transportation is not entitled to a full hearing under Education Law 3214. The student and their parents will be provided with the opportunity for an informal conference to discuss the conduct and penalty involved.

Suspension from Athletics or Extra-curricular Activities

Suspension from athletic participation, social or extra-curricular activities and other privileges may be imposed when students do not conduct themselves appropriately within the school or within the activity. Students may

be suspended from athletic participation, social or extra-curricular activities by the Athletic Director, Principal, or the Superintendent. Coaches and staff supervising extra-curricular activities should refer suspension requests to their direct supervisor. A student subjected to a suspension from athletic participation, extra-curricular activities, or other student privileges is not entitled to a full hearing under Education Law 3214. The student and their parents will be provided with the opportunity for an informal conference to discuss the conduct and penalty involved.

In-School Suspension

Students may be assigned to in-school suspension by Assistant Principals, Principals, or the Superintendent. An in-school suspension is not governed by the out-of-school suspension procedures set forth in Education Law 3214. The student and their parents will be provided with the opportunity for an informal conference to discuss the conduct and penalty involved.

Suspension from School

Suspension from school is a significant penalty, which may be imposed upon students who are insubordinate, disorderly, violent, or disruptive, or whose conduct otherwise endangers the safety, morals, health, or welfare of others. Suspension from school should be considered only when other interventions have been found to be ineffective. All staff members are expected to promptly report such behavior and complete a written incident form as soon as possible. Upon receiving the written notification, the Principal or designee shall investigate the behavioral incident. The Board places primary responsibility for the suspension of students with the building principals and the Superintendent of Schools.

Short-Term Suspension



Short-Term Suspension from School (Five Days or Less)

- When the decision to suspend a student for five days or less has been made, the Principal must immediately notify the student orally and must, if the student denies the misconduct, provide an explanation of the basis of the proposed suspension.
- The Principal must also notify the student's parents in writing that the student will be suspended from school.
- The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice at the last known address for the parents within 24 hours after the decision to suspend. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number for the purpose of contacting the parents.
- The notice of suspension shall provide a description of the conduct with which the student is charged and the incident for which the suspension is proposed and shall inform the parents of their right to request an immediate informal conference with the Principal, at which the parents and student have the right to ask questions of the complaining witnesses. Both the notice and the informal conference shall be in the dominant language or mode of communication used by the parents.
- The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the parental notice and opportunity for an informal conference shall take place as soon as reasonably practicable. After the conference, the Principal shall promptly advise the parents in writing of his/her decision.

Long-Term Suspension from School (More than Five Days)

- When the decision that a suspension of more than five days may be warranted, the Superintendent or designee shall give written notice to the student and their parents of the right to a formal hearing. **On the 6th day tutoring MUST begin for the student.**
- The written notice shall state the charges against the student, the date, time, place of the hearing, the student's right to be represented by counsel, the right to question witnesses against the student, and the right to present witnesses and other evidence on their behalf.
- The student's prior disciplinary record will not be considered as evidence of guilt but may be used in cross-examination if the student opts to testify. Otherwise, the prior disciplinary record may be considered only after a finding of guilt has been made, in order to determine an appropriate penalty. A student's parent/guardian (or a student 18 years or older) has the right to review the prior disciplinary record before the hearing and to offer any clarifying information. The request to review the prior disciplinary record should be made as promptly as possible to the student's school Principal.
- The Superintendent may personally hear and determine the proceedings, or may designate a Hearing Officer to conduct the hearing. The Superintendent or designee shall be authorized to administer oaths and issue subpoenas in conjunction with the hearing. An audio recording of the hearing shall be maintained, but no stenographic transcript shall be required.
- The School District may be represented at a Superintendent's hearing by its attorneys or other designated representative, who will present the school district's case against the student. Parents and students may contact the school district for information concerning what to expect at a Superintendent's Hearing.
- Parents who need an adjournment of a hearing should make the request to the Office of the Superintendent of Schools as soon as possible. The grant of an adjournment may be conditioned on the student being kept out of school until the adjourned hearing date.
- If the hearing is conducted by a designated Hearing Officer, the Hearing Officer will make an advisory report to the Superintendent containing findings of fact and recommendations as to the appropriate disciplinary penalty. The report from the Hearing Officer shall be considered advisory, and the Superintendent may accept all, any or no part thereof. The student and their parents shall be promptly notified in writing of the Hearing Officer's recommendation and the Superintendent's decision as to innocence or guilt, and any penalty.
- The written decision shall include the student's right to appeal the decision to the Board of Education, which will make a decision based solely upon the hearing record. New evidence will not be considered by the Board; however, the Board may, in its discretion, consider a modification of the penalty upon a showing that a student has participated in counseling, anger management training, dispute resolution training, or other assistance, as may be appropriate. All appeals to the Board of Education must be in writing and submitted to the District Clerk within 30 days after the date of the Superintendent's decision. The Board may adopt all, part or none of the Superintendent's decision.
- Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the Board's decision.

Permanent Suspension (Expulsion)

- Permanent Suspension is reserved for extraordinary circumstances with severe misconduct by students who are over the compulsory education age and show an alarming disregard for the safety of others.

Minimum Periods of Suspension (in Specific Circumstances)

- A student who, following a Superintendent's Hearing-pursuant to Education Law 3214, is found guilty of bringing a firearm (as defined by 18 U.S.C. § 921) onto school property or to a school function will be subject to suspension from school for at least one calendar year, subject to modifications by the Superintendent on a case-by-case basis. In determining a disciplinary penalty, the Superintendent may consider the student's age; grade in school; prior disciplinary record; whether other forms of discipline may be more effective; input from parents, teachers, and others; and extenuating circumstances.
- A "violent student" who is found to have committed an act other than bringing a weapon onto school property or to a school function, shall be subject to suspension from school for at least five days and for a longer period if appropriate.
- A student who engages in conduct which results in the student being removed from the classroom by teacher(s) on four or more occasions during a semester, or three or more occasions during a marking period, may be suspended from school for at least five days, and for a longer period as may be appropriate.

Referrals

PINS Proceedings: The school district may file a PINS (Person in Need of Supervision) Application with the Westchester County Department of Probation with respect to a student under the age of 18 who demonstrates that they require supervision and treatment by:

- Being habitually truant and not attending school as required by Part 1 of Article 65 of the Education Law;
- Engaging in an ongoing continuing course of conduct which makes the student ungovernable, habitually disobedient, and beyond the control of the school.

Delinquent and Criminal Acts Pertaining to Weapons: The Superintendent is required to refer the following students to the appropriate law enforcement authority:

- A student over the age of 7 and under the age of 16 who is found to have brought a weapon to school. If legal prosecution is warranted, students in this age group would appear in the local Family Court under the provisions of Article 3 (Juvenile Delinquency) of the Family Court Act;
- A student 14 or 15 years old who qualifies for Juvenile Offender status under the Criminal Procedure Law 1.20(42) as it relates to Section 265.06 of the Penal Law involving the possession of specifically defined firearms on school grounds. If legal prosecution is warranted, students in this age group would appear in the local Criminal Court;
- Any student over the age of 16 who is found to have brought a weapon to school. If legal prosecution is warranted, students in this age group would appear in the local Criminal Court.

Reports to Law Enforcement

The building principal or his/her designee must notify the appropriate local law enforcement agency of code of conduct violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but no later than the close of business the day the principal or his/her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed within 24 hours after the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct, which constituted a crime.

Alternative Instruction

When a student of any age is removed from class by a teacher, or a student of compulsory attendance age is suspended from school pursuant to Education Law, the school district will take immediate steps to provide alternative means of instruction for the student in compliance with state and federal law. School Principals will organize assignments and provide means of addressing missed classwork. Students, administrators, teachers, and parents are expected to make every effort to maintain student academic progress in the event of suspension, and support student re-entry to the classroom at the conclusion of the disciplinary action.

Discipline of Students with Disabilities and Suspected Disabilities

Students with disabilities who are educated in the schools of the school district are generally expected to meet district standards for school conduct and are subject to district-wide policy. However, when a student with a disability violates school rules, it is recognized that it may be necessary to suspend, remove, or otherwise discipline students with disabilities to address disruptive, violent, or other inappropriate behavior. Furthermore, it is important to note that students with disabilities or suspected disabilities are entitled to certain additional procedures whenever school authorities intend to impose discipline upon them. As part of this process, the student's conduct will be reviewed by the manifestation team to determine whether the inappropriate conduct is related to the student's disability. When the conduct is related to the student's disability, the CSE will conduct a functional behavioral assessment and implement a behavioral intervention plan, as appropriate, or update an existing behavioral intervention plan, as necessary. Except in the case of a dangerous student, the student will return to the placement from which the student was removed. When a student's conduct is found not to be related to their disability, the student may be subject to the same standards of discipline as students who do not have a disability. When a student being disciplined for behavior resulting in short-term removal from school has a disability or suspected disability, he/she may be referred for a program review by the CSE or a manifestation team if appropriate to determine if a functional behavior assessment and/or modification to a behavior intervention plan is appropriate. This Code of Conduct affords students with disabilities who are subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

Students Presumed to Have a Disability for the Purpose of Discipline

The parent of a student who has not yet been determined to be eligible for special education under this part and who has engaged in behavior that violated any rule or code of conduct of the school district shall have the right to any of the protections described herein if the district had knowledge, or was deemed to have knowledge, that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred. Such student would be presumed to have a disability for discipline purposes. The district will be deemed to have had such knowledge if:

- The student's parents expressed concern in writing to administrative staff or to a teacher of the student that the student is in need of special education. Such communication may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
- The student's parent has requested a psychoeducational evaluation of the student; or
- A teacher of the student or other school staff has expressed specific concerns about a pattern of behavior demonstrated by the student directly to the district's Special Education Administrative staff or other building administrators.

A student is not a student presumed to have a disability for discipline purposes if:

- The parent of the student has not allowed a psychoeducational evaluation of the student; or
- the parent of the student has refused special education services; or
- the CSE/504 team had previously determined that the student (did not meet eligibility for classification as a student with a disability) is not a student with a disability.

Disciplinary Change of Placement

A disciplinary change of placement is suspension or removal of a student with a disability from the student's educational placement for a period of more than 10 consecutive school days, or for a period that adds up to more than 10 cumulative school days in a given school year, that constitute a pattern of behavior, considering such factors as the length of each suspension or removal, the conduct leading to the removal, the total amount of time the student is removed, and the proximity of the suspensions or removals to one another. A "manifestation determination" is a determination of whether there is a relationship between the student's disability and the behavior that is subject to the disciplinary action and must be made by the either the Committee on Special Education or the 504 multi-disciplinary team when school officials seek to impose a suspension or removal that constitutes a disciplinary change of placement.

The Role of the Committee on Special Education/Multidisciplinary Team

The procedures relating to the discipline of students with disabilities require school personnel with authority to suspend or remove students to work closely with the Committee on Special Education (CSE)/Multidisciplinary Team (MDT) to ensure clear communication and decision making on disciplinary matters. The school district's CSE/MDT has the responsibilities to conduct a manifestation determination, to conduct behavioral assessments, and to develop or review behavioral intervention plans.

Superintendent’s Hearing on Disciplinary Charges of Students with Disabilities Manifestation Determination Review

A Superintendent’s Hearing for a student with a disability may proceed as it would for any other student. However, before a student with an identified disability, a Section 504 plan, or suspected disability can be suspended from school for more than 10 school days or for a period that adds up to more than 10 cumulative school days in a given school year, a review of the relationship between the student’s disability and the behavior subject to disciplinary action must be provided to determine if the conduct is a manifestation of the disability. This review will take place by the manifestation team, which shall include a representative of the school district knowledgeable about the student, the parent, and relevant members of the CSE as determined by the parent and School District. The parent will receive written notification prior to the manifestation team meeting to ensure that the parent has the opportunity to attend and participate. The notification shall inform the parent of the purpose of the meeting and the names of the individuals expected to attend and will inform the parent of their right to have additional members of the CSE/MDT participate at the parent’s request.

The manifestation team shall review relevant information in the student’s file including the student’s IEP/504 Plan, any teacher observations, and any relevant information provided by the parents to determine if:

- the conduct in question was caused by or had a direct and substantial relationship to the student’s disability; or
- the conduct in question was the direct result of the school district’s failure to implement the IEP/504 Plan, in which case, the school district will take immediate steps to remedy these deficiencies.

If either finding is made, the behavior shall be considered a manifestation of the student’s disability, and the CSE shall convene to determine whether a change of placement is appropriate in conformity with the procedures required by law.

While a special education student may be suspended by a building Principal more than once during a school year, a series of short-term suspensions for a total of 10 days in the same school year will constitute a change in placement where there is a pattern of behavior. Building Principals, in consultation with the chairperson of the CSE when appropriate, should monitor the total days and pattern of suspensions with respect to each special education student. If a student has been suspended on multiple occasions for similar infractions, or if the disciplinary history suggests that a “revolving door” pattern of suspensions is developing, the Principal should consult with the CSE.

In the event that the student’s violation of the Code of Conduct involves (a) bringing a weapon to school or to a school function, (b) using or possessing drugs at school or at a school function, or (c) causing serious bodily injury to another person, the student may be suspended for up to 45 days whether or not the violation was a manifestation of a disability.

Interim Alternative Educational Setting

School officials have the authority to suspend or remove students with disabilities if they violate the Code of Conduct to interim alternative educational settings (located within or outside of the school district) for a period of up to 45 days for offenses relating to illegal drugs, controlled substances, weapons, or serious bodily injury. The Superintendent may order the placement of a student with a disability in an interim setting if the student carries or possesses a weapon at school or at a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, or has inflicted serious bodily injury upon another person at school. In instances when school personnel determine that it is dangerous for a student with a disability to remain in his/her current educational placement, school officials can request an expedited impartial due process hearing to remove the student to an interim setting.

Parent Notice of Disciplinary Removal

No later than the date on which a decision is made to change the placement of a student with a disability to an Interim Alternative Education Setting (IAES), or a decision is to impose a suspension or removal that constitutes a disciplinary change in placement, the parent shall be notified of the decision and shall be provided the procedural safeguards notice.

Expedited Due Process Hearing

The District will arrange for an expedited due process hearing upon receipt of or filing of a due process complaint notice for such a hearing by:

1. The District to obtain an order of an Impartial Hearing Officer placing a student with a disability in an interim alternative educational setting (IAES) where school personnel maintain that it is dangerous for the student to be in his or her current educational placement;
2. The District during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings;
3. The student's parent regarding a determination that the student's behavior was not a manifestation of the student's disability; or
4. The student's parent relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

The District will arrange for, and an Impartial Hearing Officer will conduct, an expedited due process hearing in accordance with the procedures established in Commissioner's regulations. Those procedures include but are not limited to convening a resolution meeting, and initiating and completing the hearing within the timelines specified in those regulations.

When an expedited due process hearing has been requested because of a disciplinary change in placement, a manifestation determination, or because the District believe that maintaining the student in the current placement is likely to result in injury to the student or other, the student will remain in the IAES pending the decision of the Impartial Hearing Officer or until the expiration of the period of removal, whichever occurs first unless the student's parents and the District agree otherwise.

Referral to Law Enforcement Authorities

Consistent with its authority under applicable law and regulations, the District will report a crime committed by a student with a disability to appropriate law enforcement and judicial authorities. In such an instance, the Superintendent will ensure that copies of the special education and disciplinary records are transmitted for consideration to the appropriate authorities to whom the crime is reported, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

Provision of Services During Suspensions

During suspensions or removals for periods of up to 10 school days, students with disabilities are provided with alternative instruction on the same basis as students without disabilities. During subsequent suspensions or removals of up to 10 school days that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, the District will provide students with disabilities services necessary to enable them to continue to participate in the general education curriculum and to progress toward meeting the goals set out in their respective IEP. School personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed to comply with this requirement.

During suspensions or removals in excess of 10 school days in a school year that constitute a disciplinary change in placement, including placement in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, the District will provide students with disabilities services necessary to enable them to continue to participate in the general education curriculum, to progress toward meeting the goals set out in the respective IEP, and to receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modification designed to address the behavior violation so it does not recur. In such an instance, the CSE will determine the IAES and the appropriate services.

Corporal Punishment

Corporal punishment is an act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

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

- Protect oneself, another student, teacher, or any person from physical injury;
- Protect the property of the school or others; and

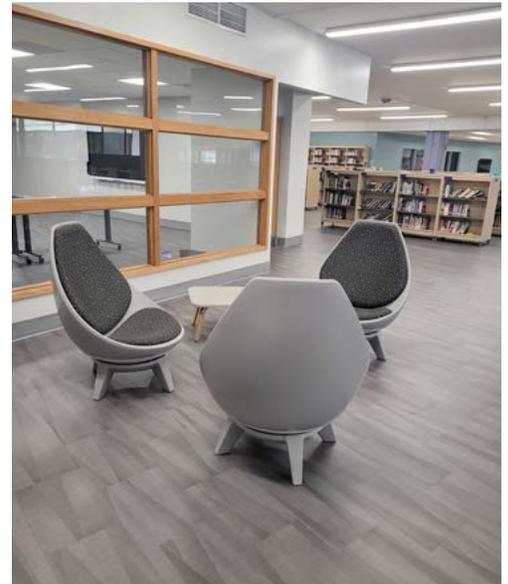
- Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers, and duties, if that student has refused to refrain from further disruptive acts.

The force used must be no more than is required for protection or restraint as above defined.

Physical restraint or seclusion should not be used except in situations where the child's behavior poses imminent danger of serious physical harm to self or others and restraint and seclusion should be avoided to the greatest extent possible without endangering the safety of students and staff. Schools should never use mechanical restraints to restrict a child's freedom of movement.

U.S. Department of Education Restraint and Seclusion: Resource Document.

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



Student Searches and Interrogations

Student lockers, desks, other school storage spaces and school computer equipment are the property of the school district, and school officials retain complete control over such locations and equipment. Students do not have an expectation of privacy in such locations, which are subject to search and/or review at any time, and without notice.

Students' personal belongings, such as backpacks, book bags, handbags, pockets, cell phones, automobiles parked on school grounds, etc. are subject to search where there is reasonable suspicion to believe that the search will result in evidence that the student violated the law or this Code of Conduct.

Reasonable suspicion is based upon information received from a reliable informant. Individuals, other than District employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that was received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety.

District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was inaccurate.

Before searching a student's belongings or vehicle, the authorized school official should, where practicable, ask the student whether the student possesses contraband or evidence, and whether the student will voluntarily consent to the search. 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/guardian before questioning the student. However, school officials will tell students why they are being questioned.

Searches will be limited to the extent necessary to locate the evidence sought. Whenever possible, searches will be conducted in the presence of a building administrator and in the privacy of administrative offices with the student present when their possessions are being searched. The only exception to this is when the school believes there is an emergency situation that could threaten the safety of students or others.

The School Principal or the Principal's designee shall be responsible for the documentation, custody, and control of any illegal or dangerous items taken from a student as a result of a search or interrogation.

Strip searches are prohibited. Searching a student's shoes, socks, sweatshirt, and the exposure of a student's ankles and waistband, do not constitute a strip search where the student is not asked to remove his/her shirt or pants. If a school official believes it is necessary to conduct a strip search of a student, the school official will notify the Superintendent of Schools, and will contact law enforcement and the student's parent or guardian.

Visitors to the Schools

Parents/guardians are welcome to visit our schools and attend school events. However, since schools are a place of work and learning, parents/guardians should call ahead to make an appointment to schedule a conference or classroom visit. Since schools are a place of work and learning, certain limits must be set for such visits. The building Principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

- Anyone who is not a regular staff member or student of the school will be considered a visitor.
- All visitors are expected to follow the rules for public conduct on school property as outlined in this Code of Conduct.
- All visitors to the school must have photo ID and must sign in at the visitor's desk 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. At the high school, a visitor(s) will be escorted by security to and from the location they are going.
- Visitors attending school functions that are open to the public, such as parent-teacher organization meetings, public gatherings, or voting in local, state, national, or school district elections are not required to register.
- Parent(s)/guardian(s) or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the school Principal, and then the classroom teacher(s), so that class disruption is kept to a minimum.
- Teachers will not take class time to discuss individual matters with visitors.
- 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.
- Visitors employed in those professions that require the possession of firearms (e.g. police officer or corrections officer) are reminded that they are not allowed to bring a weapon onto school property unless they are there in their official capacity.

Public Conduct on School Property

The school 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 regulate public conduct on school property and at school functions. For purposes of this section of the code, "public" shall mean all persons when on school property or attending a school function including students, teachers, district personnel, parents/guardians, and members of the community.

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner.

All persons on school property or attending a school function are expected to be properly attired for the purpose for which they are on school property.

Prohibited Conduct

No person, either alone or with others shall:

- Intentionally injure any person or threaten to do so.
- 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.
- Disrupt the orderly conduct of classes, school programs, or other school activities.
- Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
- Intimidate, harass, or discriminate against any person based upon actual or perceived race, color, weight, physical characteristics, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender identity, or sex.

- Trespass or enter any portion of the school grounds without permission from the administrator in charge or remain in any building or facility after it is normally closed.
- Obstruct the free movement of any person.
- Violate the traffic laws, parking regulations, or other restrictions on vehicles.
- Possess, consume, sell, distribute, or exchange, or offer to sell, distribute or exchange, alcoholic beverages, tobacco products, controlled substances, illegal drugs or synthetic versions of illegal drugs, or be under the influence of any of the mentioned substances on school property or at a school function.
- Smoke a cigarette, cigar, pipe, electronic cigarette, or use chewing or smokeless tobacco.
- Possess, display, use or threaten to use any weapon, except in the case of law enforcement officers or except as specifically authorized by the school district.
- Loiter on or about the school property.
- Gamble on school property or at school functions.
- Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
- Willfully incite others to commit any of the acts prohibited by this Code.
- Violate any federal or state statute, local ordinance or Board policy.
- Misuse computer/electronic communications devices, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.

Dress Code

Students are expected to give proper attention to personal hygiene, and to dress appropriately for school and school functions.

Appropriate dress includes:

- Clothing which supports the academic engagement and educational rights of themselves and others;
- Clothing that interferes with, distracts from, or disrupts the educational process is not acceptable; For example:
 - Clothing which incorporates words or graphic images should not be obscene or constitute "hate speech," or promote and/or endorse the use of alcohol, tobacco, controlled substances or illegal drugs, and/or encourage illegal or violent activities;
- Appropriate footwear for activity; and
- Hats and head coverings indoors only for health, safety, or religious reasons.

Each building principal or his or her designee shall be responsible for informing all students and their parents/guardians of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

- **Violations of Dress Code:** 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 may be subject to disciplinary action.

Penalties

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

- Visitors shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection. Where appropriate, visitors may be referred to law enforcement authorities, and/or barred from future access to school property or school functions.
- School district employees shall be subject to ejection, and to further disciplinary action in accordance with applicable provisions of the Education Law, the Civil Service Law, and applicable collective bargaining agreements.
- The District will seek restitution and/or prosecution from any person or persons who willfully damage school property.

Enforcement

The Superintendent of Schools shall be responsible for enforcing the conduct required by this Code. The Superintendent may designate other district staff who are authorized to take action consistent with the Code.

The school district may initiate disciplinary action against students and staff members who violate this Code of Conduct, as set forth in the Penalties section above. In addition, the school district reserves the right to pursue civil or criminal remedies against any person violating the Code.

Publication, Distribution, Training, and Review

Publication and Distribution

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

- Providing the full Code of Conduct and summary in multiple languages (English, Spanish, Urdu, Arabic, Haitian/Creole).
- Reviewing the Code of Conduct with all students at the beginning of each school year and making copies of the code available upon request to all parent(s)/guardian(s), students, and other community members.
- Transmitting the Code of Conduct summary to all parent(s)/guardian(s) of district students at or before the beginning of the school year.
- Posting multiple languages to the Code of Conduct and summary on the District and school websites.
- Providing all current teachers and other staff members with electronic access to the full Code of Conduct and a copy of any amendments to the code as soon as practicable after adoption.
- Providing all new employees with electronic access to the current Code of Conduct when they are hired.
- Filing copies of the full Code of Conduct, in multiple languages, at each school so that these versions are available for review by students, parents, and community members upon request.

Training

- An orientation to the revised Code of Conduct will be provided to all School Administrators.
- School Principals and other District Administrators will provide training for all district staff members to ensure the effective implementation of the Code of Conduct.
- Additional in-service training programs related to the management and discipline of students may be provided based upon the recommendations of the District Leadership to the Superintendent.

Review

- The Board of Education will review the Code of Conduct on an annual basis to consider its continued effectiveness, fairness, and the consistency of its implementation
- Before adopting any substantive revisions to the code, the Board will hold at least one public hearing at which school personnel, parent(s)/guardian(s), students and any other interested party may participate.
- The Code of Conduct and any amendments to it will be filed with the Commissioner of Education no later than 30 days after adoption.



Terms/Definitions/Glossary of Terms

Bullying and Harassment: “Bullying” and “Harassment” shall mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including Cyberbullying, that

- (a) 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
- (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
- (c) reasonably causes or would reasonable be expected to cause a physical injury of emotional harm to a student; or
- (d) 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.

Acts of harassment and bullying 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 or sex. For the purposes of this definition the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.

Controlled substance: a drug or other substance identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. §812(c))

Cyberbullying: Harassment or bullying that occurs through any form of electronic communication. (Ed. Law §11[8])

The Dignity for All Students Act (DASA): Prohibits acts of harassment and bullying, including cyberbullying, and/or discrimination by employees or students on school property, or at a school function, including, but not limited to, such conduct based on a student’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity/gender expression, or sex (Education Law 12[1]).

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 other as such an impairment.

Discrimination includes any form of discrimination against students prohibited by state or federal law such as, for example, the denial of equal treatment, admission, and/or access to programs, facilities, and services based on the person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity), or sex. It should be noted that Educational Law §3201 and 3201-a prohibit discrimination in the form of denial of admission into or exclusion from any public school on the basis of race, creed, color, national origin, and sex.

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

Gender Expression: The manner in which a person represents or expresses gender to others often through behavior, clothing, haircut, activities, voice, mannerisms, and other forms of presentation.

Gender Identity: One’s self-conception of being a male or female or outside of these binaries as distinguished from actual biological sex or sex assigned at birth. Gender identity is internal, and is not necessarily visible to others.

Home Bound Instruction is a temporary educational service provided to students that are unable to attend school in person. These long-term absences are due to medical, 504, “CSE” or superintendent suspension.

Parents refers to the persons in parental relationship, including guardians and custodians.

Race includes traits historically associated with race, including, but not limited to, hair texture and protective hairstyles. Protective hairstyles shall include, but not be limited to, such hairstyles as braids, locks, and twists. (Education Law §11[9] and [10]).

Religion: Religious or spiritual belief of preference, regardless of whether this belief is represented by an

organized group or affiliation having religious or spiritual tenets.

Religious Practices: Religious observances or practices that may include attending worship services, praying, wearing garb or symbols, displaying religious objects, adhering to certain dietary rules, proselytizing or other forms of religious expression, and/or refraining from certain activities.

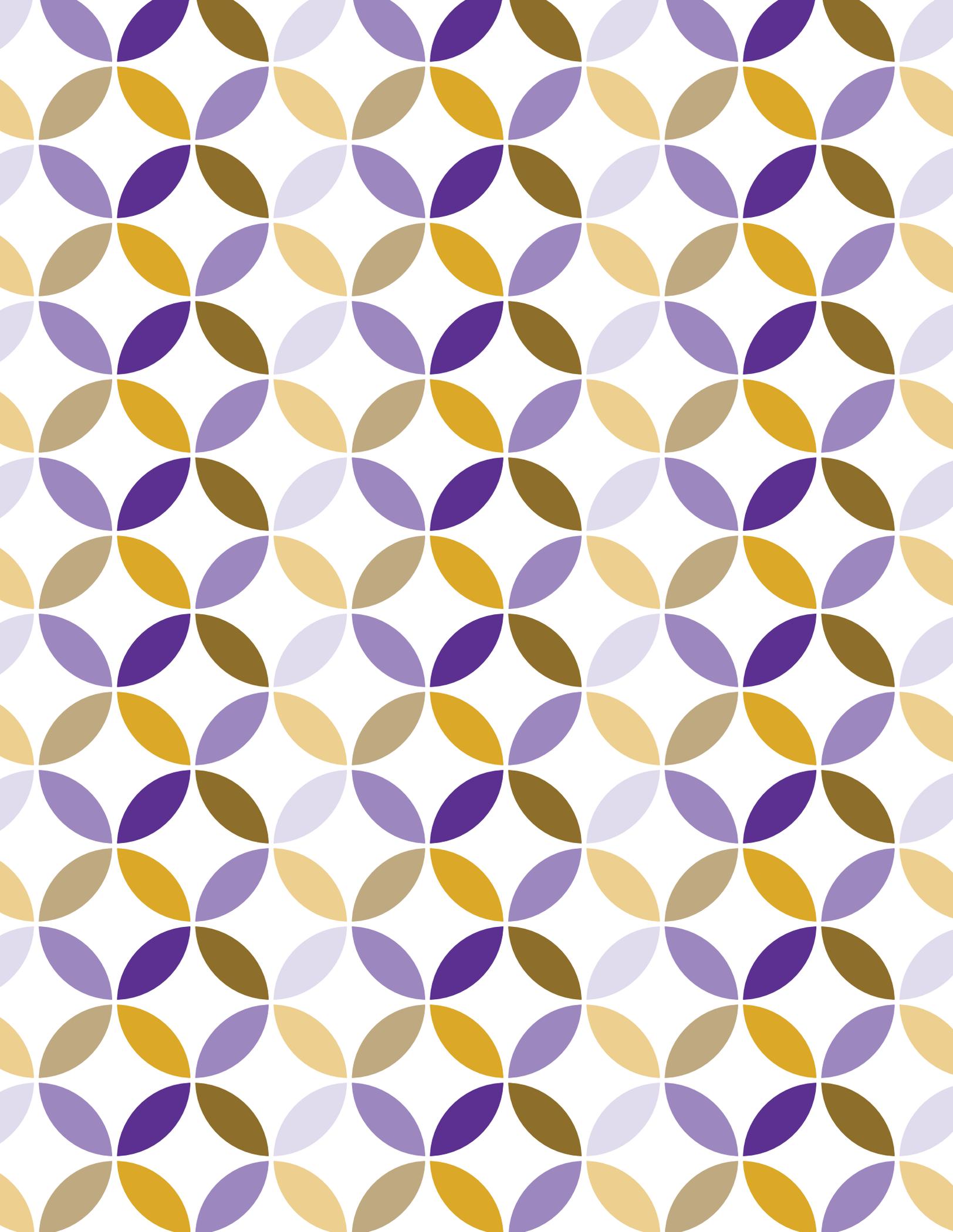
School Function: any school-sponsored extra-curricular event or activity.

School Property shall mean 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, 8 NYCRR 100.2(gg)(1)(i))

Serious Bodily Injury: bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

Sexual Orientation means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11(5)).

Weapon means a firearm as defined in 18 USC Section 921 for purposes of the Guns-Free Schools Act. It also means a weapon, device, instrument, material or substance, animate or inanimate, that is used for or is readily capable of causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 1/2 inches in length.





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