



EAST IRONDEQUOIT CENTRAL SCHOOL DISTRICT
600 PARDEE ROAD
ROCHESTER, NY 14609

K – 12 SCHOOL CONDUCT & DISCIPLINE CODE

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INTRODUCTION

As a result of the part 100 Commissioner's Regulations, which mandates that, "All school districts shall adopt and implement a written policy on school conduct and discipline," this has been developed. It is designed to promote responsible student behavior and was written in consultation with teachers, administrators, other school service professionals, students, and parents. It is the belief of the East Irondequoit Central School District that everyone in the school community must play a role in contributing to an orderly school environment.

Further, we believe that an orderly school environment requires a code of conduct that clearly defines individual responsibilities, categorizes unacceptable behavior, and provides for appropriate disciplinary responses. With this in mind, the following material has been developed.

APPROPRIATE AND ACCEPTABLE BEHAVIOR OF STUDENTS

The East Irondequoit School District deems "appropriate and acceptable" conduct as actions in which students:

1. Display academic honesty and integrity.
2. Respect the rights of others, including the right to secure an education in an environment that is orderly and disciplined.
3. Attend school on a regular basis and are punctual at all times.
4. Recognize the authority of teachers and administrators to govern behavior and discipline students when at school, as well as during any school-sponsored activities.
5. Contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all. This includes conducting themselves in a manner that fosters an environment that is free from intimidation, harassment, discrimination and/or retaliation as defined in this Code, and to report and encourage others to report any incidents of intimidation, harassment, discrimination and/or retaliation.
6. Respect school property and help to keep it free from damage.
7. Obey school regulations and rules made by school authorities and by the student governing body.
8. Complete class assignments and other school responsibilities by established deadlines.
9. Show evidence of appropriate progress toward meeting course and/or diploma requirements as evidenced as reflected in grade reports.
10. Become familiar with this code and seek interpretation of parts not understood.

UNACCEPTABLE AND INAPPROPRIATE BEHAVIOR OF STUDENTS

Unacceptable and inappropriate behavior is defined as any student on school property using school equipment, or participating in school sponsored activities, who is not acting in a responsible manner. Pursuant to Education Law #2801 and New York Commissioners Regulations Part 100.2 (1), or any violation of the law, the Board adopts the following as examples of prohibited conduct:

1. Willful physical injury of any person or the threat to use force that would result in such injury.
2. Discrimination, harassment or retaliation against any person, as these terms are defined in this Code.
3. Any act that infringes upon an individual's right to privacy, i.e.
 - a. Video-taping
 - b. Photographing
 - c. Slanderous statements or comments
4. Lack of academic honesty or integrity, i.e.
 - a. Cheating
 - b. Plagiarism
 - c. Copying
 - d. Supplying answers
5. Willful damage to, destruction of, or theft of property.
6. Conduct that is disorderly and that disrupts the educational environment, i.e., intentionally causing public inconvenience, annoyance or alarm, or recklessly creating a risk thereof by:
 - a. Fighting or engaging in violent behavior;
 1. Examples of violent conduct include each of the acts in the Violent Incident Report (VADIR) Form (Appendix A) published by the New York State Education Department
 - b. Making unreasonable noise;
 - c. Using abusive or obscene language or gestures;
 - d. Disturbing any lawful assembly or meeting of persons;
 - e. Obstructing vehicular or pedestrian traffic;
 - f. Creating a hazardous or physically offensive condition by any act which serves no legitimate purpose; or
 - g. Threatening of a bomb/ pulling fire alarms.
7. Entry of any school building or any of the school premises, unless such entry is made in connection with official business with the district, or to attend an authorized activity or function.
8. Remaining in or on district property after being ordered to leave.
9. Willful interference with the lawful and authorized activities of others.
10. Possession, consumption, sale, or exchange of alcoholic beverages, unauthorized drugs, drug paraphernalia, narcotics or herbal/chemical products designed to mimic the effects of marijuana (also known as synthetic cannabinoids, including but not limited to such brand names as "K2", "Spice", etc..).
11. Possession or use of a weapon, or use of any object that reasonably can be considered a weapon, or possession of a bomb or fireworks, etc.

12. Violation of any federal or state statute, local ordinance, or Board policy.
13. Insubordination, i.e., failing to comply with the lawful directions of a teacher, school administrator or other school employees.
14. The use of cigarettes or any other tobacco products (except as examples in curriculum based instruction) or herbal/chemical products or electronic devices designed to mimic the effects of tobacco products including but not limited to electronic cigarettes.
15. Distribution, transfer, or sale of any item in or on the property of the district in such a way that is disruptive to the educational process.
16. Violation of rules and regulations when using school transportation. Any form of school transportation is considered school property, and anyone using it must adhere to district rules and regulations.
17. Unauthorized use of school transportation is forbidden. Anyone using school transportation must be engaged in an authorized school function.
18. Use of buses to which they are not assigned without following the procedure established for their school building.
19. Truancy.
20. Displays of inappropriate public affection.
21. Gambling
22. Engaging in behavior, using social media, language, or gestures that are lewd, vulgar or abusive.
23. Attending school or school functions under the influence.
24. Excessive arguing with any staff member.
25. Using/carrying cell phones, radios, pagers, digital devices, video recording devices, MP3 players, or other electronic devices during the instructional day except in areas or at times specifically authorized by the building principal.
26. Violations of the District's Acceptable Computer Use Policy and Regulations.
27. Cyberbullying – The use of information technology, including email, instant messenger, blogs, chat rooms, pagers, cell phones and gaming systems , to deliberately harass, threaten or intimidate others.
28. Sexting – The sending, receiving or forwarding of sexually explicit photos through text message or email with or without consent.

ACCEPTABLE AND APPROPRIATE ATTIRE OF STUDENTS

Acceptable and appropriate attire may be defined as clothing or accessories that are suitable and not distracting to the educational environment or school sponsored events. Clothing worn for religious purposes is excluded from this policy.

Any outfit that is deemed to be unfit for school or school sponsored events may result in requiring the student to change outfits, or the removal or covering up of the unacceptable outfit or accessory.

Unacceptable and inappropriate attire may include the following:

1. Clothing that may be construed as disruptive or distracting, such as midriffs, see-through garments, short shorts.
2. Clothing or accessories that may include offensive images or slogans of sex, drugs, violence, or discrimination on the basis of race, color, religion, religious practices, creed, national origin, ethnic origin, ethnic group, weight, disability, gender (including gender identity and expression), or sexual orientation.
3. Clothing or accessories that may be considered gang related, such as hats, beads, bandanas, etc.
4. Hats, bandanas/doo-rags or any other head gear may not be worn in school. However, the wearing of coats or book bags may be allowed at the discretion of the building Principal.
5. Outer wear (coats) are to put in lockers/clothes closets upon arriving and not worn during the school day.

LANGUAGE DEEMED APPROPRIATE FOR STUDENTS

Language deemed appropriate and acceptable or inappropriate and unacceptable:

- A. The East Irondequoit School Community believes that students will demonstrate respectful behavior by using appropriate and acceptable language at all times towards staff or students. Appropriate language includes words that are courteous, non-offensive, and without malice.
- B. The School Board adopts the following language as unacceptable and inappropriate:
 1. Verbal harassment on the basis of race, color, religion, religious practices, creed, national origin, ethnic origin, ethnic group, weight, disability, gender (including gender identity and expression), or sexual orientation.
 2. Profane or obscene words.
 3. Verbal assault (the use of demeaning, derogatory, offensive, threatening, or abusive language) towards staff or students.
 4. To speak in a quarrelsome, belligerent and contentious manner to others.

RANGE OF CONSEQUENCES FOR STUDENTS

Those students having difficulty maintaining responsible behavior should know the range of consequences.

The following consequences may be imposed either alone or in combination, or as deemed appropriate for the offense. The range of consequences that may be imposed for violation of the School Conduct and Discipline Code include, but are not restricted to, the following:

- Verbal warning
- Written warning to student/parent
- Verbal communication
- Written notification to student/parent
- Probationary contract
- Reprimand
- Detention
- Suspension from transportation privileges
- Suspension from athletic participation
- Suspension from social or extracurricular activities
- Suspension from other privileges
- Exclusion from particular class/activity/setting/bus
- In-school suspension
- Suspension from school
- Principal's hearing
- Superintendent's hearing

Student discipline will be progressive, i.e., a student's first violation should merit a lighter penalty than subsequent violations. It is the school board's desire that an employee or agent take into account all other relevant factors in determining penalty.

ROLE OF TEACHERS AND STAFF

All teachers and staff members know that they work every day with the nation's most precious commodity, our future generation. In view of this responsibility, they will:

1. Promote a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex that will strengthen the student's positive self-image.
2. Recognize that some disciplinary problems are caused by personal and academic frustration of students.
3. Seek to develop cooperative relationships with parents for the educational benefit of the student.
4. Interpret the School Conduct and Discipline Code to the students, and distinguish between minor student misconduct best handled by the teacher, and major problems requiring the assistance of an administrator or designee.
5. Teach the common courtesies by establishing rules of conduct and demonstrating desirable standards of behavior within the discharge of their duties.
6. Handle individual infractions, and whenever possible avoid punishing the group for the misbehavior of one or two.

7. Help students cope with peer pressure.
8. Recognize changing behavior patterns and be sensitive to student's problems so as to be available to act as a referral resource to school and community agencies.
9. Send communications home in a timely manner.
10. Report to the principal or designee any student who jeopardizes his/her own safety, the safety of others or of the teacher, or who seriously interferes with the instructional program of the classroom.
11. Develop positive working relationships with students, teachers, staff, and administrators.
12. Guide students to attain their full potential.
13. Enforce the School Conduct and Discipline Code in all areas of the school.
14. Recognize that some disciplinary problems can be effectively dealt with through consultation with counselors and/or other staff.
15. Plan and conduct a program of instruction that will make learning challenging and stimulating.
16. Utilize classroom routines, which contribute to the total instructional program and to the students' development of responsibility and self-discipline.
17. Deal with all staff, parents and students in a respectful manner at all times.
18. Confront issues of discrimination, harassment, retaliation or any situation that threatens the emotional or physical health or safety of any student (or others) on school property or at a school function.
19. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
20. Report incidents of discrimination, harassment and/or retaliation that are witnessed or otherwise brought to a staff member's attention in a timely manner.

ROLE OF BUILDING ADMINISTRATORS

As the educational leaders in the school, the principal and his or her assistants set the disciplinary climate for the school, not only for students but for staff as well. They will therefore:

1. Seek to develop a sound and healthful atmosphere of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex within the school community and exemplify an enthusiastic supportive attitude toward school and education.
2. Evaluate the program of instruction in their school to achieve a meaningful education program.
3. Help their staff self-evaluate procedures and attitudes with regard to the interaction within their classroom.
4. Develop procedures, which reduce the likelihood of student misconduct.

5. Provide the opportunity for students, parents/guardians, and staff to approach the administrators directly for resolution of problems.
6. Work with students, staff, and parents/guardians to formulate school regulations.
7. Assist staff members to resolve problems that may occur.
8. Develop positive working relationships with students, teachers, staff, parents/guardians, and other administrators.
9. Utilize all appropriate support staff and community agencies to help parents and students identify problems and seek solutions.
10. Establish necessary building security.
11. Assume responsibility for the dissemination and enforcement of the School Conduct and Discipline code, and ensure that all discipline cases referred are resolved promptly.
12. Apply fairness, reasonableness, and consistency in all phases of discipline.
13. Uphold any federal or state statute, local ordinance or board policy.
14. Develop behavior guidelines and appeals procedures specific to his/her assigned school in harmony with the School Conduct and Discipline Code.
15. Demonstrate desirable standards of behavior while in the discharge of their duties.
16. Deal with staff in a respectful manner.
17. Confront issues of discrimination, harassment, retaliation or any situation that threatens the emotional or physical health or safety of any student (or others) on school property or at a school function.
18. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
19. Report incidents of discrimination, harassment and/or retaliation that are witnessed or otherwise brought to an administrator's attention in a timely manner.

ROLE OF DISTRICT ADMINISTRATORS

As the educational leaders of the school system, the Superintendent and other Central Office administrators will:

1. Recommend to the Board of Education appropriate policies and actions to achieve optimum conditions for positive learning.
2. Develop and implement an effective school conduct and discipline code that may be supported by students, parent, teachers, building administrators, staff, and community.
3. Demonstrate desirable standards of behavior while in the discharge of their duties.

4. Comply with pertinent state laws governing hearings, suspensions, and student rights.
5. Develop positive working relationships with students, teachers, staff, parents/guardians, and building administrators.
6. Exemplify an enthusiastic and supportive attitude toward school and education.
7. Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
8. Confront issues of discrimination, harassment, retaliation or any situation that threatens the emotional or physical health or safety of any student (or others) on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
10. Report incidents of discrimination, harassment and/or retaliation that are witnessed or otherwise brought to an administrator's attention in a timely manner.

ROLE OF THE BOARD OF EDUCATION

As elected officials responsible for the school system, the Board of Education is required to promulgate the policies and regulations needed to implement and enforce this code. It is also expected that these officials will:

1. Demonstrate desirable standards of behavior while in the discharge of their duties.
2. Encourage through policy a positive relationship with students, teachers, staff, administrators, and the community.
3. Exemplify an enthusiastic and supportive attitude toward school and education.
4. Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.

ROLE OF PARENTS/GUARDIANS

A cooperative relationship between home and school is essential to each student's successful development and achievement. To achieve this wholesome relationship, parents/guardians, in accepting this responsibility, will be encouraged to:

1. Exemplify an enthusiastic and supportive attitude toward school and education.
2. Build a good working relationship between themselves and their child, his/her teachers, and the school.
3. Teach their child self-respect, respect for the law, respect for others, and respect for public property.
4. Insist on prompt and regular attendance.

5. Review information and observations of all parties concerned before reaching a decision on any school related problems.
6. Recognize that all school personnel deserve the same consideration and respect that parents expect from their children.
7. Insist that their child take pride in his or her appearance in accordance with the dress code.
8. Insist that their child promptly bring home any communications from school.
9. Cooperate with the school staff in jointly resolving any school related problems.
10. Set realistic standards of behavior for their children and be firm, fair, and consistent in applying them.
11. Help their child learn to deal effectively with peer pressure.
12. Provide a place conducive to study and the completion of homework assignments.
13. Demonstrate desirable standards of behavior.
14. Assume financial obligations incurred by their child in school. This includes such things as lost books and damage to property.
15. Follow the “Parental Responsibilities when Visiting East Irondequoit Schools” see Appendix B of this document

It is the responsibility of each parent/guardian to know and support these rules.

PROHIBITED CONDUCT

The Board of Education prohibits the following conduct or acts on school property by students, teachers, staff members, licensees, invitees, and all other persons, whether or not their presence is authorized:

1. The willful physical injury of any person or the threat to use force that would result in such injury.
2. The sexual harassment of any person.
3. Discrimination, harassment and/or retaliation against any person.
4. The willful damage to, or destruction of property.
5. The willful disruption of the orderly conduct of classes or of any other school program or activity.
6. The entry of any school building or upon any portion of the school premises, unless such an entry is made in connection with official business with the district, or to attend an activity or function authorized thereby.
7. The willful interference with the lawful and authorized activities of others.
8. The possession, consumption, or exchange of alcoholic beverages, unauthorized drugs, drug paraphernalia, narcotics or herbal/chemical products designed to mimic the effects of marijuana

(also known as synthetic cannabinoids, including but not limited to such brand names as "K2", "Spice", etc..)

9. The possession or use of a knife, razor, ice pick, explosives, loaded cane, sword cane, machete, pistol, rifle, shotgun, pellet gun, BB gun, or any other object that reasonably can be considered a weapon.
10. The violation of any federal or state statute, local ordinance, or board policy.
11. The refusal or failure of any person to comply with a lawful order or direction of an official of the school district in the performance of his duties.
12. The use of cigarettes or any other tobacco products (except as examples in curriculum based instruction) or herbal/chemical products or electronic devices designed to mimic the effects of tobacco products including but not limited to electronic cigarettes.
13. No engaging in gambling.
14. The unauthorized boarding of school transportation.
15. Visiting school or school functions under the influence of drugs or alcohol.

DEFINITIONS

Bullying

Bullying is a form of harassment that consists of inappropriate persistent behavior including, but not limited to: threats of intimidation of others, treating others cruelly, terrorizing, coercing, stalking, or habitual put-downs and/or badgering of others, whether done directly, indirectly, face-to-face or remotely through electronic communication (i.e., "cyber-bullying"). Bullying, real or perceived, may be premeditated or a sudden activity. Bullying may be subtle or easy to identify, done by one person or a group. Bullying may be a single act or a series of occurrences.

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

- Verbal bullying includes, but is not limited to, name-calling, insulting remarks, verbal teasing, frightening phone calls, violent threats, extortion, taunting, gossip, spreading rumors, racist slurs, threatening electronic communications ("cyberbullying"), anonymous notes, etc.
- Physical bullying includes, but is not limited to, poking, slapping, hitting, tripping or causing a fall, choking, kicking, punching, biting, pinching, scratching, spitting, twisting arms or legs, damaging clothes and personal property, or threatening gestures.
- Social or relational bullying includes, but is not limited to, excluding someone from a group, isolating, shunning, spreading rumors or gossiping, arranging public humiliation, undermining relationships, teasing about clothing, looks, giving dirty looks, aggressive stares, etc.

Bullying may also involve the following characteristics:

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

Cyber-bullying

Cyber-bullying is a form of bullying which occurs via electronic communication on the Internet, on cellular phones or other electronic media. Cyber-bullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or website postings (including blogs).

Cyber-bullying or harassment has or could have the effect of:

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

Cyber-bullying involving District students may occur both on campus and off-school grounds and may involve student use of the District Internet system or student use of personal digital devices including but not limited to: cell phones, digital cameras, personal computers, electronic tools.

Cyber-bullying that occurs off-campus that causes or threatens to cause a material or substantial disruption in the school could result in formal discipline by school officials. Such conduct could also be subject to appropriate disciplinary action in accordance with the District Code of Conduct and possible referral to local law enforcement authorities.

Discrimination

Discrimination is the act of denying rights, benefits, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as listed under *Harassment* as defined below).

Harassment

Harassment has been defined in various ways in federal and state laws (including the penal laws) and regulations. The Board recognizes that these definitions are important standards, but the Board's goal is to prevent behaviors from escalating to violations of law and, instead, to promote a positive school environment and limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- race,
- color,
- weight,
- national origin,
- ethnic group,
- religion,

- religious practice,
- disability,
- sex,
- sexual orientation, or
- gender (including gender identity and expression).
- Gender identity is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.
- Gender expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

Specifically, harassment can include any verbal, written or physical conduct which offends, denigrates, or belittles any individual because of any of the characteristics described above. Such conduct includes, but is not limited to derogatory remarks, jokes, demeaning comments or behaviors, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, etc.

Hazing

Hazing is a form of harassment among students defined as any intentional or reckless act directed against another for the induction, initiation or membership process in any school sponsored activity, organization, club, or team involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule. Hazing behaviors include, but are not limited to, the following general categories:

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

Incorporated within this definition are various forms of physical, emotional and/or sexual abuse which may range in severity from teasing/embarrassing activities to life-threatening actions. Even if the hazing victim participated "willingly" in the activity, or there was no "intent" by the hazer to harm or injure another individual, hazing is still hazing and against District policy, the District Code of Conduct and may be in violation of New York State Law. However, hazing of students does not need to rise to the level of criminal activity for such conduct to be in violation of District rules and subject to appropriate disciplinary sanctions. Any hazing activity, whether by an individual or a group, shall be presumed a forced activity and in violation of Board policy, regardless of the "willingness" of the student to participate.

Sexual Harassment

Sexual Harassment specifically means sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- a) Submission to that conduct is made either explicitly or implicitly a term or condition of a student's education.
- b) Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.
- c) The conduct, on the basis of sex, could interfere with a student's educational performance and/or deny or limit a student's ability to participate in or to receive benefits, services or opportunities in the school's programs.

This applies whether the harassment is between people of the same or different gender. Sexual harassment can include, but is not limited to, verbal, written or physical conduct, directed at or related to a person's gender or gender expression, such as sexual gossip or personal comments of a sexual nature, sexually suggestive or foul language, sexual jokes, whistling, spreading rumors or lies of a sexual nature about someone,

demanding sexual favors, forcing sexual activity by threat of punishment or offer of educational reward, obscene graffiti, display or sending of pornographic pictures or objects, touching, pinching, grabbing, kissing or hugging or restraining someone's movement in a sexual way. It also includes sexual violence which is defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence as defined by New York Penal Law includes but is not limited to acts such as:

- a) Rape;
- b) Sexual assault;
- c) Sexual battery;
- d) Sexual coercion.

For purposes of this regulation, sexual harassment includes all verbal or physical conduct of a sexual nature between a District employee, officer, volunteer, vendor or visitor and a student. With respect to sexual harassment between students, the verbal or physical conduct of a sexual nature must be unwelcome to constitute harassment.

Retaliation

Retaliation is a separate and distinct violation of this policy in which any member of the school community retaliates against any person who reports alleged harassment or against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to such harassment. It is possible that an alleged harasser may be found to have violated this anti-retaliation provision even if the underlying complaint of harassment is not found to be a violation of this policy. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment.

The definition above include acts of harassment, retaliation, bullying, etc. that occur (i) on school property; or (ii) at a school function or (iii) off school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment.

Dignity Act Coordinators

The District has at least (1) staff member at every school building (appointed by the Board of Education) trained to handle human relations in the area of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, gender expression and other characteristics protected by applicable federal, state and local laws, known as the Dignity Act Coordinator.

REPORTING DISCRIMINATION, HARASSMENT AND RETALIATION (INCLUDING BULLYING, CYBER-BULLYING, HAZING, INTIMIDATION, ETC.)

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

It is essential that any student who believes he/she has been subjected to discrimination, harassment, or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator. The staff member/administrator to whom the report is made (or the staff member/administrator who witnesses or suspects bullying/cyber-bullying behavior) shall make an oral report to the principal, superintendent, or their designee not later than one school day after the employee witnesses or receives such a report. The staff member/administrator must also file a written report with the principal, superintendent, or their designee no later than two school days after making the oral report.

The principal, superintendent or the principal's or superintendent's designee will be responsible for leading or supervising a thorough investigation of all reports of harassment, bullying, discrimination, retaliation, etc. and completing such investigations promptly after receipt of any written reports. When an investigation reveals a violation of our Code of Conduct in this regard, the superintendent, principal, or designee will take prompt action, reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior and provide for the safety of the student or students against whom such behavior was directed.

The principal, superintendent, or their designee will also notify promptly the appropriate local law enforcement agency when it is believed that any such violation constitutes criminal conduct.

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

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

The District's designated Dignity Act Coordinators are:

<u>Name</u>	<u>School Building</u>	<u>Contact Information</u>
Kathryn Jensen	Eastridge High School	339-1519
Catherine Dempster	East Irondequoit Middle School	339-1411
Jeff Jasak	Durand Eastman School	339-1360
Jacqueline McAllister	Laurelton Pardee School	339-1382
Andrew Goodman	Ivan Green School	339-1320
Kelly Petzing	Helendale Road School	339-1375

Retaliation by any school employee or student is also prohibited against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination.

ENFORCEMENT AND PENALTIES

These regulations and the penalties are not considered to be inclusive, or to preclude in any way the prosecution and conviction of any person for the violation of any federal or state law or local ordinance and the imposition of a fine or penalty provided for therein.

Filing of this Policy:

The superintendent will file this policy and any amendments here-to with the Board of Regents and the Commissioner of Education within ten (10) days after the adoption date.

BUILDING PROCEDURES FOR EARLY IDENTIFICATION AND RESOLUTION OF DISCIPLINE PROBLEMS

The real key to good discipline is prevention – teachers appropriately managing the classroom environment before student misbehavior become a major issue. Students who do exhibit behavioral problems during the school day are usually first identified by the teacher who then handles all or most routine discipline problems. Based upon the nature of the infraction and the students' best interests, the teacher may:

1. Confer with the student and/or parent.
2. Meet with the school counselor and/or other staff.
3. Request a student-teacher-administrator conference.
4. Request a conference with all staff members involved with the student.
5. Request a parent conference.

6. Involve the building mental health team.
7. Work, in conjunction with the family, with outside agencies to bring about resolution of the problem.
8. Assign discipline/consequence in accordance with building discipline policy.

The building Pupil Personnel Service Team (school counselors, social worker, Psychologists, speech pathologists, resource teachers, school health aids, administrators) meets regularly to review students referred by school personnel, parents, or self-referrals by students. Options available include: in-school counseling, referral to CSE, and referral to outside counseling agencies.

STANDARDS / PROCEDURES TO ASSURE SECURITY AND SAFETY OF STUDENTS AND SCHOOL PERSONNEL

The East Irondequoit School Board recognizes that each of its schools has a custom tailored Emergency Response Plan. Each plan has the following material included:

1. Policies and procedures for the safe evacuation of students, teachers, other school personnel, and visitors to the school in the event of a serious violent incident or other emergency that may occur before, during, or after school hours, which shall include evacuation routes and shelter sites and procedures for addressing medical needs, transportation, and emergency notification to persons in parental relation to a student;
2. Designation of an emergency response team, other appropriate incident response teams, and a post-incident response team;
3. Procedures for assuring that crisis response fire and law enforcement officials have access to floor plans, blueprint, schematics, or other maps of the school interior, school grounds, and road maps of the immediate surrounding area;
4. Establishment of internal and external communication systems in emergencies;
5. Definition of the chain of command in a manner consistent with national interagency incident management system (NIMS) /incident command system (ICS);
6. Coordination of the school safety plan with the state-wide plan for disaster mental health services to assure that the school has access to federal, state, and local mental health resources in the event of a violent incident;
7. Procedures for annual review and the conduct of drills and other exercises to test components of the emergency response plan, including the use of tabletop exercises, in coordination with local and county emergency responders and preparedness of officials;
8. Policies and procedures for securing and restricting access to the crime scene in order to preserve evidence in cases of violent crimes on school property.

REMOVAL OF DISRUPTIVE STUDENTS FROM THE CLASSROOM AND/OR SCHOOL PROPERTY

Section 2 of the “ACT” gives teachers the authority to remove “disruptive” students from the classroom. This removal must be consistent with the guidelines set forth in the East Irondequoit Central School District code of conduct. The power to remove a student from a classroom is not a replacement for a classroom management plan; rather it is a supplement to an effective plan. Student removal is intended to provide a final consequence before an out of school suspension is necessitated.

(Substantial Disruption/Substantial Interference)

The East Irondequoit CSD categorizes a student who is a “substantial Disruption” or “substantial interference” for the purpose of this section. This may be defined as an elementary or secondary student under twenty –one years of age who:

1. Continues to ignore teacher/staff directions.
2. Continues to interrupt or interferes with the educational process.
3. Continues to argue excessively with directions given by the teacher/staff.
4. Refuses to follow rules or procedures set forth by the classroom teacher.
5. Substantially interferes with the teacher’s/staff authority over the classroom.

A student may not be considered a “substantial disruption” or a “substantial interference” if a teacher has not exhausted all steps in his/her classroom management plan.

A student who continuously displays “substantial disruption” or “substantial interference” will be referred to the Instructional Support Team for the development of a student management plan.

The East Irondequoit CSD categorizes a student who poses a danger as a student who is an elementary or secondary student under twenty-one years of age who:

1. Commits an act of violence upon a teacher, administrator, or other employee;
2. Commits, while on school district property or at school sponsored events, an act of violence upon another student or any other person lawfully upon said property;
3. Possesses, while on school district property or at school sponsored events, a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death;
4. Displays, while on school district property or at school sponsored events, what appears to be a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death;
5. Threatens, while on school district property or at school sponsored events, to use any instrument that appears capable of causing physical injury or death;
6. Knowingly and intentionally damages or destroys the personal property of a teacher, administrator, other school district employee, or any person lawfully upon school district property; or
7. Knowingly and intentionally damages or destroys school district property.

DURATION OF REMOVAL

Duration of student removal may not exceed the following guidelines:

1. Secondary and middle school – student removal may not exceed three class periods. A class period may be defined as the prescribed time a student is scheduled to attend a specific class.
2. Intermediate – student removal may not exceed 45 minutes per incident. Removal of a student may not exceed 2 consecutive days.
3. Primary – student removal may not exceed 20 minutes per incident. Removal of a student may not exceed 2 consecutive days.

RANGES OF POSSIBLE DISCIPLINARY MEASURES TO BE TAKEN FOR VARIOUS OFFENSES

As previously stated, schools can only function in an orderly fashion if everyone understands and follows an established set of behavioral guidelines. As there are established guidelines of acceptable behavior, there must also be an understanding of the possible consequences for failure to adhere to them.

In accordance with the above, disciplinary infractions are categorized into four (4) steps. At each step, a sample group of misbehaviors is listed along with a range of possible disciplinary responses. However, because of the nature of certain infractions, particularly in the most serious categories, a specific disciplinary response has been made mandatory.

All examples, procedures, and disciplinary responses are applicable on school grounds, in school buildings, on school buses, and during school sponsored field trips, including school activities on weekends and/or evenings.

The vast majority of students are responsible and well behaved. The following chart is included to enable students and parents to understand the consequences of misbehavior.

Any suspension from attendance upon instruction may be imposed only in accordance with Section 3214 of the Education Law.

Step 1:

A. DESCRIPTION OF BEHAVIOR:

Step 1 misconduct involves behavior on the part of the student that impedes orderly classroom procedures or interferes with the orderly classroom procedures, or interferes with the orderly operation of the school.

EXAMPLES:

Cutting class (first offense)

Inappropriate attire

Cafeteria problems

Classroom tardiness

School tardiness

Disrespectful language or gestures

Horseplay

Non-defiant failure to complete assignments or carry out directions

Bus disturbances

Use of unauthorized objects and materials

Inappropriate displays of affection

B. PROCEDURES:

The staff member who is supervising the student or who observes the misbehavior will determine initial response.

Repeated misbehavior may require a conference with the counselor, administrator, and/or parent.

The staff member maintains a proper and accurate record of the offenses and disciplinary actions.

C. CONSEQUENCES:

- Verbal reprimand
- Confiscation of unauthorized objects and materials
- Special assignment
- Parent Contact
- Withdrawal of privileges
- After school detention
- In-school suspension
- Out-of-school suspension

Step 2:

A. DESCRIPTION OF BEHAVIOR:

Step 2 misconduct involves behavior wherein its frequency or seriousness tends to disrupt the learning climate and orderly operation of the school. This conduct, which may be the continuation of Step 1 misbehavior, requires the intervention of an administrator because the execution of Step 1 disciplinary response(s) failed to correct the situation. Also included in this level are misbehaviors that do not represent a direct threat to the health and safety of others, but whose consequences are serious enough to require corrective action on the part of administrative personnel.

B. EXAMPLES:

- Continuation of Step 1 behavior
- School tardiness (repeated instances)
- Cheating
- Leaving school without authority
- Using forged notes/excuses
- Impersonation of parent
- Disruptive classroom behavior
- Cutting class (repeated offense)
- Insubordination
- Abusive language
- Discrimination, harassment and/or retaliation
- Violation of smoking regulations
- Failure to serve detention assignments

C. PROCEDURES:

The student is referred to the administrator for appropriate disciplinary action.

The administrator meets with the student and/or teacher and decides the most appropriate response.

The teacher is informed of the administrator's action. The administrator maintains a proper and accurate record of the offense and the disciplinary action. Parental contact will be made.

D. CONSEQUENCES:

- Parent Conference and/or hearing
- Temporary removal from class
- After school detention
- In-school suspension
- Out-of-school suspension
- Charged under New York State Criminal Code
- Referral to outside agency

Step 3:

A. DESCRIPTION OF BEHAVIOR

Step 3 misconduct involves anti-social acts directed against persons or property, but whose consequences may not seriously endanger the health or safety of others in the school. The acts are considered serious, but most frequently can be handled by the disciplinary mechanism in the school.

Corrective measures that the school should undertake, however, depend on the extent of the school's resources for remediating the situation in the best interest of all students.

Those acts, which are criminal or illegal, will automatically be referred to appropriate law enforcement offices.

B. EXAMPLES:

- Continuation of unmodified Steps 1 and 2 behavior
- Fighting
- Possession/under the influence of drugs and/or alcohol
- Stealing
- Truancy
- Using obscene language or gestures
- Vandalism

C. PROCEDURES:

The administrator initiates disciplinary action by investigating the infraction and conferring with staff on the extent of the consequences.

The administrator meets with the student and confers with the parents about the student's misconduct and the resulting disciplinary action.

The administrator maintains a proper and accurate record of offenses and disciplinary actions. Restitution of property and damages is required through the student's own work whenever possible.

D. CONSEQUENCES:

- Parent conference and/or hearing
- Temporary removal from class
- After school detention
- Principal's Hearing
- Out-of-school suspension
- Charged under New York State Criminal Code
- Referral to outside agency

Step 4:

A. DESCRIPTION OF BEHAVIOR:

Step 4 misconduct involves acts that result in violence to another's person or property, or that pose a direct threat to the safety of others in the school. These acts may be so serious that they require administrative action, which may result in the immediate removal of the student from school and/or the intervention of law enforcement authorities.

Those acts, which are criminal or illegal, will automatically be referred to the appropriate law enforcement agency.

B. EXAMPLES:

- Unmodified Steps 1,2, or 3 behaviors
- Deliberately striking a staff member
- Threatening comments
- Extortion
- Bomb threat or false alarm
- Possession/use/transfer of dangerous weapons
- Assault/battery/sexual violence
- Vandalism (major)
- Repeated pattern of disrupting the educational process
- Theft/possession/sale of stolen property
- Arson
- Furnishing/selling illegal/unauthorized substances (drugs, alcohol)
- Possession/under the influence of drugs and/or alcohol
- Fighting
- Insubordination to an administrator

C. PROCEDURES:

The administrator verifies the offense, confers with the staff involved, and meets with the student. The student is immediately removed from the general school population. Parent/guardians are notified.

School officials may contact a law enforcement agency and may assist in prosecuting the offender.

A complete and accurate written report is submitted to the Superintendent.

D. CONSEQUENCES:

- Principal's hearing
- Superintendent's hearing
- Suspension
- Referral to outside agency
- Alternate placement
- Charged under the New York State Criminal Code on referral to appropriate law enforcement agency

MINIMUM PERIOD OF SUSPENSION

1. Students who bring a weapon to school (Gun Free School Act of 1994 (20 USC s/s 8921))

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

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

The Superintendent is required to refer students over the age of sixteen (16) or any student fourteen (14) or fifteen (15) years old who qualifies for juvenile offender status to the appropriate law enforcement authorities. A student fourteen (14) or fifteen (15) years old who possesses a firearm, machine gun, or loaded firearm (as identified under the NYS Penal Law s/s 220.14 (14) qualifies for juvenile offender status under the NYS Criminal Procedure Law, section 1/20.

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

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

Any student, other than a student with a disability, who if found to have committed a violent act other than bringing a weapon onto school property, shall be subject to suspension from school for at least five (5) days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

3. Students who are repeatedly substantially disruptive of the educational process or who repeatedly substantially interfere with the teacher authority over the classroom:

Any student, other a student with a disability, who engages in conduct that results in the student being removed from the classroom by teacher (s) on four (4) or more occasions during a semester, will be suspended from the school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a short-term suspension. If the proposed penalty exceeds the five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

CONTINUING EDUCATION AFTER REMOVAL

Any student being removed from a class who is considered a "substantial disruption" or a "substantial interference" has the right to have a continued program of study immediately following removal from a classroom. Therefore, any student being sent out of a classroom must be sent with the class work that is being

taught at the time of removal. This work must also cover the duration of the removal period. This is not applicable for a student who “poses a danger”. If a student poses a danger as defined above, the first responsibility is to remove the student from the class.

Out of school suspensions will be conducted in accordance to section 3214 of the New Education Law.

REMOVAL PROCESS OF DISRUPTIVE STUDENTS

The East Irondequoit CSD has established the following procedure for removing students in accordance to “SAVE” legislation:

1. The teacher must first determine that a student is disruptive. The behavior should be of a sort in which it prevents a teacher from teaching the “students who want to learn”.
2. If the student’s conduct was merely “disruptive”, the teacher must notify the student of the reasons for the removal prior to the removal. The teacher must also allow the student an opportunity to explain his or her side of the story.
3. Where the student’s conduct poses a “continuing danger to persons or property” or “an ongoing threat of disruption to the academic process,” the teacher may immediately remove the student without explaining the reasons for the removal. In that case, the teacher has 24 hours to notify the student of the reasons and allow a response.
4. In all instances, the teacher must inform the principal in writing of the basis for the removal.
5. The principal must take a number of procedural steps after a student has been removed from the classroom. First, the student’s parent has a right to know the reasons for the removal within 24 hours. Next, if requested, the student/parent must be permitted the opportunity to discuss the reasons for the removal at an informal conference with the principal. If the student denies the charge, the student must be permitted to present his/her version of the events to the principal within 48 hours of the removal. Finally, the principal’s decision as to whether the discipline will be upheld or set aside must be made by the close of the business day following the 48 hour period for the informal conference noted above.
6. The principal may not set aside a student’s removal unless the principal finds that: (1) the charges are not supported by substantial evidence; or (2) the conduct warrants suspension from school and a suspension will be imposed; or (3) the student’s removal is in violation of law.
7. The school district must provide continued educational programming to students who are removed from class.
8. Principals may designate another school administrator to perform the functions required under the removal process.
9. Section 2 of the new law also permits principals to suspend pupils for up to five days without prior authorization of the Board of Education. Where the pupil does not pose a “continuing danger to persons or property”, or an “ongoing threat of disruption to the academic process”, the pupil or pupil’s parent(s) should be given an informal conference prior to the suspension to explain the pupil’s version of the events leading to the removal. The pupil/parent(s) should also be given the opportunity to question the complaining witness at that time. Where the pupil is dangerous or disruptive of the academic process, the informal conference can take place after the suspension begins, but should be held as soon as is “reasonably practicable”.

(see flow chart)

Removal of Disruptive Pupil by Teacher

NO

Is pupil “disruptive” as defined in SAVE Act?
(A pupil, under age 21, who is “substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom”)

Traditional disciplinary measures

YES

Does student’s conduct pose a continuing danger or an ongoing threat of disruption to the academic process?

YES

NO

1. explain basis of removal and allow informal opportunity to be heard within 24 hours; and
2. inform Principal of reasons for removal **IN WRITING**

1. before removing, explain basis of removal and allow student to informally present his/her version of relevant events; and
2. inform principal of reasons for removal **IN WRITING**

Principal’s Responsibilities Triggered by Teacher Removal

- Within 24 hours of removal, Principal must inform parent of reasons for removal.
- On request, student/parent must be given an opportunity to discuss reasons with principal
- If student denies the charges, student/parent must be given explanation of basis for removal and an opportunity to present his/her version. This must take place within 48 hours of removal
- Principal must decide, by the close of business on the day following the opportunity to be heard by the principal, whether the discipline will be set aside. Principal may only set aside discipline if:
 - The charges against the student are not supported by substantial evidence
 - The student’s removal is in violation of law
 - The conduct warrants suspension and a suspension will be imposed

DISCIPLINE PROCEDURES FOR STUDENTS WITH DISABILITIES

A free appropriate public education must be available to all children with disabilities, and that service may not cease under any circumstance. Notwithstanding any other provision of this subdivision to the contrary, a student with such a disability as such term is defined in section forty-four hundred one of this chapter, and a student presumed to have a disability for discipline purposes, may be suspended or removed from his or her current educational placement for violation of school rules only in accordance with the procedures established in this section, the regulations of the commissioner implementing this paragraph, and subsection (k) of section fourteen hundred fifteen of title twenty of the United States, and the federal regulations implementing such statute, as federal law and federal regulations are from time to time amended. Nothing in this paragraph shall be constructed to confer greater rights on such students than are conferred under applicable federal law and regulations, or limit the ability of a school district to change the educational placement of a student with a disability in accordance with the procedures in article nine of this chapter.

The East Irondequoit CSD recognizes the following procedure when dealing with discipline and students with disabilities, and/or a student presumed to have a disability for discipline reasons

Out of School Suspension of a Student with a Disability for 1 to 5 Days for Violating the School Code of Conduct:

Behavior occurs

Notice is given

Immediate telephone notice to parent (if possible)

Parent receipt of written notice within 24 hours (required)

Notice describes incident, suspension and rights

Arrange for setting/suspension

Immediately provide alternate instruction

Minimum one-hour alternate instruction per day – elementary students

Minimum two hours alternate instruction per day – secondary

Informal conference with the Principal

Out of School suspension for a Student with a Disability for up to ten School Days but less than ten consecutive or cumulative days for Violating the School Code of Conduct:

Behavior occurs

Notice is given

Immediate telephone notice to parent (if possible)

Parent receipt of written notice within 24 hours (required)

Notice describes incident, suspension and rights

Arrange for setting/suspension

Immediately provide alternate instruction

Minimum one-hour alternate instruction per day – elementary students

Minimum two hours alternate instruction per day – secondary

Written notice of Section 3214 hearing

Right to counsel

Superintendent's hearing within 5 days

Charges are proven – continue suspension for up to 10 days

Charges not proven – back to class, expunge record

Suspension for More than 10 Cumulative Days in a School Year:

Includes in-school suspension

Notice of all procedural safeguards

Manifestation Review Team meets within 10 calendar days of the 10th day of suspension

Manifestation Review Team should meet prior to the 10th day when the likelihood of reaching the 10th day is present

- Conducts manifestation determination review

- Develops, reviews or modifies plan to address behavior

Behavior is found to not be related to disability

- Same disciplinary procedures as used with all students

- FAPE must continue

- CSE meets to determine Interim Alternative Educational Setting (IAES)

Behavior is found to be related to disability

- No further disciplinary procedures

- Conduct a functional behavioral assessment and implement a behavioral intervention plan

- Consider need for IEP modifications

Change of Placement to and IAES for up to 45 Calendar Days for Weapons or Drugs:

Behavior occurs

Notice is given

- Immediate telephone notice to parent (if possible)

- Parent receipt of written notice within 24 hours (required)

- Notice describes incident, suspension, and rights

- Notice must include all procedural safeguards

Superintendent's hearing within 5 days

- Charges not proven – back to class, expunge record

- Manifestation Review Team Meeting – determine if behavior is substantially related to disability

- Behavior related to disability

- CSE meeting to determine IAES for up to 45 days

- Modify IEP as necessary to determine necessary services to enable student progress IEP goals and to receive, as appropriate s functional behavioral assessment, behavioral intervention services and modifications designed to address the behavior

Behavior is not related to disability

- May apply same disciplinary procedure as non disabled student

- FAPE

- Consider record in determination

Interim Alternative Educational Setting (IAES) Ordered by Impartial Hearing Office

School personnel request an impartial hearing. The belief is that the current placement will result in injury to the student or others.

Appoint an Impartial Hearing Officer

Manifestation Team Review

CSE meeting within 10 calendar days of request for hearing

- Manifestation determination

- Recommend IAES

- Behavior review

Impartial Hearing Officer

Substantial evidence – current placement likely to result in injury to self and others
Considers reasonable efforts to minimize
Determines if IAES meets requirements

Impartial Hearing Officer denies change in setting

Student returns to current placement

Impartial Hearing Officer orders a change in setting

Place student in IAES for up to 45 days (student returns on day 46 unless the Impartial Hearing Officer of CSE determines otherwise)

PROCEDURES TO INFORM LOCAL LAW ENFORCEMENT OF VIOLATIONS THAT CONSTITUTE A CRIME

Should a clear violation of the law or a reasonable suspicion that an illegal action or act has occurred, the Irondequoit police will be called for assistance. The building principal or his designees will determine the need for assistance.

Family Access Coordination Team (FACT) PETITIONS AND SOCIAL SERVICE REFERRALS

“FACT” referral is filed by the school social worker upon the recommendation of the school administrator. A “FACT” petition will be filed for the following reason. Any student who has accumulated 20 or more days of unexplained or illegal absences will be referred to a “FACT” with the Monroe County court system.

Any one considered a mandated reporter, such as a teacher, administrator, social worker, school nurse, or school psychologist must report all allegations of neglect, physical abuse, and/or sexual abuse. All allegations should be reported to a school administrator or school social worker immediately. If a reasonable suspension is determined, a referral will be made to the department of social services. The department of social services will determine if the claim is valid or unfounded.

CHILD ABUSE IN AN EDUCATIONAL SETTING

Employees must report any allegation of child abuse that occurs in an educational setting. Failure to do so may result in the revoking of certification and/or criminal charges. Child abuse may be defined as intentionally or recklessly causing physical injury, placing a student in a situation that is a substantial risk, or sexually abusing a child. An educational setting constitutes all school district grounds, buildings, vehicles, or co-curricular and extra-curricular activities.

If an allegation is made, the following procedure will be followed:

(See flowchart)

**FLOWCHART FOR REPORTING CHILD ABUSE WHEN THE ALLEGED
ABUSE IS DONE BY A SCHOOL EMPLOYEE**

Allegation of abuse from child, parent, or someone else

Certificated employee, administrator, or superintendent

Written report of abuse on Commissioner's form to Principal

NO

Principal or Superintendent makes "Reasonable
Suspicion" determination

Matter closed

YES

Where child reported Abuse:

- promptly notify the child's parent of the allegation
- provide the parent with the written statement
- provide a copy of such report to the Superintendent
- promptly forward the report to appropriate law enforcement authorities

YES

Where parent reported Abuse:

- provide the parent with the written statement
- provide a copy of such report to the superintendent
- promptly forward the report to appropriate law enforcement authorities

YES

Where someone other Than child or parent Reported abuse:

- promptly notify the child's parent of the allegation and provide the written statement
- ascertain the source and basis for the allegation
- provide a copy of such report to the Superintendent
- promptly forward the report to appropriate law enforcement auth.

Superintendent must then forward report to Commissioner

STUDENTS' RIGHTS

As citizens and participants in the East Irondequoit School Community, it is recognized that all students have the right to:

1. Expect an orderly school environment
2. Personal protection
3. Protection of personal property
4. Expect an atmosphere in which learning can take place
5. Expect an atmosphere that promotes emotional security
6. Expect due process
7. Be informed of all school rules
8. Expect fair, appropriate, consistent and timely enforcement of rules
9. Expect communication and cooperation between home and school
10. Expect that school personnel will act and make decisions based on each student's best interests
11. Learn as they become developmentally capable
12. Be free from discrimination, harassment and/or retaliation on school property or school functions including but not limited to the educational program, activities, or admission policies of their school.

SCHOOL EMPLOYEES' CODE OF ACCEPTABLE AND APPROPRIATE CONDUCT

The East Irondequoit Central School District deems "appropriate and acceptable" conduct as actions in which employees:

1. Respect the rights of others, and provide an environment that is orderly and disciplined.
2. Conduct actions in a professional manner in accordance to respective bargaining units' contractual agreements.
3. Contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
4. Respect school property and help to keep it free from damage. Report any improprieties that may be observed to proper authorities.
5. Obey school regulations and rules made by school authorities.
6. Complete professional assignments and other school responsibilities by established deadlines.
7. Follow established chains of command.
8. Become familiar with this code and seek interpretation of parts not understood.

SCHOOL EMPLOYEES' CODE OF CONDUCT; APPROPRIATE CONDUCT OF STAFF

The East Irondequoit CSD supports the following as appropriate conduct of its staff

Principle I – Commitment to the Student

In fulfilling his/her obligation to the student, the staff member:

1. Shall not, without just cause, restrain the student from independent action in his pursuit of learning, and shall not, without just cause, deny the student access to varying points of view.
2. Shall respect the right of the student to be heard.
3. Shall not deliberately suppress or distort subject matter for which he bears responsibility.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall conduct professional business in such a way that he does not expose the student to unnecessary embarrassment or disparagement.
6. Shall not, on the grounds of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, exclude any student from participation in, or deny him benefits under any program, nor grant any discriminatory consideration or advantage.
7. Shall not use professional relationships with students for private advantage.
8. Shall keep in confidence information that has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.
9. Shall not tutor for remuneration students assigned to his classes, unless no other qualified teacher is reasonably available.

Principle II – Commitment to the Public

In fulfilling his/her obligation to the public, the staff member:

1. Shall not misrepresent an institution or organization with which he is affiliated, and shall take adequate precautions to distinguish between his personal and institutional or organizational views.
2. Shall not knowingly destroy or misrepresent the facts concerning educational matters in direct and indirect public expressions.
3. Shall not interfere with a colleague's exercise of political and citizenship rights and responsibilities.
4. Shall not use institutional privileges for private gain.
5. Shall accept no gratuities, gifts, or favors that might impair or appear to impair professional judgment, nor offer any favor, service or thing of value to obtain special advantage.

Principle III – Commitment to the Profession

In fulfilling his/her obligation to the profession, the staff member:

1. Shall not discriminate on the ground of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex, or professional organizations, nor interfere with the free participation of colleagues in the affairs of their association.
2. Shall accord just and equitable treatment to all members of the profession in the exercise of their professional rights and responsibilities.
3. Shall not use coercive means or promise special treatment in order to influence professional decisions of colleagues.
4. Shall withhold and safeguard information acquired about colleagues in the course of employment, unless disclosure serves professional purposes.
5. Shall not refuse to participate in a professional inquiry when requested by an appropriate professional association.
6. Shall not misrepresent his/her professional qualifications.
7. Shall not knowingly distort evaluations of colleagues.

Principle IV – Commitment to Professional Employment Practices

In fulfilling his/her obligation to the profession, the staff member:

1. Shall apply for, accept, offer, or assign a position or responsibility on the basis of professional preparation and legal qualifications.
2. Shall apply for a specific position only when it is known to be vacant, and shall refrain from underbidding or commenting adversely about other candidates.
3. Shall not knowingly withhold information regarding a position from an applicant or misrepresent an assignment or conditions of employment.
4. Shall give prompt notice to the employing agency of any change in availability or nature of a position.
5. Shall adhere to the terms of a contract or appointment, unless these terms have been legally terminated, falsely represented, or substantially altered by unilateral action of the employing agency.
6. Shall conduct professional business through channels, when available, that have been jointly approved by the professional organization and the employing agency.
7. Shall not delegate assigned tasks to unqualified personnel.
8. Shall permit no commercial exploitation of his professional position.
9. Shall use time granted for the purpose for which it is intended.

APPROPRIATE DRESS
ACCEPTABLE APPROPRIATE ATTIRE FOR EMPLOYEES

In the interest of maintaining a professional atmosphere, and in serving as a role model for students; district employees will dress in an appropriate, professional manner, which sets a good example to the school community. Some examples of professional attire may include dress pants, khaki style slacks, collared shirts, or sweaters for men; skirts, slacks, blouses, or sweaters for women. More casual attire is appropriate for some school related activities such as field trips, or school spirit days.

LANGUAGE DEEMED APPROPRIATE FOR EMPLOYEES

- A. The East Irondequoit School Community believes that staff will demonstrate the use of appropriate and acceptable language at all times towards fellow staff, parents, visitors, and students. Appropriate language includes words that are courteous, non-offensive, non-confrontational, and without malice.

- B. The School Board adopts the following language as unacceptable and inappropriate:
 - 1. Verbal harassment on the basis of race, color, religion, religious practices, creed, national origin, ethnic origin, ethnic group, weight, disability, gender (including gender identity and expression), or sexual orientation.
 - 2. Profane or obscene words.
 - 3. Verbal assault (the use of demeaning, derogatory, offensive, threatening, or abusive language) towards staff or students.

VIOLATIONS OF SCHOOL CODE FOR EMPLOYEES

The appropriate supervisor in charge will assess any violation of the East Irondequoit CSD code of conduct for staff in accordance to collective bargaining unit agreements and applicable set forth policy. All incidents that violate criminal or civil law will result in the referral to the proper law enforcement agencies.

In-service programs and compliance with the East with the East Irondequoit CSD code of conduct will be orchestrated through the East Irondequoit CSD assistant superintendent for human resource.

VISITORS' RESPONSIBILITIES UNACCEPTABLE AND INAPPROPRIATE BEHAVIOR

Unacceptable and inappropriate behavior is defined as anyone on school property using equipment or participating in school sponsored activities that is not acting in a responsible manner, or is in any violation of the law. The Board adopts the following as examples of prohibited student conduct:

- 1. Willful physical injury of any person, or the threat to use force that would result in such injury
- 2. Discrimination, harassment or retaliation against any person
- 3. Sexual harassment
- 4. Willful damage to, destruction of, or theft of property
- 5. Conduct that is disorderly, i.e., intentionally causing public inconvenience, annoyance or alarm, or recklessly creating a risk thereof by:
 - a. Fighting or engaging in violent behavior;

- b. Making unreasonable noise;
 - c. Using abusive or obscene language or gestures;
 - d. Disturbing any lawful assembly or meeting of persons;
 - e. Obstructing vehicular or pedestrian traffic; or
 - f. Creating a hazardous or physically offensive condition by any act that serves no legitimate purpose
6. Entry of any school building or any portion of the school premises unless such entry is made in connection with official business with the district or to attend an authorized activity or function
 7. Remaining in or on district property after being ordered to leave
 8. Willful interference with the lawful and authorized activities of others
 9. Possession, consumption, sale, or exchange of alcoholic beverages, unauthorized drugs, drug paraphernalia, narcotics on school property or herbal/chemical products designed to mimic the effects of marijuana (also known as synthetic cannabinoids, including but not limited to such brand names as "K2", "Spice", etc..).
 10. Possession or use of a weapon, or use of any object that reasonably can be considered a weapon, or possession of a bomb or fireworks, etc. on property of the school district
 11. Violation of any federal or state statute, local ordinance, or Board policy
 12. Insubordination, i.e., failing to comply with the lawful directions of a teacher, school administrator or other school employees
 13. Distribution, transfer, or sale of any item in or on the property of the district in such a way that is disruptive to the educational process
 14. Violation of rules and regulations when using school transportation. Any form of school transportation is considered school property, and anyone using it must adhere to district rules and regulations
 15. Unauthorized use of school transportation is forbidden. Anyone using school transportation must be engaged in an authorized school function
 16. Use of buses to which they are not assigned without following the procedure established for their school building
 17. The use of cigarettes or any other tobacco products (except as examples in curriculum based instruction) or herbal/chemical products or electronic devices designed to mimic the effects of tobacco products including but not limited to electronic cigarettes.
 18. Displays of public affection

ACCEPTABLE APPROPRIATE ATTIRE FOR VISITORS

Acceptable and appropriate attire may be defined as clothing or accessories that are suitable and not distracting to the educational environment or school sponsored events.

Any outfit that is deemed to be unfit for school or school sponsored events may result in requiring the student to change outfits, or the removal or covering up of the unacceptable outfit or accessory.

Unacceptable and inappropriate attire may include the following:

1. Clothing that may be construed as disruptive or distracting (such as midriffs, see-through garments, short shorts)
2. Clothing or accessories that may include offensive images or slogans of sex, drugs, violence, or discrimination on the basis of race, color, religion, religious practices, creed, national origin, ethnic origin, ethnic group, weight, disability, gender (including gender identity and expression), or sexual orientation.
3. Clothing or accessories that may be considered gang related.

LANGUAGE DEEMED APPROPRIATE AND ACCEPTABLE FOR VISITORS

The East Irondequoit School Community believes that visitors will demonstrate respectful behavior by using appropriate and acceptable language towards teachers, administrators, and staff. Appropriate language includes words that are courteous, non-offensive and without malice.

The School board adopts the following language as unacceptable and inappropriate:

1. Verbal harassment on the basis of race, color, religion, religious practices, creed, national origin, ethnic origin, ethnic group, weight, disability, gender (including gender identity and expression), or sexual orientation.
2. Profane or obscene words.
3. Verbal assault (the use of demeaning, derogatory, offensive, threatening or abusive language) towards staff or students.
4. Excessive arguing with a teacher, administrator or staff.

REPORTING OF INCIDENTS

If a violation in the school visitors code does occur, the following procedure is followed:

1. Notification to administrator in charge.
2. Administrator assesses situation and then:
 - a. Will deal with situation internally
 - b. Will inform police in violations that constitute a crime.

APPENDIX A

VIOLENT AND DISRUPTIVE INCIDENTS TERMS AS DEFINED BY THE NEW YORK STATE EDUCATION DEPARTMENT

Incident Categories

- (1) **Homicide:** Any conduct that results in the death of another person.
- (2) **Sexual Offenses:**
 - 2.1 **Forcible Sex Offenses:** Involving forcible compulsion
 - 2.2 **Other Sex Offenses:** involving inappropriate sexual contact but no forcible compulsion.
- (3) **Robbery:** Forcible stealing of property from a person by using or threatening the immediate use of physical force upon that person, with or without the use of a weapon.
- (4) **Assault with Serious Physical Injury:** Intentionally or recklessly causing serious physical injury to another person, with or without a weapon, in violation of the school district code of conduct
- (5) **Arson:** Deliberately starting a fire with intent to damage or destroy property.
- (6) **Kidnapping:** To abduct a person, so as to restrain such person with intent to prevent his or her liberation.
- (7) **Assault with Physical Injury:** Intentionally or recklessly causing physical injury (not serious) to another person, with or without a weapon, in violation of the school district code of conduct.
- (8) **Reckless Endangerment:** Subjecting individuals to danger by recklessly engaging in conduct that creates a grave risk of death or serious physical injury, but no actual physical injury.
- (9) **Minor Altercations:** involving physical contact and no physical injury.
- (10) **Intimidation, Harassment, Menacing, or Bullying Behavior and No Physical Contact:**

Threatening, stalking, or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal or physical conduct that threatens another with harm, including intimidation through the use of epithets or slurs involving race, ethnicity, national origin, religion, religious practices, gender, sexual orientation, age, or disability that substantially disrupts the educational process.
- (11) **Burglary:** Entering or remaining unlawfully on school property with intent to commit a crime.
- (12) **Criminal Mischief:** Intentional or reckless damaging of the property of the school or of another person, including, but not limited to, vandalism and the defacing of property with graffiti.
- (13) **Larceny or Other Theft Offenses:** Unlawful taking and carrying away of personal property with intent to deprive the rightful owner of property.
- (14) **Bomb Threat:** A telephoned, written, or electronic message that a bomb, explosive, chemical, or biological weapon has been or will be placed on school property.
- (15) **False Alarm:** Falsely activating a fire alarm or other disaster alarm.

- (16) **Riot:** Four or more persons simultaneously engaging in tumultuous and violent conduct and thereby intentionally or recklessly causing or creating a grave risk of physical injury or substantial property damage or causing public alarm.
- (17) **Weapons Possession Only:** Bringing a weapon to or possessing a weapon at school.
- (18) **Use, Possession, or Sale of Drugs Only**
- (19) **Use, Possession, or Sale of Alcohol Only**
- (20) **Other Disruptive Incidents:** Incidents involving disruption of the educational process serious enough to lead to consequences.

Parental Responsibilities When Visiting East Irondequoit Schools

As a faculty and staff, we welcome all parents and guardians to East Irondequoit Irondequoit Schools. We recognize the importance of a strong partnership between home and school and encourage that partnership. A strong relationship between home and school benefits our students, and all of us who are members of the School Community.

When visiting your child's School, all visitors have the following responsibilities:

1. All visitors will respect that our school is a place of learning and that learning and our children are our priority.
2. All visitors will register in the office and obtain a proper visitor pass.
3. All visits to a classroom will be prearranged by the visitor with the classroom teacher and the building principal.
4. When visiting a classroom, the visitor will be respectful and not interrupt or interfere with the instruction that is happening in a building.
5. If a visitor wants to meet with an individual within the building, the visitor will make an appointment to meet with the individual during a time that does not interfere with instruction or with the individual's other activities.
6. Audio and video recording on the school property is prohibited without permission of the classroom teacher and building principal.
7. All visitors will use appropriate and acceptable language and respectful behavior towards teachers, administrators, staff, students and other school visitors.