

# REMSENBURG-SPEONK UFSD

## Code of Conduct

### Parent Summary

#### Introduction

The Remsenburg-Speonk Board of Education (“Board”) is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other 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 the Character Standards: respect, responsibility, self-control, courtesy, perseverance and tolerance. These standards are included in the district’s Character Education Curriculum.

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. While the term “zero tolerance” has been coined to describe a policy whereby any and all student infractions regarding violence or violent behavior, regardless of degree or circumstances, are subject to the same penalty, the Board does not endorse a “one consequence fits all” policy. In order to support the positive ethos of the elementary school community, the Board elects to interpret its “zero tolerance” policy to mean that every reported, observed, or suspected threat or act of violence or violent behavior will be thoroughly investigated and age-appropriate consequences enacted. The judgment of school professionals will prevail, in accordance with the law, as to the degree of seriousness of any action or behavior, and as to the severity of the ensuing consequence.

The Board additionally recognizes public concern about school violence and seeks to assure its constituents that school safety is paramount. At the same time, the Board recognizes that the primary goal of elementary education is to sustain nurturing and supportive relationships within the learning environment to enable all students to learn and grow, cognitively, socially and emotionally. To this end, the Board adopts this code of conduct (“code”).

Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

#### Definitions

For purposes of this code, the following definitions apply.

- *Character Standards* means the attributes as outlined in the district’s Character Standards Curriculum, adopted Fall, 1999. Specifically, the Character Standards are respect, responsibility, self-control, perseverance, courtesy and tolerance.
- *Disruptive student* means an elementary student who is substantially disruptive of the educational process or who substantially interferes with the teacher’s authority over the classroom.
- *Parent* means parent, guardian or person in parental relation to a student.
- *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 school, or in or on a school bus, as defined in Vehicle and Traffic Law ' 142.

- School function* means any school-sponsored extra-curricular event or activity.
- Violent student* means a student under the age of 21 who:
  1. Commits an act of violence upon a school employee, school building, or school property or plans/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 plans/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. Intentionally damages or destroys school district property, including graffiti.
  7. Intentionally damages or destroys another's personal property.
- Weapon* means a firearm as defined in 18 USC ' 921 for purposes of the Gun-Free Schools Act. It also means 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. See also section X, Discipline of Students with Disabilities, A, 2, d, (1).

## Student Dress Code

The purpose of this Student Dress Code is to teach students socially appropriate behavior; ensure their health, safety, and full participation in school activities; and provide opportunities to apply the Character Standards when making personal choices.

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 exemplify and 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:

- Be safe, appropriate and not disrupt or interfere with the educational process.
- Recognize that revealing or provocative garments are not appropriate for school or school-related functions.
- Include footwear at all times. Footwear that is a safety hazard will not be allowed.

- Not include the wearing of hats in the school except for a medical or religious purpose, or as part of a costume or a scouting uniform.
- Not include items that are vulgar, obscene, libelous or denigrating to others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
- Not promote and/or endorse the use of alcohol, tobacco or illegal drugs, and/or encourage other illegal or violent activities.

The Principal/Superintendent 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 suspension from school.

## Prohibited Student Conduct

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, in accordance with the Character Standards, 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.

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 the students' ability to grow in self-discipline.

The Board recognizes the need to make its expectations specific and clear for student conduct while on school property or engaged in a school function. 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. Students may be subject to disciplinary action, up to and including suspension from school, when they:

- A. Engage in conduct that is disorderly.

Examples of disorderly conduct include:

1. Using language or gestures that are profane, lewd, vulgar or abusive.
2. Engaging in any willful act which disrupts the normal operation of the classroom and/or the school community.
3. Trespassing. Students are not permitted in school when school is not in session, except for approved school or community activities/events. Students returning after-hours for books/materials must be admitted into the building by/and escorted to their destination by a staff member.
4. Misusing computer/electronic communications, including any unauthorized use of computers, software, or internet/intranet accounts; accessing inappropriate websites; or any other violation of the district's acceptable use policy.

B. Engage in conduct that is insubordinate.

Examples of insubordinate conduct include:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
2. Failing to comply with the Student Dress Code.
3. Lateness for, missing or leaving school without permission.
4. Distributing or posting any written material without the approval of the Principal/Superintendent.

C. Engage in conduct that is disruptive.

Examples of disruptive conduct include:

1. Failure or inability to manage anger or use self-control.
2. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.

D. Engage in conduct that is violent.

Examples of violent conduct include:

1. Committing an act of violence intended to cause harm or injury to a teacher, administrator or other school employee, or attempting to do so.
2. Committing an act of violence intended to cause harm or injury to another student or any other person lawfully on school property, or attempting 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 school district property, including graffiti.
7. Intentionally damaging or destroying another's personal property.

E. Engage in any conduct that endangers the safety, health or welfare of others.

Examples of such conduct include:

1. Physical contact or force intended or unintended which harms another person or which results in harm to another person.
2. Lying to school personnel.
3. Spitting at anyone or on anything.
4. Failing to inform or falsely informing school personnel about any dangerous situation, e.g., threats by

students, acts of violence by students, acts of destruction, possession of weapons by students, or possession of illegal drugs/alcohol by students, while on school property or at a school function.

5. Failing to alert or falsely alerting school personnel to threats, plans, attempts, conversations and the like that occur off school property which have the potential to cause injury or physical harm to any employee, student or visitor at the school, or damage/destruction of the school building or property.
6. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
7. Defamation, 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.
8. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.
9. Harassment, sexual or otherwise, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as, ridiculing or demeaning.
10. Intimidation (verbal, written, electronic, physical, etc.) which includes engaging in actions or statements that put an individual in fear of bodily harm.
11. Selling, using, possessing, or transmitting obscene material.
12. Engaging in or encouraging lewd behavior.
13. Using vulgar or abusive language, cursing or swearing.
14. Smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco.
15. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. All illegal substances include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
16. Inappropriately using or sharing prescription and over-the-counter drugs.
17. Gambling.
18. Inappropriate touching and/or indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
19. Initiating a report or using the telephone to warn of fire or other catastrophe without valid cause.
20. Pulling a false alarm, misuse of 911, or discharging a fire extinguisher.

F. Engage in misconduct while on a school bus.

It is crucial for students to behave appropriately while riding on school 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 and in accordance with the Character Standards.

Examples of misconduct while on a school bus include:

1. Making excessive noise.
2. Using language or gestures that are profane, loud, vulgar or abusive.
3. Harassing or intimidating others.
4. Pushing, shoving and/or fighting.
5. Using seatbelts inappropriately.
6. Failing to comply with the directives of the bus driver.

G. Engage in any form of academic misconduct.

Examples of academic misconduct include:

1. Plagiarism.
2. Cheating.
3. Copying answers or work from others, on homework, tests, or assignments.
4. Altering records.
5. Forging signatures.
6. Assisting another student in any of the above actions.

## Disciplinary Consequences - Procedures and Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and when it is administered 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. Disciplinary action may be imposed by any administrator, any teacher or staff member, and any Teaching Assistant (when discharging instructional or supervisory duties).

In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

- The student's age.
- The nature of the offense and the circumstances which led to the offense.

- The student's prior disciplinary record.
- The effectiveness of other forms of discipline.
- Information from parents, teachers and/or others, as appropriate
- Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter consequence 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 student identified as having a disability shall not be disciplined for behavior related to his/her disability.

## Consequences

Students who are found to have violated the district's code of conduct may be subject to the consequences following, either alone or in combination.

1. Verbal warning
2. Time-out (during class, lunch or recess, after-school activity, or approved trip)
3. Notification to parent
4. Suspension from transportation
5. Suspension from intramurals
6. Suspension from social or extracurricular activities
7. Suspension of other privileges
8. In-school suspension (five days or less)
9. Disciplinary removal from classroom
10. Short-term (five days or less) suspension
11. Long-term (more than five days) suspension
12. Permanent suspension

# Discipline of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

Students with disabilities are subject to the same consequences for violations of the code of conduct as are other students. However, special rules apply in cases involving the disciplinary removal or suspension from school of a student with disabilities. More information on these specific procedures can be found in the Remsenburg-Speonk Union Free School District Code of Conduct.

## 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:

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

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

## Visitors to the Schools

The Board welcomes parents and other district citizens to the district's school. Since schools are a place of work and learning, however, certain limits must be set for visits. The Principal/Superintendent or designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

- Anyone who is not a regular staff member or student of the school will be considered a visitor. This includes all parents.
- All visitors/parents to the school must report to the office upon arrival at the school to state the reason for their visit and to obtain a visitor's pass.
- Visitors/parents attending school functions that are open to the public, such as PTO meetings or public gatherings, are not required to register.

- Teachers are not to take class time to discuss individual matters with visitors/parents.
- Any unauthorized person on school property will be reported to the Main Office. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
- All visitors/parents are expected to abide by the rules for public conduct on school property contained in this code of conduct.

## Public Conduct on School Property

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions.

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 function they are attending.

### A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
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. Smoke in the school or anywhere on school grounds.
10. 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.
11. 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.

12. Loiter on or about school property.
13. Gamble on school property or at school functions.
14. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
15. Willfully incite others to commit any of the acts prohibited by this code.
16. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

## B. Consequences

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

1. Visitors: Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students: They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members: They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law ' 3020-a or any other legal rights that they may have.
4. Staff members in the classified service of civil service are entitled to the protection of Civil Service Law ' 75: They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law ' 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 4 and 5: They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

## C. Enforcement

The Principal/Superintendent or designee shall be responsible for enforcing the conduct required by this code.

When the Principal/Superintendent or 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/Superintendent or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The individual will also be warned 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/Superintendent or 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, under the "Consequence" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.