

## CODE OF CONDUCT

### I. Introduction

The Board of Education ("Board") is committed to providing a safe, supportive and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents/persons in parental relation and other visitors is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly. To this end, the board adopts this Code of Conduct ("Code").

Unless otherwise indicated, this Code applies to all students, school personnel, parents/persons in parental relation and other visitors when on school property or attending a school function.

The Code of Conduct has incorporated the Dignity Act which was created to give students an educational environment free of discrimination, bullying and harassment.

### II. Definitions

For purposes of this code, the following definitions apply.

"Disability" means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term shall be

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limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

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

“Disruptive student” means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom.

“Electronic communication” means a communication transmitted by means of an electronic device, including but not limited to, a telephone, cellular phone, computer, laptop, pager or other hand-held device, communication transmitted through email, text message, instant message, voicemail, social networking sites, webpage, video, chat rooms, blogs, Instagram and twitter.

“Emotional Harm” in the context of “harassment or bullying” means harm to a student’s emotional well-being through the creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student’s education.

“Employee” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

“Gender” means actual or perceived sex and shall include a person’s gender identity or expression.

“Harassment” or “bullying” means 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 reasonably be expected to cause physical injury or 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 abused might reach school

property. For purposes of this definition, the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. Acts of bullying and harassment that are prohibited include but are not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

"Cyberbullying" means harassment or bullying as defined above, where such harassment or bullying occurs through any form of electronic communication.

"Parent" means parent, guardian or person in parental relation to a student.

"School Bus" means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated-for-compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

"School function" means any school-sponsored extra-curricular event or activity on or off school property.

"School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142.

"Sexual orientation" means actual or perceived heterosexuality, homosexuality or bisexuality.

"Violent student" means a student under the age of 21 whom:

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

7. Knowingly and intentionally damages or destroys school district property.

*"Weapon"* means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also includes but is not limited to any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

### **III. Student Rights and Responsibilities**

#### **A. Student Rights**

The district is committed to safeguarding the rights given to all students under the Dignity for All Students' Act and all other state and federal law and district policy. In addition, to promote a safe, healthy, orderly and supportive school environment, all district students have the right to:

1. Participate in all district activities on an equal basis and not be subjected to discrimination based on their actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex by school employees or students on school property or at a school-sponsored function.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school policies, regulations and rules and, when necessary, receive an explanation of those rules from school personnel.
4. Proceed in a safe, supportive and orderly school atmosphere without the fear of threat to their well-being.

#### **B. Student Responsibilities**

All district students have the responsibility to:

1. Promote a safe, supportive and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be proactive in advocating for the safety of other students. Bystanders are encouraged to report and/or inform school personnel of concerns.
3. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
4. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.

5. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
6. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
7. Work to develop mechanisms to manage their anger.
8. Ask questions when they do not understand.
9. Seek help in solving problems that might lead to discipline.
10. Dress appropriately for school and school functions.
11. Accept responsibility for their actions.
12. Maintain behavior free from all forms of harassment, bullying or discrimination.
13. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

#### **IV. Essential Partners**

##### **A. Parents/Persons in Parental Relation**

All parents/persons in parental relation are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community and collaborate with the district to optimize their child's educational opportunities.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, supportive and orderly environment.
7. Know school rules and help their children understand them so that their children can help create a safe, supportive school environment.
8. Convey to their children a supportive attitude toward education and the District.
9. Build positive, constructive relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.

11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.
13. Bring any concerns of bullying, harassment or discrimination to the attention of the appropriate school official as per the Dignity For All Students Act.

## **B. Teachers**

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
2. Be proactive in advocating for the safety of other students. Bystanders are encouraged to report and or inform school personnel of concerns
3. Be prepared to teach.
4. Demonstrate interest in teaching and concern for student achievement.
5. Know school policies and rules, and enforce them in a fair and consistent manner.
6. Communicate to students and parents:
  - a. Course objectives and requirements
  - b. Marking/grading procedures
  - c. Assignment deadlines
  - d. Expectations for students
  - e. Classroom discipline plan
7. Communicate regularly with students, parents and other teachers concerning growth and achievement.
8. Provide an atmosphere where no bullying, discrimination or harassment will be tolerated
9. Address issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function or which create a hostile environment.
10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

11. Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

### **C. Guidance Counselors, School Psychologist, Social Workers**

All district guidance counselors, school psychologists and social workers are expected to:

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
3. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Provide information to assist students with career planning.
6. Encourage students to benefit from the curriculum and extracurricular programs.
7. Encourage students to discuss any situations of bullying, discrimination or harassment that they or their classmates might be experiencing.
8. Address issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
9. Address personal biases that may prevent equal treatment of all students.
10. Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

**D. Principals/Administrators**

All district principals/administrators are expected to:

1. Promote a safe, supportive, 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 or sex..
2. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
3. Evaluate on a regular basis all instructional programs to ensure infusion of civility education in the curriculum.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Address issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or create a hostile environment.
7. Address personal biases that may prevent equal treatment of all students and staff.
8. Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to their attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.

**E. The Dignity Act Coordinators**

The Dignity Act Coordinators are expected to:

1. Promote a safe, supportive, 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 or sex.
2. Oversee and coordinate the work of the district-wide and building-level bullying prevention committees.



3. Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources.
4. Coordinate, with the Professional Development Committee, training in support of the bullying prevention committee.
5. Be responsible for monitoring and reporting on the effectiveness of the district's harassment, bullying and discrimination policy.
6. Address issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function or which create a hostile environment.
7. Address personal biases that may prevent equal treatment of all students.

#### **F. Superintendent**

The Superintendent of Schools is expected to:

1. Promote a safe, supportive, 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 or sex.
2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the Board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
6. Address issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function which create a hostile environment.
7. Address personal biases that may prevent equal treatment of all students and staff.
8. If not the school official designated to receive complaints, shall promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to the Superintendent's attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report

with the designated school official not later than two days after making the oral report.

### **G. Board of Education**

All members of the Board of Education are expected to:

1. Promote a safe, supportive, 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 or sex.
2. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
3. Adopt and review at least annually the district's Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.
4. Lead by example by conducting board meetings in a professional, respectful, courteous manner.
5. Address issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function which create a hostile environment.
6. Address personal biases that may prevent equal treatment of all students and staff.
7. Promptly make an oral report of incidents of bullying, discrimination and harassment that are witnessed or otherwise brought to a board member's attention to the school official designated to receive complaints not later than one school day after witnessing the incident or the incident being brought to their attention and file a written report with the designated school official not later than two days after making the oral report.
8. Maintain updated practices and policies that are in accordance with the Dignity for all Students' Act.

### **V. District Video Surveillance on School Property**

The Board of Education is responsible for maintaining and fostering student discipline, as well as safeguarding the facilities and property of the District. The Board further recognizes the importance of student, staff and visitor privacy. After careful consideration, the Board supports the use of cameras on school grounds. The Board also supports the use of cameras that record both video and audio on all school busses, when necessary. Cameras are intended to monitor student behavior, promote student and staff safety,

and to deter vandalism and other criminal activity. However, this does not preclude other uses deemed appropriate by the Board of Education. Recordings may be used as evidence of misconduct in disciplinary proceedings. District cameras will only be used in public areas where there is no "reasonable expectation of privacy." Audio recordings shall not be utilized by school district employees without the express permission of the Superintendent or his/her designee; however, such prohibition does not preclude the use of audio recordings by law enforcement officials in accordance with their duties and/or as otherwise authorized by law.

Any video recording used in school buildings and/or on school property and/or on school buses shall be the sole property of the District. The Superintendent or his/her designee shall be the custodian of such recordings. All video recordings will be stored in their original form and secured to avoid tampering and protect confidentiality. The District shall comply with all applicable state and federal laws related to student records in retaining these records. Requests to view a video recording must be made in writing to the Superintendent or his/her designee. If the request is granted, viewing shall occur in the presence of the District's custodian or designee of the recording. Under no circumstances will the video be duplicated and/or removed from district premises, unless in accordance with a court order and/or subpoena. Video recordings will be maintained for a period of three weeks, after which they will be overwritten.

The District will post appropriate signage at entrances to the school notifying students, staff and the general public of the District's use of cameras. Students and staff will receive additional notification. The Superintendent is authorized to develop such regulations and procedures as may be necessary to implement this policy.

**Ref:**

20 U.S.C. §1232g (*Family Education Rights & Privacy Act*)  
Arts & Cultural Affairs Law Art. 57-A  
Public Officers Law §87

## **VI. Student Dress Code**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

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

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments and see-through garments are not appropriate.
3. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
4. Not include the wearing of hats in instructional areas except for a medical or religious purpose.
5. Not include items that are or are perceived to be vulgar, obscene, discriminatory, libelous or denigrate others based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
6. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

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

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

#### **VI. Prohibited Student Conduct**

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

It is expected that all students conduct themselves in a manner that supports the intent of the Dignity for All Students Act; creating a safe and supportive school environment free of discrimination, bullying/cyberbullying and harassment.

Conduct that creates a hostile environment at school and school-sponsored events is strictly prohibited. This conduct can include but is not limited to aggressive conduct, threats, intimidation or abuse that constitutes harassment and/or bullying as defined in the "Definitions" section of this Code of Conduct.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use

disciplinary action only when necessary and to place emphasis on educating students so that they may grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function, specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences for their conduct. All violations apply to student behavior in school, on school property, on school buses and at school-sponsored functions and student behavior off school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable the acts might reach school property.

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

A. Engage in conduct that is *disorderly and/or disruptive*.

Examples of such conduct include but are not limited to:

1. Engaging in any willful act which disrupts the normal operation of the instructional process and/or school community, such as making unreasonable noise, running in hallways, engaging in horseplay, obstructing vehicular or pedestrian traffic.
2. Using language or gestures that are profane, lewd, vulgar or abusive.
3. 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.
4. Misuse of computer/electronic communications/personal devices, including but not limited to any unauthorized use of cell phones, iPads, cameras, PDAs, or other portable devices, computers, software, or internet/intranet account; accessing inappropriate websites; unauthorized access to school network or programs; any computer/electronic/personal device communication from a non-school site that could pose disruption to the school community; or any other violation of the district's acceptable use policy.
5. Displaying or using headphones, tablets, cameras, cell phones, or any other electronic devices without the approval of a teacher or other school official.
6. Students are not permitted to take pictures or record another student, teacher, or staff member with a cell phone, digital camera or any other electronic device without the permission of an administrator.
7. Students are prohibited from posting on websites texts or images that defame, harass, bully, discriminate against, threaten or falsely accuse another individual of wrongdoing or illegal behavior. This includes but is

not limited to social networking sites such as Facebook, Twitter, Instagram, Snap Chat, ooVoo, Group Me, YouTube, etc.

8. Students are prohibited from using drones or other aerial devices on or near school grounds without the approval of a teacher or school official.
9. Students are prohibited from using *hover boards* or other motorized modes of transportation in the school building or on school grounds without the approval of a school or district administrator.

B. Engage in conduct that is *insubordinate*.

Examples of such conduct include but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students.
2. Demonstrating disrespect to teachers, school administrators or other school employees who interact with students.
3. Lateness for, missing or leaving school without permission.
4. Skipping detention.

C. Engage in conduct that is *violent*.

Examples of such conduct include but are not limited to:

1. Committing an act of violence (such as hitting, kicking, punching, pushing, and scratching) upon a teacher, administrator or other school employee or attempting or threatening to do so.
2. Committing an act of violence (such as hitting, kicking, punching, pushing, and scratching) upon another student or any other person lawfully on school property or attempting or threatening to do so.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
7. Intentionally damaging or destroying school district property.

D. Engage in any conduct that endangers the safety, morals, health or welfare of *others*. Examples of such conduct include but are not limited to:

1. 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.

2. Lying or giving false information, either verbally or in writing, to school personnel.
3. 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.
4. Defamation, and/or slander which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
5. Discrimination, as defined in the “Definitions” section of this Code of Conduct.
6. Harassment, as defined in the “Definitions” section of this Code of Conduct.
7. Sexual harassment is prohibited by law. Unwelcome sexual advances, request for sexual favors, or other written, nonverbal or physical conduct of a sexual nature may constitute sexual harassment. Complaints regarding sexual harassment may be made directly to the Assistant Superintendent for Personnel, who is the Title IX coordinator.
8. Intimidation, coercion or extortion which includes engaging in actions or statements that put an individual in fear of bodily harm.
9. Bullying, as defined in the “Definitions” section of this Code of Conduct.
10. Cyberbullying, as defined in the “Definitions” section of this Code of Conduct.
11. Sexting, which includes the sending, receiving or forwarding of sexually provocative nude or nearly nude photos through text message or e-mail, which can be used to hurt, harass and humiliate others.
12. Hazing, which includes an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.
13. Posting, distributing, selling, using or possessing obscene material.
14. Using vulgar or abusive language, cursing or swearing as well as slurs that refer to a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
15. Smoking cigarettes, e-cigarettes, **vapes**, cigars, pipes or using chewing or smokeless tobacco.
16. Possessing, consuming, selling, distributing or exchanging alcoholic beverages, illegal substances, paraphernalia for the use of such illegal

substances, or being under the influence of illegal substances or alcoholic beverages. "Illegal substances" includes, but is not limited to, inhalants, marijuana, synthetic cannabinoids (synthetic marijuana), **vaping oils**, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."

17. Inappropriately possessing, selling, using or sharing prescription and over-the-counter drugs.
  18. Gambling.
  19. Violation of an individual's civil rights.
  20. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
  21. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- E. Engage in *misconduct while on a school bus*. It is crucial for students to behave appropriately while riding on District buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting or other conduct in violation of the Code of Conduct will not be tolerated (see Bellmore-Merrick School Bus Handbook).
- F. Engage in any form of *academic misconduct or scholastic dishonesty*.
- Examples of such misconduct include but are not limited to:
1. Plagiarism.
  2. Cheating on a test or graded assignment, including taking pictures with electronic devices of assignments, tests, etc. for the purposes of copying student work or illegally improving assessment scores.
  3. Copying or unauthorized collaboration with another person in preparing written work.
  4. Altering records.
  5. Assisting another student in any of the above actions.
- G. Engage in off-campus misconduct that creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the misconduct might reach school property; or endangers the health, safety or morals of students or staff within the school.
- Examples of such misconduct include but are not limited to:
1. Cyberbullying, as defined in the "Definitions" section of this Code of Conduct.
  2. Threatening, hazing or harassing students or school personnel over the phone or through other electronic media.



3. Using message boards to convey threats, derogatory comments or post pornographic pictures of students or school personnel.

## **VII. Reporting Violations**

All students are expected to promptly report criminal, serious, or dangerous violations of the Code of Conduct to a teacher, guidance counselor, school psychologist, social worker, the building principal or his or her designee. Any student observing an individual possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information, immediately to a teacher, the building principal, the principal's designee or the superintendent.

All district staff members who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff members who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

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

The building principal or his or her designee must notify the appropriate local law enforcement agency of those Code violations, including but not limited to incidents of harassment, bullying and/or discrimination, which may constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or his or her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

### **Reporting Incidents of Discrimination, Harassment and Bullying**

Students who have been bullied, harassed and/or discriminated against, parents whose children have been bullied, harassed and/or discriminated against, or other students or staff who observe bullying, harassing or discriminating behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel, including the appropriate Dignity Act Coordinator, in accordance with the training and guidelines provided, as well as any applicable district policies. (Refer to BOE Policy 0115, Harassment, Bullying and Discrimination; BOE Policy 0100, Equal Opportunity; and BOE Policy 0110, Sexual Harassment).

Reports of bullying, harassment and discrimination will be promptly investigated in accordance with District policies and procedures.

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

### **Dignity Act Coordinator Contact Information**

The name, designated school and contact information for each school building's Dignity Act Coordinator is provided below:

<b>Dignity Act Coordinator</b>	<b>Designated School</b>	<b>Contact Information</b>
Mara Bollettieri	District	516-992-1010
Beth Cooperman	Calhoun	516-992-1324
Jennifer Carne	Mephram	516-992-1507
Andrew DelRosario	Grand	516-992-1104
Susan Ellinghaus	MAP	516-992-1082
Eric Arlin	District	516-992-1050
Eric Gomez	Calhoun	516-992-1306
Joseph Netto	MAP	516-992-1074
Adam Nislow	Grand	516-992-1121
Gerard Owenburg	Kennedy	516-992-1404
Jennifer Racanelli	Mephram	516-992-1528
Katelyn Dunn	Merrick	516-992-1204
Kevin Darcy	Merrick	516-992-1202
Benjamin Weiss	Kennedy	516-992-1425

This information shall also be posted on the district's website and included in the plain language summaries of the Code of Conduct provided to parents and students and shall be further disseminated in accordance with applicable law and regulations.

### **VIII. Disciplinary Penalties, Procedures 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 and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age.
2. The nature of the offense and the circumstances which led to the offense.
3. The student's prior disciplinary record.

4. The effectiveness of other forms of discipline.
5. Information from parents/person in a parental relation, teachers and/or others, as appropriate
6. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability.

#### **A. Penalties**

Students who are found to have violated the district's Code of Conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Oral warning - any member of the district staff
2. Written warning - coaches, guidance counselors, teachers, principal, superintendent
3. Written notification to parent - coaches, guidance counselors, teachers, principal, superintendent
4. Detention - teachers, principal, superintendent
5. Suspension from transportation - principal, principal's designee, superintendent
6. Suspension from athletic participation - coaches, principal, principal's designee, superintendent
7. Suspension from social or extracurricular activities - activity director, principal, principal's designee, superintendent
8. Suspension of other privileges - principal, superintendent
9. In-school suspension - principal, superintendent
10. Removal from classroom by teacher - teachers, principal
11. Short-term (five days or less) suspension from school - principal, superintendent, Board of Education
12. Long-term (more than five days) suspension from school - superintendent, Board of Education
13. Permanent suspension from school - superintendent, Board of Education.

## **B. Procedures**

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

Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

### *1. Detention*

Teachers, principals and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

### *2. Suspension from transportation*

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's or his or her designee's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

### *3. Suspension from athletic participation, extra curricular activities and other privileges*

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.

### *4. In-school suspension*

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension." The in-school suspension teacher will be a certified teacher or teaching assistant.

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

#### *5. Teacher disciplinary removal of disruptive students*

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an administrator's office; (2) sending a student to the principal's office for the remainder of the class time only; or (3) sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this Code of Conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to two school days. 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 to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give

the student a chance to present his or her version of the relevant events within 24 hours.

The teacher must complete a district-established discipline removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24-hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

The principal may require the teacher who ordered the removal to attend the informal conference.

If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal or may be extended when the timing of the removal makes it practically impossible to conduct the meeting within a 48-hour period.

The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:

1. The charges against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law, including the district's Code of Conduct.
3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom

teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

The principal must keep a record of all removals of students from class.

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

#### *6. Suspension from school*

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals.

Any staff member may recommend to the superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The superintendent or principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

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

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student of the charge of misconduct. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the

school has been provided with a telephone number(s) for the purpose of contacting the parents.

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

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

After the informal conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within ten (10) business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within ten (10) business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the Board of Education with the District Clerk within ten (10) business days of the date of the superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

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

When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing pursuant to Education Law § 3214. Notice and a hearing must be completed prior to imposition of the suspension. Such notice shall include that, at the hearing, the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

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



of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.

An appeal of the decision of the superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within thirty (30) business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the superintendent. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

*c. Permanent suspension*

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

*d. Procedure after suspension*

The Board may condition a student's early return from a suspension on the student's voluntary participation in counseling or specialized classes, such as anger management or dispute resolution. The Board retains discretion in offering this opportunity. If and when the student and/or parent/guardian agrees to this option, the terms and conditions shall be specified in writing.

**C. Minimum Periods of Suspension**

*1. Students who bring or possess a weapon on school property*

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. A weapon, for the purpose of minimum periods of suspension, is defined in accordance with 18 USC §921 as follows:

“(A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.”

Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The superintendent has the authority to review and modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:

- a) The student's age.
- b) The student's grade in school.
- c) The student's prior disciplinary record.

- d) The superintendent's belief that other forms of discipline may be more effective.
- e) Input from parents/person in a parental relation, teachers and/or others.
- f) Other extenuating circumstances.

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

*2. Students who commit violent acts other than bringing or possessing a weapon on school property*

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to review and 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 used in modifying a one-year suspension for possession of a weapon.

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

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school for at least five days. For purposes of this Code of Conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214(3-a) and this Code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to review and 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 used in modifying a one-year suspension for possessing a weapon.

#### **D. Disciplinary and Remedial Consequences for Bullying, Harassment and Discrimination**

The district supports the development of measured, balanced and age-appropriate responses to the bullying, harassment and discrimination of students by students and/or employees on school property, including school functions, with remedies and procedures focusing on prevention, intervention, education and discipline. Remedies will be measured, balanced, progressive and age-appropriate and will take into consideration the nature and severity of the offending student's behavior, the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the offending student's behaviors had on the individual who was physically injured or emotionally harmed. Responses will be reasonably calculated to end the harassment, bullying and/or discrimination, prevent recurrence and eliminate the hostile environment. Successful intervention may involve remediation.

Remedial responses to bullying, harassment and/or discrimination include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target of the act. Appropriate remedial measures may include, but are not limited to:

- Restitution and restoration;
- Peer support groups;
- Corrective instruction or other relevant learning or service experience;
- Changes in class schedule;
- Supportive intervention;
- Behavioral assessment or evaluation;
- Behavioral management plans, with benchmarks that are closely monitored;
- Student counseling; or
- Parent conferences;

Beyond these individual-focused remedial responses, school-wide or environment remediation can be an important tool to prevent bullying, harassment and/or discrimination. Environmental remediation may include, but is not limited to:

- Supervisory systems which empower school staff with prevention and intervention tools to address incidents of bullying, harassment and/or discrimination;
- School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- Modification of schedules;
- Adjustment in hallway traffic and other student routes of travel;
- Targeted use of monitors;

- Staff professional development;
- Parent education seminars/workshops;
- Peer support groups.

If appropriate, disciplinary action will be taken by the administration in accordance with this policy, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this Code of Conduct.

## **E. Referrals**

### *1. Counseling*

The Guidance Office shall handle all referrals of students to counseling.

### *2. Student Referral Process*

Students are referred to their school counselor by parents/person in a parental relation, teachers, or other school personnel including Dignity Act coordinators. If warranted, a written referral form is completed and the student is discussed at weekly Pupil Personnel Services meetings. This multi-disciplinary team is comprised of the school's psychologist, social worker, counselors, nurse, Dignity Act committee members and assistant principal for guidance and may include a teacher when warranted. Recommendations and referrals for in-school counseling and to outside agencies are made as needed and under the following circumstances:

- Physical aggression against another student or teacher;
- Actual or perceived intimidating, harassing or bullying another student or staff member;
- Conduct that is considered reckless and creates a substantial risk of injury to themselves or others;
- Use, sale, or possession of drugs or alcohol;
- Activities and/or conduct which create a hostile environment at school or school sponsored events.

Students may be referred to the following Community-Based Programs when they are identified by counselors or other mental health professionals as abusing drugs or alcohol:

**TEMPO** – Each building has a TEMPO social worker. Students experiencing difficulties due to substance abuse are referred to the school's TEMPO social worker who may see the student individually or in a group. A referral may be made for after-school counseling at the Bellmore-Merrick TEMPO office.

**PRIDE** – Freeport Drug Prevention Services

Students may be referred to an outside agency when the behaviors listed above are considered to be chronic.

These agencies include, but are not limited to, the following:

**Family Support Services**

Southeast Nassau Guidance  
North Shore Child Family Guidance  
LIJ-Hillside Children's Hospital  
Child Protective Services  
Long Island Crisis Center

**Substance Abuse Services**

Daytop Village (day or residential)  
Mineola Day Treatment  
Glen Cove Community House  
Outreach House (residential)  
Child Protective Services Outreach Program

**3. PINS Petitions**

The district may file a PINS (Person In Need of Supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

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

**4. Juvenile Delinquents and Juvenile Offenders**

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

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

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

**IX. Alternative Instruction**

When a student of any age is removed from class by a teacher, or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student.

## X. Discipline of Students with Disabilities

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities who violate the district's student Code of Conduct, and/or to temporarily remove a student with disabilities from his or her current placement because maintaining the student in that placement is substantially likely to result in injury to the student or to others. The Board also recognizes that students with disabilities deemed eligible for Special Education services under the IDEA and Article 89 of New York's Education Law enjoy certain procedural protections that school authorities must observe when they decide to suspend or remove them. Under certain conditions those protections extend, as well, to students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for discipline purposes.

Therefore, the Board is committed to ensuring that the district follows suspension and removal procedures that are consistent with those protections. The Code of Conduct for students is intended to afford students with disabilities and students presumed to have a disability for discipline purposes the express rights they enjoy under applicable law and regulations.

### *Definitions*

For purposes of this portion of the Code of Conduct, and consistent with applicable law and regulations, the following definitions will apply:

1. *Behavioral intervention plan (BIP)* means a plan that is based on the results of a functional behavioral assessment and that, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior.
2. *Controlled substance* means a drug or other substance abuse identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c)).
3. *Disciplinary change in placement* means a suspension or removal from a student's current educational placement that is either:
  - a. For more than ten (10) consecutive school days; or
  - b. For a period of ten (10) consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than ten (10) school days in a school year, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another.

4. *Illegal drug* means a controlled substance, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional, or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of federal law.
5. *Interim alternative educational setting (IAES)* means a temporary educational placement, determined by the Committee on Special Education (CSE), other than the student's current placement at the time the behavior precipitating the IAES placement occurred. An IAES must allow a student to continue to receive educational services that enable him or her to continue to participate in the general curriculum and progress toward meeting the goals set out in the student's Individualized Education Program (IEP); as well as to receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.
6. *Manifestation determination* means a review of the relationship between the student's disability and the behavior subject to disciplinary action required when the disciplinary action results in a disciplinary change of placement, and conducted in accordance with requirements set forth later in this policy.
7. *Manifestation team* means a district representative knowledgeable about the student and the interpretation of information about child behavior, the parent, and relevant members of the CSE as determined by the parent and the district.
8. *Removal* means a removal of a student with a disability for disciplinary reasons from his or her current educational placement, other than a suspension; and a change in the placement of a student with a disability to an IAES.
9. *School day* means any day, including a partial day that students are in attendance at school for instructional purposes.
10. *Serious bodily injury* means bodily injury which involves a substantial risk of death, extreme physical pain, protracted obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
11. *Student presumed to have a disability for discipline purposes* means a student who, under the conditions set forth later in this policy, the District is deemed to have had knowledge was a student with a disability before the behavior that precipitated the disciplinary action.
12. *Suspension* means a suspension pursuant to §3214 of New York's Education Law.
13. *Weapon* means the same as the term "dangerous weapon" under 18 USC §930(g)(2) which includes a weapon, device, instrument, material or

substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except a pocket knife with a blade of less than two and one-half inches in length.

***Authority of School Personnel to Suspend or Remove Students with Disabilities***

The Board, District Superintendent, Superintendent of Schools or a Building Principal with authority to suspend students under the Education Law may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and the amount of time that a non-disabled student would be subject to suspension for the same behavior.

The Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed ten consecutive school days inclusive of any period in which the student has been suspended or removed for the same behavior pursuant to the above paragraph, if the Superintendent determines that the student's behavior warrants the suspension. The duration of the Superintendent's suspension may not exceed the time a non-disabled student would be subject to suspension or removal for the same behavior. The Superintendent also may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misconduct, as long as the suspensions do not constitute a disciplinary change of placement.

In addition, the Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for a period in excess of ten consecutive school days if the manifestation team determines that the student's behavior was not a manifestation of the student's disability. In such an instance, the Superintendent may discipline the student in the same manner and for the same duration as a non-disabled student.

Furthermore, the Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability to an IAES to be determined by the CSE for a period of up to 45 school days if the student either:

1. Carries or possesses a weapon to or at school, on school premises or to a school function under the District's jurisdiction, or
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the District's jurisdiction, or
3. Has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the District's jurisdiction.

The Superintendent may order the placement of a student with a disability to an IAES under such circumstances, whether or not the student's behavior is a manifestation of the student's disability. However, the committee on special education will determine the IAES.



### ***Procedures for the Suspension or Removal of Students with Disabilities by School Personnel***

1. In cases involving the suspension or removal of a student with a disability for a period of five consecutive school days or less, the student's parents or persons in parental relation to the student will be notified of the suspension and given an opportunity for an informal conference in accordance with the same procedures that apply to such short term suspensions of non-disabled students.
2. The suspension of students with disabilities for a period in excess of five school days will be subject to the same due process procedures applicable to non-disabled students, except that the student disciplinary hearing conducted by the Superintendent or a designated hearing officer shall be bifurcated into a guilt phase and a penalty phase. Upon a finding of guilt, the Superintendent or the designated hearing officer will await notification of the determination by the manifestation team as to whether the student's behavior was a manifestation of his or her disability. The penalty phase of the hearing may proceed after receipt of that notification. If the manifestation team determined that the behavior was not a manifestation of the student's disability, the student may be disciplined in the same manner as a non-disabled student, except that he or she will continue to receive services as set forth below. However, if the behavior was deemed a manifestation of the student's disability, the hearing will be dismissed, unless the behavior involved concerned weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, in which case the student may still be placed in an IAES.

### ***Limitation on Authority of School Personnel to Suspend or Remove Students with Disabilities***

The imposition of a suspension or removal by authorized school personnel may not result in a disciplinary change of placement of a student with a disability that is based on a pattern of suspensions or removals as set forth above in the *Definitions* section of this **Code of Conduct**, unless:

1. The manifestation team determines that the student's behavior was not a manifestation of the student's disability, or
2. The student is removed to an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury as set forth above.

School personnel will consider any unique circumstances on a case-by-case basis when determining whether a disciplinary change in placement is appropriate for a student with a disability who violates the district's code of conduct.

In addition, school personnel may not suspend or remove a student with a disability in excess of the amount of time that a non-disabled student would be suspended for the same behavior.

### ***Parental Notification of a Disciplinary Change of Placement***

The District will provide the parents of a student with a disability notice of any decision to make a removal that constitutes a disciplinary change of placement because of a violation of the student Code of Conduct. Such notice will be accompanied by a copy of the procedural safeguards notice.

### ***Authority of an Impartial Hearing Officer to Remove a Student with a Disability***

An impartial hearing officer may order the placement of a student with a disability to an IAES for up to 45 school days at a time if he or she determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others. This authority applies whether or not the student's behavior is a manifestation of the student's disability.

### ***Manifestation Determination***

A review of the relationship between a student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the student's disability will be made by the manifestation team immediately, if possible, but in no case later than ten (10) school days after a decision is made by:

1. The Superintendent to change the placement of a student to an IAES;
2. An impartial hearing officer to place a student in an IAES; or
3. The Board, the Superintendent, or Building Principal to impose a suspension that constitutes a disciplinary change in placement.

The manifestation team must determine that the student's conduct was a manifestation of the student's disability if it concludes that the conduct in question was either:

1. Caused by or had a direct or substantial relationship to the student's disability, or
2. The direct result of the district's failure to implement the student's Individualized Education Program.

The manifestation team must base its determination on a review of all relevant information in the student's file including the student's Individualized Education Program, any teacher observations, and any relevant information provided by the parents/person in a parental relation.

If the manifestation team determines that the student's conduct is a manifestation of the student's disability, the district will:

1. Have the CSE conduct a functional behavioral assessment of the student and implement a behavioral intervention plan (BIP), unless the district had already done so prior to the behavior that resulted in the disciplinary change of placement. However, if the student already has a BIP, the CSE

will review the plan and its implementation, and modify it as necessary to address the behavior.

2. Return the student to the placement from which he or she was removed, unless the change in placement was to an IAES for conduct involving weapons, illegal drugs or controlled substances or the infliction of serious bodily injury, or the parents/person in a parental relation and the District agree to a change in placement as part of the modification of the BIP.

If the manifestation team determines that the conduct in question was the direct result of the District's failure to implement the student's Individualized Education Program, the District will take immediate steps to remedy those deficiencies.

***Services for Students with Disabilities during Periods of Suspension or Removal***

Students with disabilities who are suspended or removed from their current educational setting in accordance with the provisions of this Code of Conduct and applicable law and regulation will continue to receive services as follows:

1. During suspensions or removals for periods of up to ten (10) school days in a school year that do not constitute a disciplinary change in placement, the District will provide alternative instruction to students with disabilities of compulsory attendance age on the same basis as non-disabled students. Students with disabilities who are not of compulsory attendance age will receive services during such periods of suspension or removal only to the same extent as non-disabled students of the same age would if similarly suspended.
2. During subsequent suspensions or removals of up to ten (10) school days that in the aggregate total more than ten (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 Individualized Education Program. 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.

In addition, during such periods of suspension or removal the District will also provide students with disabilities services necessary for them to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

3. During suspensions or removals in excess of ten (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 curriculum, to progress toward meeting the goals set out in their respective individualized education program, and to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so it does not recur.

In such an instance, the Committee on Special Education will determine the appropriate services to be provided.

***Students Presumed to Have a Disability for Discipline Purposes***

The parent of a student who is facing disciplinary action but who was not identified as a student with a disability at the time of misconduct has the right to invoke any of the protections set forth in this policy in accordance with applicable law and regulations, if the District is deemed to have had knowledge that the student was a student with a disability before the behavior precipitating disciplinary action occurred and the student is therefore a student presumed to have a disability for discipline purposes.

If it is claimed that the District had such knowledge, it will be the responsibility of the Superintendent, Building Principal or other authorized school official imposing the suspension or removal in question for determining whether the student is a student presumed to have a disability for discipline purposes. The District will be deemed to have had such knowledge if:

1. The student's parent/person in a parental relation expressed concern in writing to supervisory or administrative personnel, or to a teacher of the student that the student is in need of special education. Such expression may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
2. The student's parent/person in a parental relation has requested an evaluation of the student; or
3. A teacher of the student or other school personnel has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the District's director of Special Education or other supervisory personnel.

Nonetheless, a student will not be considered a student presumed to have a disability for discipline purposes if notwithstanding the District's receipt of information supporting a claim that it had knowledge the student has a disability,

1. The student's parent/person in a parental relation has not allowed an evaluation of the student by the Committee on Special Education (CSE); or
2. The student's parent/person in a parental relation has refused services; or
3. The District conducted an evaluation of the student and determined that the student is not a student with a disability.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if the District receives a request for an individual evaluation while the student is subjected to a disciplinary removal, the district will conduct an expedited evaluation of the student in accordance with applicable law and regulations. Until the expedited evaluation is completed, the student shall remain in the educational placement determined by the District which can include suspension.

#### ***Expedited Due Process Hearings***

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 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/person in a parental relation regarding a determination that the student's behavior was not a manifestation of the student's disability; or
4. The student's parent/person in a parental relation 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 believes that maintaining the student in the current placement is likely to result in injury to the student or others, 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 parent/person in a parental relation and the district agree otherwise.

#### ***Referral to Law Enforcement and Judicial 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 of the

student 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).

## **XI. Corporal Punishment**

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

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

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

In all cases, the employee is expected to use the minimum amount of force necessary.

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

## **XII. Student Searches and Interrogations**

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe, supportive and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district Code of Conduct.

School officials questioning students shall advise each student why he/she is being questioned. However, parent(s)/person(s) in a parental relation and students should be aware that school officials are under no obligation to contact a student's parent(s)/person(s) in a parental relation prior to questioning the student nor are the students entitled to be advised of their legal rights, i.e. "Miranda"-type warning, before being questioned by school officials as such rights only apply to situations where an individual is being questioned while in the custody of police.

In addition, the Board authorizes the superintendent and building administrators to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district Code of Conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search. However, during examination days, school officials reserve the right to examine the contents of bookbags, pocketbooks, and other carry items for the purpose of ensuring that the school building remains "sanitized."

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the District employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district Code of Conduct, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

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

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

#### **B. Strip Searches**

A strip search is a search that requires a student to remove any or all of his or her clothing. For purposes of this provision, "clothing" does not include an outer coat or jacket. Searching a student's shoes, socks and sweatshirt, and the exposure of a student's ankles and waistband does not constitute a strip search where the student is not asked to remove his or her shirt or pants.

Strip searches are intrusive in nature and are not permissible. If school authorities believe there is a reasonable suspicion of danger to others or a specific, well-founded reasonable suspicion that a student has hidden illegal, prohibited, or

dangerous articles or materials beneath his or her underwear, to the extent practicable, such student shall also be isolated and secured and law enforcement and the student's parents should be contacted immediately.

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

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

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

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

### **XIII. Visitors to Schools**

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

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the designated office upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building.



3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Teachers are expected not to take class time to discuss individual matters with visitors.
5. 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.
6. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

#### **XIV. Public Conduct on School Property**

The District is committed to providing an orderly, safe, supportive, 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 and district personnel.

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

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

##### **A. Prohibited Conduct**

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so, whether in person or through the use of technological devices and/or means (i.e. text messaging, instant messaging, social networking sites, e-mails, etc.)
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property. This includes graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, are disruptive or are disruptive to the school program.

5. Intimidate, bully, harass or discriminate against any person on the basis of actual or perceived race, color, creed, weight, national origin, ethnic group, religion, religious practice, age, gender, sex, marital status, sexual orientation, disability, military status, predisposing genetic characteristics or domestic violence victim status.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles;
9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this Code.
15. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

#### **B. Penalties**

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

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with this Code of Conduct, applicable law regulations and School District policies, and the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.

5. Staff members other than those described in subdivisions 3 and 4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

### **C. Enforcement**

The building principal or his or her designee shall be responsible for enforcing the conduct required by this Code.

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

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

### **XV. Dissemination and Review**

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

1. Providing copies of a summary of the Code to all students, in an age-appropriate version, written in plain language, at a school assembly to be held at the beginning of each school year.
2. Mailing a summary of the Code of Conduct written in plain language to all parents/person in a parental relation of District students before the beginning of each school year and making this summary available later upon request.
3. Posting a complete copy of the Code of Conduct, including any annual updates or amendments thereto, on the District's website.
4. Providing all teachers and other staff members with a complete copy of the Code and a copy of any amendments to the Code as soon as practicable after adoption.
5. Providing all new teachers with a complete copy of the current Code of Conduct when they are first hired.
6. Making complete copies of the Code available for review by students, parents, or other persons in parental relation to students, other school staff, and other community members.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of school policy on school conduct and discipline, including, but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, discrimination, harassment or bullying against students by students and/or school employees; and including safe and supportive school climate concepts in the curriculum and classroom management. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students. On-going professional development will be included in the district's professional development plan, as needed.

The Board of Education will review this Code of Conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the Code's provisions have been and whether the Code has been applied fairly and consistently.

The Board may appoint an advisory committee to assist in reviewing the Code and the District's response to Code of Conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

Before adopting any revisions to the Code, the Board will hold at least one public hearing at which school personnel, parents/person in a parental relation, students and any other interested party may participate.

The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days of adoption.

## CODE OF CONDUCT SUMMARY

The Board of Education is committed to providing a safe, supportive and orderly school environment where students may receive and district personnel may deliver quality education services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

### I. Student Rights

The district is committed to safeguarding the rights given to all students under the Dignity for All Students Act and all other state and federal law and District policy. In addition, to promote a safe, healthy, orderly and supportive school environment, all District students have the right to:

1. Participate in all District activities on an equal basis and not be subjected to discrimination based on their actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex by school employees or students on school property or at a school-sponsored function.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school policies, regulations and rules and, when necessary, receive an explanation of those rules from school personnel.
4. Proceed in a safe, supportive and orderly school atmosphere without the fear of threat to their well-being.

### II. Student Responsibilities

All District students have the responsibility to:

1. Promote a safe, supportive and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be proactive in advocating for the safety of other students. Bystanders are encouraged to report and/or inform school personnel of concerns.
3. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.

4. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
5. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
6. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
7. Work to develop mechanisms to manage their anger.
8. Ask questions when they do not understand.
9. Seek help in solving problems that might lead to discipline.
10. Dress appropriately for school and school functions
11. Accept responsibility for their actions.
12. Maintain behavior free from all forms of harassment, bullying or discrimination.
13. Conduct themselves as representatives of the district when participating in or school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor and sportsmanship.

### **III. Student Dress Code**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other District personnel should reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance, including hairstyle/color, jewelry, makeup and nails, shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments and see-through garments are not appropriate.
3. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
4. Not include the wearing of hats in instructional areas except for a medical or religious purpose.
5. Not include items that are or are perceived to be vulgar, obscene, discriminatory, libelous or denigrate others based on a person's actual or

perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, gender, sexual orientation or sex.

6. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

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

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

#### **IV. Prohibited Student Conduct**

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

It is expected that all students conduct themselves in a manner that supports the intent of the Dignity for All Students Act; creating a safe and supportive school environment free of discrimination, bullying/cyberbullying and harassment.

Conduct that creates a hostile environment at school and school-sponsored events is strictly prohibited. This conduct can include but is not limited to aggressive conduct, threats, intimidation or abuse that constitutes harassment and/or bullying as defined in the "Definitions" section of this Code of Conduct below.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on educating students so that they may grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function, specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences for their conduct. All violations apply to student behavior in school, on school property, on school buses and at school-

sponsored functions and student behavior off school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable the acts might reach school property.

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

A. A. Engage in conduct that is *disorderly and/or disruptive*.

Examples of such conduct include but are not limited to:

1. Engaging in any willful act which disrupts the normal operation of the instructional process and/or school community, such as making unreasonable noise, running in hallways, engaging in horseplay, obstructing vehicular or pedestrian traffic.
2. Using language or gestures that are profane, lewd, vulgar or abusive.
3. 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.
4. Misuse of computer/electronic communications/personal devices, including but not limited to any unauthorized use of cell phones, iPads, cameras, PDAs, or other portable devices, computers, software, or internet/intranet account; accessing inappropriate websites; unauthorized access to school network or programs; any computer/electronic/personal device communication from a non-school site that could pose disruption to the school community; or any other violation of the district's acceptable use policy.
5. Displaying or using headphones, tablets, cameras, cell phones, or any other electronic devices without the approval of a teacher or other school official.
6. Students are not permitted to take pictures or record another student, teacher, or staff member with a cell phone, digital camera or any other electronic device without the permission of an administrator.
7. Students are prohibited from posting on websites texts or images that defame, harass, bully, discriminate against, threaten or falsely accuse another individual of wrongdoing or illegal behavior. This includes but is not limited to social networking sites such as Facebook, Twitter, Instagram, Snap Chat, ooVoo, Group Me, YouTube, etc.



8. Students are prohibited from using drones or other aerial devices on or near school grounds without the approval of a teacher or school official.
  9. Students are prohibited from using *hover boards* or other motorized modes of transportation in the school building or on school grounds without the approval of a school or district administrator.
- B. Engage in conduct that is insubordinate. Examples of such conduct include but are not limited to:
1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students.
  2. Demonstrating disrespect to teachers, school administrators or other school employees who interact with students.
  3. Lateness for, missing or leaving school without permission.
  4. Skipping detention.
- C. Engage in conduct that is violent. Examples of such conduct include but are not limited to:
1. Committing an act of violence (such as hitting, kicking, punching, pushing, and scratching) upon a teacher, administrator or other school employee or attempting or threatening to do so.
  2. Committing an act of violence (such as hitting, kicking, punching, pushing, and scratching) upon another student or any other person lawfully on school property or attempting or threatening to do so.
  3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
  4. Displaying what appears to be a weapon.
  5. Threatening to use any weapon.
  6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
  7. Intentionally damaging or destroying school district property.
- D. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include but are not limited to:

1. 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.
2. Lying or giving false information, either verbally or in writing, to school personnel.
3. 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.
4. Defamation, and/or slander which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
5. Discrimination, which means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including but not limited to, discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
6. Harassment, which means 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 reasonably be expected to cause physical injury or emotion 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. For purposes of this definition, the term, "threats, intimidation or abuse" shall include verbal and non-verbal actions. Acts of bullying and harassment that are prohibited include but are not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
7. Sexual harassment is prohibited by law. Unwelcome sexual advances, request for sexual favors, or other written, nonverbal or physical conduct of a sexual nature may constitute sexual harassment. Complaints regarding sexual harassment may be made directly to Assistant Superintendent for Personnel who is the Title IX coordinator.
8. Intimidation, coercion or extortion which includes engaging in actions or statements that put an individual in fear of bodily harm.

9. Bullying, which means 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 reasonably be expected to cause physical injury or 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 abused might reach school property. For purposes of this definition, the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. Acts of bullying and harassment that are prohibited include but are not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex
10. Cyberbullying which means harassment or bullying as defined above where such harassment or bullying occurs through any form of electronic communication.
11. Sexting, which includes the sending, receiving or forwarding of sexually provocative nude or nearly nude photos through text message or e-mail, which can be used to hurt, harass and humiliate others.
12. Hazing, which includes an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.
13. Posting, distributing, selling, using or possessing obscene material.
14. Using vulgar or abusive language, cursing or swearing as well as slurs that refer to a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
15. Smoking cigarettes, e-cigarettes, vapes, cigars, pipes or using chewing or smokeless tobacco.
16. Possessing, consuming, selling, distributing or exchanging alcoholic beverages, illegal substances, paraphernalia for the use of such illegal substances, or being under the influence of illegal substances or alcoholic beverages. "Illegal substances" includes, but is not limited to, inhalants, marijuana, synthetic cannabinoids (synthetic marijuana), vaping oils, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."

17. Inappropriately possessing, selling, using or sharing prescription and over-the-counter drugs.
  18. Gambling.
  19. Violation of an individual's civil rights.
  20. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
  21. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- E. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting or other conduct in violation of the code of conduct will not be tolerated (see Bellmore-Merrick School Bus Handbook).
- F. Engage in any form of academic misconduct or scholastic dishonesty. Examples of such misconduct include but are not limited to:
1. Plagiarism.
  2. Cheating on a test or graded assignment, including taking pictures with electronic devices of assignments, tests, etc. for the purposes of copying student work or illegally improving assessment scores.
  3. Copying or unauthorized collaboration with another person in preparing written work.
  4. Altering academic records.
  5. Assisting another student in any of the above actions.
- G. Engage in off-campus misconduct that creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable misconduct might reach school property; or endangers the health, safety or morals of students or staff within the school.
- Examples of such misconduct include but are not limited to:
1. Cyberbullying
  2. Threatening, hazing or harassing students or school personnel over the phone or through other electronic media.
  3. Using message boards to convey threats, derogatory comments or post pornographic pictures of students or school personnel.

## V. Reporting Violations

All students are expected to promptly report criminal, serious, or dangerous violations of the code of conduct to a teacher, guidance counselor, school psychologist, social worker, the building principal or his or her designee. Any student observing an individual possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the superintendent.

### Reporting Incidents of Discrimination, Harassment and Bullying

Students who have been bullied, harassed **and/or** discriminated against, parents whose children have been bullied, harassed **and/or** discriminated against, or other students or staff who observe bullying, harassing or discriminating behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel, including the appropriate Dignity Act Coordinator, in accordance with the training and guidelines provided, as well as any applicable district policies. (Refer to BOE Policy 0115, Harassment, Bullying and Discrimination; BOE Policy 0100, Equal Opportunity; and BOE Policy 0110, Sexual Harassment).

Reports of bullying, harassment and discrimination will be promptly investigated in accordance with District policies and procedures.

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

### Dignity Act Coordinator Contact Information

The name, designated school and contact information for each school building's Dignity Act Coordinator is provided below:

Dignity Act Coordinator	Designated School	Contact Information
Mara Bollettieri	District	516-992-1010
Beth Cooperman	Calhoun	516-992-1324
Jennifer Carne	Mepham	516-992-1507
Andrew DelRosario	Grand	516-992-1104
Susan Ellinghaus	MAP	516-992-1082
Eric Arlin	District	516-992-1050
Eric Gomez	Calhoun	516-992-1306
Joseph Netto	MAP	516-992-1074
Adam Nislow	Grand	516-992-1121
Gerard Owenburg	Kennedy	516-992-1404

Jennifer Racanelli	Mephram	516-992-1528
Katelyn Dunn	Merrick	516-992-1211
Kevin Darcy	Merrick	516-992-1202
Benjamin Weiss	Kennedy	516-992-1425

This information shall also be posted on the district's website and included in the plain language summaries of the Code of Conduct provided to parents and students and shall be further disseminated in accordance with applicable law and regulations.

## VI. Disciplinary Penalties

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age.
2. The nature of the offense and the circumstances which led to the offense.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others, as appropriate
6. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of the Code of Conduct for disciplining students with a disability or presumed to have a disability.

### A. Penalties

Students who are found to have violated the district's Code of Conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Oral warning - any member of the district staff
2. Written warning – coaches, guidance counselors, teachers, principal, superintendent

3. Written notification to parent – coaches, guidance counselors, teachers, principal, superintendent.
4. Detention – teachers, principal, superintendent
5. Suspension from transportation – principal, principal's designee, superintendent
6. Suspension from athletic participation – coaches, principal, principal's designee, superintendent
7. Suspension from social or extracurricular activities – activity director, principal, principal's designee, superintendent
8. Suspension of other privileges – principal, superintendent
9. In-school suspension – principal, superintendent
10. Removal from classroom by teacher - teachers, principal
11. Short-term (five days or less) suspension from school - principal, superintendent, board of education
12. Long-term (more than five days) suspension from school - superintendent, board of education
13. Permanent suspension from school - superintendent, board of education.

**B. Disciplinary and Remedial Consequences for Bullying, Harassment and Discrimination**

The District supports the development of measured, balanced and age-appropriate responses to the bullying, harassment and/or discrimination of students by students on school property, including school functions, with remedies and procedures focusing on prevention, intervention, education and discipline. Remedies will be measured, balanced, progressive and age-appropriate and will take into consideration the nature and severity of the offending student's behavior, the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the offending student's behaviors had on the individual who was physically injured or emotionally harmed. Responses will be reasonably calculated to end the harassment, bullying and/or discrimination, prevent recurrence and eliminate the hostile environment. Successful intervention may involve remediation.

**VII. Student Searches**

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe supportive and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct.

School officials questioning students shall advise each student why he/she is being questioned. However, parent(s)/person(s) in a parental relation and students should be aware that school officials are under no obligation to contact a student's parent(s)/person(s) in a parental relation prior to questioning the student nor are the students entitled to be advised of their legal rights, i.e. "Miranda"-type warning, before being questioned by school officials as such rights only apply to situations where an individual is being questioned while in the custody of police.

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

Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.



## STUDENT BILL OF RIGHTS AND RESPONSIBILITIES

*Students have the right to feel comfortable and safe in their environment. Students of good character can describe the principles and values by which they live and that manage their behavior.*

### **Student Rights:**

*Students of the Bellmore-Merrick Central High School District have the right to:*

- Learn in a safe environment
- Feel comfortable about your individuality
- Be respected for who you are
- Be heard
- Have adults available to hear a problem
- Get assistance from adults and peers when you need to resolve a problem
- Have your strengths celebrated

### **Student Responsibilities:**

*Students of the Bellmore-Merrick Central High School District are responsible for the following:*

- Always do your best
- Respect Others
- Never respond physically
- Share
- Tell the truth
- Work on finding a resolution when faced with a problem
- Use electronic devices responsibly
- Listen
- Control impulses
- Cooperate with others
- Communicate directly and clearly
- Help others
- Encourage friends who seem depressed or angry to seek help from a parent, teacher, counselor or caring adult.
- When you hear something troubling or that worries you tell an adult
- Report incidences of bullying and harassment to caring adults
- Understand the difference between tattling and getting help
- Ask for help when you need it
- Recognize and appreciate diversity and individual differences
- Do not engage in gossip or negative talk

**Display *acceptance, respect* for others and *dignity* which means awareness and sensitivity to unfairness or harassment due to but not limited to actual or perceived:**

- color
- weight
- race
- national origin
- ethnic group
- religion
- religious practice
- disability
- sexual orientation
- gender identity, or
- sex/gender



**DIGNITY:** being respectful of who you are and what you believe in.

## What is it and what can I do?

<p><b><u>Sexual Harassment</u></b></p> <p>...is serious or perceived behavior of a sexual nature which makes someone uncomfortable. That person may become upset or avoid coming to school because of the behavior aimed at them. These behaviors include, but are not limited to:</p> <ul style="list-style-type: none"><li>• Unwelcome sexual advances asking for sexual favors</li><li>• Jokes, comments, rumors, threats</li><li>• Physical touching, pinching, grabbing</li><li>• Sending texts, emails, posting on Facebook or other social networks comments or pictures that are sexual</li></ul> <p><b>What can I do?</b></p> <ul style="list-style-type: none"><li>• Tell an adult as soon as possible</li><li>• Stop friends who are treating others poorly</li><li>• Ask for help</li></ul>	<p><b><u>Hazing &amp; Bullying</u></b></p> <p>...are mean, inappropriate words that are spoken, written or electronically sent to someone that are hurtful. The behavior is aimed at one person or a group that usually feels intimidated, upset, anxious or threatened. These behaviors may include:</p> <ul style="list-style-type: none"><li>• Daring someone to do something inappropriate to a person</li><li>• Being forced to do something you do not want to</li><li>• Name calling, sarcasm</li><li>• Ignoring someone; leaving them out of the group</li><li>• Touching, hitting, starting fights</li></ul> <p><b>What can I do?</b></p> <ul style="list-style-type: none"><li>• Tell an adult as soon as possible</li><li>• Stop your friends from participating</li><li>• Make friends aware that they may be hurting someone if they do not realize it</li></ul>
<p><b><u>Harassment</u></b></p> <p>...is treating someone who is different because of their color, religion, religious practice, gender, sex, sexual orientation, ethnic background poorly because they are different. Some behaviors may include:</p> <ul style="list-style-type: none"><li>• Making fun of specific characteristics</li><li>• Physically taunting, hitting, touching so the person feels uncomfortable</li><li>• Texts, phone calls, Facebook comments, emails that are negatively related to their background, even if it appears to be a joke</li></ul> <p><b>What can I do?</b></p> <ul style="list-style-type: none"><li>• Tell an adult as soon as possible</li><li>• Do not joke about peoples' backgrounds, dress, practices, music</li><li>• Respect differences, ask questions if you are curious rather than tease</li></ul>	<p><b><u>Code of Conduct</u></b></p> <p>...is a set of rules and procedures that were written to keep our schools safe so that it is a good environment for learning. Areas included are:</p> <ul style="list-style-type: none"><li>• Dressing appropriately</li><li>• Behaving in a positive manner</li><li>• Making good decisions</li><li>• Treating teachers, students and everyone in the school community respectfully</li></ul> <p><b>What can I do?</b></p> <ul style="list-style-type: none"><li>• Review Student Responsibilities</li><li>• Understand that rules keep us safe and help keep us focused</li><li>• Try talking to someone who may not be following the rules</li><li>• Reach out to adults for help if you are faced with a difficult situation</li></ul>

**RESPECT:** to show regard or consideration for.

**ACCEPTANCE:** to show regard or consideration for.