

CODE OF CONDUCT REGULATIONS & PRACTICES

This Code of Conduct is responsive to NYS Project S.A.V.E. (Safe Schools Against Violence in Education), Education Law 280, Section 100.2 effective July 1, 2001. Parents/Guardians are essential partners in our endeavor to maintain a safe and orderly environment where all children can learn.

Introduction

The LaFayette Board of Education is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality instructional services without disruption or interference. Essential to the achievement of this goal is the responsible behavior of students, teachers, other district personnel, parents and other visitors. We will collaborate with you to ensure our mutual responsibility for a safe and productive school year. We are all accountable. We will communicate our concerns to problem solve together. We will exhibit flexibility and adaptability when necessary. We will strive for cross-cultural understanding to enhance an atmosphere of respect. We will use our critical thinking skills to evaluate and respond to issues which may be divisive. We will be creative and innovative to address any obstacles which stand in the way of our ability to be successful students.

The Board of Education adopts this Code of Conduct in an effort to clearly define the expectations for acceptable conduct on school property. A central goal of our schools is to assist students in developing self-control. To that end the Code of Conduct attempts to outline expectations for student behavior and the consequences of misbehavior that foster the growth of personal responsibility. Discipline then is to be developmental and progressive, while maintaining a safe and orderly learning environment for all. Unless otherwise indicated, this Code applies to all students, school personnel, parents, and other visitors when on school property or attending school functions.

Disciplinary Guidelines are a guide for disposition of standard discipline cases and indicates what can be expected when a student breaks a rule. Discipline cases with extenuating circumstances will be subject to administrative discretion. Recurring offenses by an individual may be subject to an increased level of discipline with the expectation of parental/guardian involvement for effective resolution.

Disciplinary Practices

Note: ASD After School Detention (2:45-3:15 for 1st offense/2:30-5:20 for 2nd offense and beyond)
ISS In School Suspension
OSS Out of School Suspension

Student Rights and Responsibilities

- I. Pursuant to Section 100.2(1)(i) of the Regulations of the Commissioner of Education, a bill of student rights and responsibilities is established. A student in the LaFayette Central School District shall:
 - Be entitled to the rights of religion, speech, expression, and assembly as provided in the 1st Amendment to the Constitution of the United States.
 - Be afforded the opportunity to take part in all district activities on an equal basis regardless of race, color, weight, ethnic group, sexual orientation, national origin, religion, religious practice, disability, gender, gender expression, or any legally protected status.
 - Have equal opportunity to take part in student government activities unless properly suspended from participation pursuant to the districts' discipline policy.
 - Be able to address the Board of Education on the same terms as any citizen, following procedures as determined by the District.
 - Have the right to be guaranteed against illegal search and seizure of person.
 - Be suspended from instruction only after their rights pursuant to Education Law §3214 and District policy have been observed.
 - In all disciplinary matters, have the opportunity to present their version of the facts and

circumstances that might lead to imposition of disciplinary sanctions to the professional staff member imposing such sanctions.

- Have the right to be free from discrimination, harassment, bullying and/or retaliation on school property or school functions including but not limited to the educational program, activities, or admission policies of their school.

2. It shall be the responsibility of each student in the LaFayette Central School District:

- To exercise their rights under the 1st Amendment to the Constitution in a manner that in no way disrupts the welfare of others, or interrupts the educational processes of the District.
- To be familiar with and abide by all district policies, rules and regulations pertaining to student conduct.
- To work to the best of his/her ability in all academic and extra-curricular pursuits and strive toward the highest level of achievement possible.
- To hold themselves to the highest standards of conduct, demeanor, and sportsmanship when participating in or attending school-sponsored extra-curricular events, as a representative of LaFayette School District.
- To be in regular attendance of school and in class.
- To contribute to the maintenance of an environment that is conducive to learning and show due respect to other persons and to property.
- To make constructive contributions to his school and to report fairly the circumstances of school-related issues.
- Not to be in possession of any illegal items or contraband of any kind.
- To conduct themselves with respect toward self, fellow students and teachers in accordance with the District Code of Conduct and the provisions of Dignity for All Students Act (DASA). Students will conduct themselves in a manner that fosters an environment that is free from bullying, harassment, discrimination and/or retaliation. Students should also report and encourage others to report any incidents of bullying, harassment, discrimination and/or retaliation

IV. Essential Partners

A. Parents - All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
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 rules are required to maintain a safe and orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good 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.
12. Provide a place for study and ensure homework assignments are completed.
13. Report to appropriate school personnel any information that in their opinion might lead to the prevention of a violent act.
14. Promote a climate that demonstrates respect, support, and caring and does not tolerate harassment or bullying.

- B. Teachers - All district teachers are expected to:
1. Maintain a climate of mutual respect, support, dignity, caring, and non-discrimination which will strengthen students' self-concept and promote confidence to learn.
 2. Be prepared to teach.
 3. Demonstrate interest in teaching and learning and concern for student achievement.
 4. Know school policies and rules, and enforce them in a fair and consistent manner.
 5. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking and grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan.
 6. Communicate regularly with students, parents and other teachers concerning student growth, achievement and behavior.
 7. Report to appropriate school personnel any information that in their opinion might lead to the prevention of a violent act.
 8. Confront issues of discrimination, harassment, bullying, retaliation 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.
 9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
 10. Report incidents of discrimination, harassment, bullying and/or retaliation that are witnessed or otherwise brought to a teacher's attention in a timely manner.
- C. Guidance Counselors - Guidance Counselors and Pupil Service Personnel are expected to:
1. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
 2. Initiate teacher/student/counselor conferences, as necessary, as a way to resolve problems.
 3. Regularly review with students their educational progress and career plans.
 4. Provide information to assist students with career planning.
 5. Encourage students to benefit from the curriculum and extracurricular activities.
 6. Communicate regularly with students, parents and other teachers concerning student growth, achievement and behavior.
 7. Report to appropriate school personnel any information that in their opinion might lead to the prevention of a violent act.
 8. Employ nondiscriminatory counseling methods.
 9. Confront issues of discrimination, harassment, retaliation 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.
 10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
 11. Report incidents of discrimination, harassment and/or retaliation that are witnessed or otherwise brought to an administrator's attention in a timely manner.
- D. Principals - Principals and other administrators are expected to:
1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
 2. Ensure that students and staff have the opportunity to communicate regularly with the principal/administrator and approach the principal for redress of grievances.
 3. Evaluate on a regular basis all instructional programs.

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. Report to appropriate school personnel any information that in their opinion might lead to the prevention of a violent act.
 7. Confront issues of discrimination, harassment, retaliation 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.
 8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting
 9. Report incidents of discrimination, harassment and/or retaliation that are witnessed or otherwise brought to an administrator's attention in a timely manner.
- E. Superintendent - The superintendent is expected to:
1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
 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. Report to appropriate school personnel any information that might in their opinion lead to the prevention of a violent act.
 7. Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
 8. Confront issues of discrimination, harassment, retaliation or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
 9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- F. Board of Education - The Board of Education is expected to:
1. 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.
 2. Adopt and review by the first Board Meeting in September annually the district's Code of Conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
 3. Lead by example by conducting Board meetings in a professional, respectful and courteous manner.
 4. Report to appropriate school personnel any information that might in their opinion lead to the prevention of a violent act.
 5. Develop policies that create a school environment that is free from discrimination or harassment.
 6. Develop guidelines for school training programs to discourage discrimination or harassment.

7. Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.

Definition of Terms

A. *Chronic Offenders* - If consequences are deemed ineffective after numerous attempts to modify behavior which interrupts the educational process, an informal meeting with the principal will occur. Parents/guardians will be contacted to take the student home for the remainder of the day. A conference will be arranged. Parental involvement will be mandated as a key component to rectify misbehavior.

B. *Cyberbullying* - means harassment/bullying, as defined below, through any form of electronic communication. While LaFayette Junior-Senior High School students do not have online email access, cyberbullying off campus may have in-school implications. Cyberbullying may include, but is not limited to:

- Flaming – a message that contains angry and vulgar language
- Cyber Stalking – persistent threats of harm that make a person fear for his/her safety
- Denigration – cruel gossip that damages someone's reputation or friendships
- Impersonation – breaking into someone's account, posing as that person, and sending messages to make him/her look bad or to get him/her into trouble
- Trickery – fooling someone into sharing secrets that are then sent to others
- Exclusion – barring someone from a group, such as a buddy list or game

We encourage students to report online bullying. Do not delete the offending message, preserve the evidence and tell an adult.

C. *Detention* – Detaining a student after school hours

1. After School Detention – Time frame determined by schedule and staffing. Student will be detained after school hours with an expectation that the student will work on school assignments. Bus transportation will be available
2. Saturday Detention – Requiring student to serve a detention on a non-school day. No transportation to or from the school will be provided.

D. *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 must be 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.

E. *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, sex or any other legally protected status.

F. *Disruptive Student* – 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.

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

H. 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 9-B of article 5 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.

I. Gender - means a person’s actual or perceived sex and includes a person’s gender identity or expression.

J. Harassment/Bullying - 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; (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; (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 abuse might reach school property.

The phrase "threats, intimidation or abuse" includes both verbal and non-verbal actions. The harassing behavior may be based on any characteristic, including but not limited to a person’s actual or perceived:

- race,
- color,
- weight,
- national origin,
- ethnic group,
- religion,
- religious practice,
- disability,
- sex,
- sexual orientation,
- gender (including gender identity and expression, or
- or any other legally protected status.
- Gender identity is one’s self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.
- Gender expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

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

Bullying can be direct or indirect:

Direct Bullying – the bully confronts the victim face to face. Examples include verbal harassments, threats, physical attacks or social embarrassment.

Indirect Bullying – the bully attacks the victim’s social standing or reputation, usually when the victim is not around. Examples would include spreading malicious gossip, writing insulting graffiti, organizing a peer group to ostracize classmates, staring, pointing at the victim.

SEXUAL HARASSMENT POLICY

The LaFayette Central School District Sexual Harassment Policy prohibits employees, students and other individuals from making unwelcome sexual advances, requests for sexual favors, threats and other verbal or physical conduct of a sexual nature to other employees or students when (1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment or education, or (2) submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual, or (3) such has the purpose or effect of unreasonably interfering with an individual’s work or school performance, or creating an intimidating, hostile or offensive working or learning environment. Examples of conduct that may be interpreted as sexual harassment include, but are not limited to, lewd or sexually suggestive comments; off-color language; jokes of a sexual nature; sexual slurs and other verbal, graphic or physical conduct relating to an individual’s sex; and the display of sexually-explicit pictures, greeting cards, articles, books, magazines, photographs, or cartoons. The Superintendent is the designated equal opportunity coordinator and any violation should be brought to his/her attention.

K. *Hazing* – Hazing means committing an act against a student, or coercing a student into committing an act, that creates a risk of emotional, physical, or psychological harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:

1. Any humiliating, degrading or dangerous activity demanded of a student to join a group, regardless of the student’s willingness to participate (conduct has the potential to endanger the mental or physical health or safety of a student).
2. Any hurtful, aggressive, destructive or disruptive behavior such as striking, whipping, sleep deprivation, restraint or confinement, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
3. Substance Abuse – use or abuse of tobacco, alcohol or illegal drugs.
4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to emotional, physical or psychological stress, dignity of the students or discourages the student from remaining in school.
5. Any activity that causes the student to perform a task or act that involves violation of state or federal law or of school district policies or regulations.

Reporting Hazing – In order for the Board of Education to effectively enforce this policy and to take prompt corrective measures, it is essential that all victims of hazing, and persons with knowledge of hazing report the incident immediately to the appropriate supervisor. The district will promptly investigate all complaints of hazing either formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner. Limited disclosure may be necessary to complete a thorough investigation.

The LaFayette Board of Education prohibits all acts of discrimination, harassment, bullying (including “cyberbullying”) and retaliation related to same by employees, students, or visitors on school property or at a school functions. When discovered, harassment or bullying (including cyberbullying) and/or retaliation will result in severe consequences up to and including the referral to law enforcement officials.

L. In School Suspension – (ISS) – Removing a student from his/her normal class schedule and placing him/her in an alternate location with supervision. Class work will be requested from his/her teachers with the expectation that the work will be completed during this time frame. ISS is generally assigned as one full day, but may be modified.

M. Informal Conference – Pursuant to New York State Education Law section 3214(3), the suspending authority must notify the student of the charged misconduct, and if the student denies the charges, provide the student with an explanation of the out of school suspension. On request, the student and the student's parents must be given an opportunity for an informal conference with the building principal. At the informal conference, the student and/or the student's parent has a right to present the student's version of the incident and to question the complaining witnesses against the student. When suspension of a student for five days or less is proposed, the district must immediately provide the parents with written notice delivered by personal messenger, express mail, or an "equivalent means reasonably calculated to assure receipt" within 24 hours of the decision to propose suspension. Although notification of the proposed suspension must be provided where possible by telephone if the district has the parent's phone number, oral notification is not sufficient notice even when followed by same day regular mail notification.

N. Out of School Suspension – (OSS) – Administration may exercise the authority to remove a student from school for up to 5 days. At the time of the suspension, parental/guardian notification is required and all attempts will be made to contact the parent/guardian by phone. Written notification will also be provided prior to suspension. During suspension, a student is entitled to 2 hours per day of tutoring to be arranged through Guidance. **You and your son/daughter have the right to an informal conference with administration at which time he/she may give his/her version of events, and, upon request, you may question complaining witnesses. Please call the school if you wish to schedule a conference.** During the course of this suspension, students are not permitted to attend any school functions, enter any school buildings or come on to any school property. A violation of this requirement may result in prosecution for trespassing and further school discipline.

O. Retaliation occurs when any employee, student, or visitor mistreats any person because he/she reported in good faith, testified about, or otherwise assisted in an investigation, proceeding or hearing related to alleged harassment or bullying.

P. 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.

Q. School Function – Any school sponsored extra-curricular, co-curricular or other event or activity.

R. School Property – In or within any building, structure, athletic playing area, playground, parking lot or land contained within the real property boundary line on a public elementary or secondary school, or in/on a school bus as defined in Section 142 of the NYS Vehicle and Traffic Laws.

S. Sexting – The use of a cell phone to take and send a sexually explicit photo to another cell phone use, with or without the consent of the person pictured. Federal law regards child pornography as "any visual depiction of a minor (any person under the age of 18) engaging in sexually explicit conduct." New York law regards a "child" as less than 16 years of age and violations of New York's child pornography laws are listed as felonies.

T. Sexual Orientation - means actual or perceived heterosexuality, homosexuality, or bisexuality

U. Suspension from Transportation – If a student does not conduct him/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or superintendent. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. 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, and all parties involved, to discuss the conduct and the penalty involved if applicable.

V. 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.

W. Technology and the Right to Privacy - We respect the right for staff and students to be notified if they will be videotaped, audiotaped, recorded, photographed and/or imaged in any manner. Any unauthorized videotaping, audiotaping, photographing, recording and/or imaging of a student or staff member will be regarded as a violation of this right to privacy and will result in one or more of the following consequences dependent upon the situation and implications of the offense;

- Out of School Suspension
- In School Suspension
- Notification of Law Enforcement
- Superintendent's Hearing

In addition, if District Technology is involved, the District Technology/Internet Usage Policy will automatically apply

X. Violent Student – A student under the age of 21 who:

- ~ Commits an act of violence upon a school employee, or attempts to do so.
- ~ 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 a school function, or attempts to do so.
- ~ Possesses, while on school property or at a school function, a weapon.
- ~ Displays, while on school property or at a school function, what appears to be a weapon.
- ~ Threatens, while on school property or at a school function, to use a weapon.
- ~ 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.
- ~ Knowingly and intentionally damages or destroys school property.

Y. Weapon – A firearm as defined in the Gun-Free Schools Act (18 USC Section 921) as well as 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 for such purposes.

Disciplinary Guidelines for Student Behavior

All students are expected 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. To ensure an atmosphere that is conducive to developing a climate for learning, it is necessary to establish certain standards for behavior. Staff members and administrators will use the guidelines stated below when handling student discipline cases. The lists of infractions are not meant to be exhaustive, as it would be impractical to attempt to list everything that could be an infraction of school rules. They are also applicable to all school-sponsored events, both on and off school grounds, as well as when students are on buses.

Disciplinary actions, when necessary, will be firm, fair and consistent so as to be most effective in changing student behavior. Disciplinary consequences range from an informal conference to prolonged suspension from school. The administration strives to be consistent with the interpretation of rules and application of consequences. On occasion, the administration may exercise its judgment regarding the seriousness of the infraction and the disciplinary outcomes. As a general rule, discipline will be progressive. This means a student's first violation will usually merit a lighter penalty than subsequent violations. When determining consequences, the following may be taken into consideration:

- The nature of the offense and the circumstances which led to the offense
- The age-appropriateness of the consequence
- The student's prior disciplinary record
- The effectiveness of other forms of discipline
- Information from parents, teachers and/or others, as appropriate
- The extent to which the offense interfered with the responsibility/rights/privileges/property of others
- The extent to which the offense posed a threat to the health and safety of others
- Other extenuating circumstances

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 penalties listed below may be imposed alone or in combination. In the case of chronic or repeated serious misconduct, the administration may impose disciplinary action reserved for more serious types of misconduct. In such cases the Board's desire for progressive discipline and consideration of factors relating to the misconduct shall be taken into account.

LEVEL ONE – A level one infraction is minor misconduct that impedes the teaching/learning process. Classroom teachers will usually handle this kind of misconduct, as they are the first line of authority in dealing with classroom-related misconduct.

Infractions

Defamation
Academic dishonesty
Disrespect towards others
Disruptive/disorderly behavior
Insubordination
Late to class
Possession of disruptive items
Inappropriate language/profanity

Possible Consequences

Warning/verbal reprimand
Conference with student
Teacher detention
Parent contact
Loss of privileges
Counseling referral
Administrative referral

LEVEL TWO – A level two infraction is misconduct whose frequency and seriousness disrupts the climate of the school and its academic purpose. This type of misconduct typically requires administrative action.

<u>Infractions</u>	<u>Possible Consequences</u>
Bullying	Lunch detention
Bus misconduct	After school detention
Chronic level one infractions	Loss of privileges
Chronic tardiness to school	In school suspension
Computer/electronic device misuse	Out of school suspension
Fighting	Police/DSS notification (when applicable)
Forgery	Removal from class
Harassment	Removal from school property
Insubordination	Restitution
Leaving school without permission	
Physical altercation	
Reckless endangerment	
Stealing/theft	
Threat to staff/student	
Truancy	
Use/possession of tobacco products	
Vandalism	

LEVEL THREE – A level three infraction is misconduct that endangers the health, safety and welfare of others. It is misconduct that cannot be tolerated under any conditions (Twenty Day Rule will not apply).

<u>Infractions</u>	<u>Possible Consequences</u>
Arson/Fire	Alternative placement
Assault	Police notification
Bomb threat	Out of school suspension
False alarm/false reporting	Removal from school property
Possession of explosive materials	Superintendent's hearing
Possession of a weapon	
Serious/chronic level two infractions	
Tampering with fire equipment	
Violation of drug and alcohol policy	

Administrative Prerogative – In the case of students who are habitually in violation of the school's disciplinary guidelines, administrators have the prerogative of applying more serious penalties at any stage.

Twenty (20) Day Rule – Positive behavior may move a student back to a previous level. This step may be taken, as the administrator's discretion, if the student has not been referred for the same violation within 20 consecutive school days.

Severity Clause – In cases of multiple violations, the consequences of the more serious violation will be considered.

Removal from Class – See "Teacher Disciplinary Removal of Disruptive Students".

Remedial Responses to Violation of the Code of Conduct

Students who violate this Code may also be referred to remedial action as the facts may warrant, including any of the measures listed below:

- a) peer support groups; corrective instruction or other relevant learning or service experience;
- b) supportive intervention;
- c) behavioral assessment or evaluation;
- d) behavioral management plans, with benchmarks that are closely monitored; and/or
- e) student counseling and parent conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation may also be utilized.

These strategies may include:

- a) school and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- b) adoption of research-based prevention programs;
- c) modification of schedules;
- d) adjustment in hallway traffic and other student routes of travel;
- e) targeted use of monitors;
- f) staff professional development;
- g) parent conferences;
- h) involvement of parent-teacher organizations; and/or
- i) peer support groups

Reporting Violations

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal or his/her designee. Any student observing a person possessing a weapon, alcohol, illegal substance or synthetic cannabinoids (marijuana) 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. A teacher shall immediately report and refer a Violent Student to the principal or superintendent for a violation of the code of conduct and a minimum suspension period.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. Oral reports made by or to a staff member shall be recorded in writing by the staff member. The supervisor or their authorized District official will then impose an appropriate disciplinary sanction according to this Code, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol, illegal substance or synthetic cannabinoids (marijuana) 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 designee shall notify the appropriate local law enforcement agency of those code violations that 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 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 shall identify the student and explain the action that violated the code of conduct and constituted a crime.

Reporting Discrimination, Harassment and Retaliation (including Bullying, Cyberbullying, Hazing, Intimidation, etc.)

The school principal is the school employee charged with receiving all reports of harassment, bullying and discrimination; however, students and parents may make an oral or written complaint of harassment, bullying or discrimination to any teacher, administrator or school employee. The District will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment and retaliation; and will promptly take appropriate action to protect individuals from such further conduct. All sexual harassment and gender discrimination complaints will be forwarded to the District's Title IX Coordinator carry out the investigation and, in general, coordinate compliance with Title IX and its regulations, as applicable to the complaint.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator. To effectively enforce this policy and to take prompt corrective measures, it is essential that all persons with knowledge of harassment/bullying report such behavior to an administrator including but not limited to the school principal within one school day after the incident is reported or witnessed so that it may be effectively investigated and resolved. A written report of the incident by the school employee reporting same has to be completed within two school days. All complaints and written reports of alleged harassing, bullying and/or retaliatory conduct shall be forwarded to the school building's Dignity Act Coordinator (as defined below) for monitoring.

After receipt of a complaint, the school principal shall lead or supervise a thorough investigation of the alleged harassing, bullying and/or retaliatory conduct. The principal or the principal's designee shall ensure that such investigation is completed promptly and in accordance with the terms of District policy. All complaints shall be treated as confidential and private to the extent possible within legal constraints.

Based upon the results of this investigation, if the District determines that a District official, employee, volunteer, vendor, visitor and/or student has violated the District's Code of Conduct or a material incident of harassment, bullying and/ discrimination has occurred, immediate corrective action will be taken as warranted, it will take prompt action reasonably calculated to end the violation, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such violation was directed.

As a general rule, responses to acts of harassment, bullying, and/or discrimination against students by students shall incorporate a progressive model of student discipline that includes measured, balanced and age-appropriate remedies and procedures that make appropriate use of prevention, education, intervention and discipline, and considers among other things, the nature and severity of the offending student's behavior(s), the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the student's behaviors had on the individual(s) who was physically injured and/or emotionally harmed. Responses shall be reasonably calculated to end the harassment, bullying, and/or discrimination, prevent recurrence, and eliminate the hostile environment.

The Principal must notify promptly the Superintendent and the appropriate local law enforcement agency when he/she believes that any harassment, bullying or discrimination constitutes criminal conduct.

In the event that the Principal is the alleged offender, the report will be directed to the Superintendent of Schools.

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

- i. promptly investigated in accordance with the terms of District policy;
- ii. forwarded to the school building's Dignity Act Coordinator for monitoring; and

- iii. treated as confidential and private to the extent possible within legal constraints.

Prevention is the cornerstone of the district's effort to address bullying and harassment. In order to implement this anti-bullying prevention program, the Board will designate, at its annual organizational meeting, the principal at each school to act as the Dignity for All Students Act Coordinator (Dignity Act Coordinator). The Dignity Act Coordinators are:

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Each Dignity Act Coordinator shall be employed by the District and be licensed and/or certified by the Commissioner as a classroom teacher, school counselor, school psychologist, school nurse, school social worker, school administrator or supervisor, or superintendent of schools. These individuals shall be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status as well as provided with training which addresses the social patterns of harassment, bullying and discrimination; the identification and mitigation of harassment, bullying and discrimination; and strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings. The District's designated Dignity Act Coordinators shall be approved annually by the Board of Education and such appointments shall be posted on the District's website.

Please note that all sexual harassment and gender discrimination complaints will be forwarded to the District's Title IX Coordinator who will carry out the investigation and, in general, coordinate compliance with Title IX and its regulations, as applicable to the complaint.

Referrals to Outside Agencies

A. 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:

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

B. Juvenile Delinquents and Juvenile Offenders - 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.

1. Law enforcement will be notified of code violations which constitutes a crime, including but not limited to the following:
 - Possession of dangerous weapons (see Class I infractions)
 - Possession, distribution and/or sale of alcohol, narcotics, or any illegal substance
 - Indecent exposure
 - Assault
 - Theft
 - Arson
 - Vandalism/defacement of school property
 - Bomb threats
 - False alarms
 - Personal threats against staff, student, or anyone
2. Parents are notified of code violations. All referrals are mailed home.

3. Referrals are made to criminal court and PINS petitions are filed when the Guidance Department counselors, the Student Assistance Counselor, administrators, the school nurse, and/or a pupil study team consisting of representatives from above, believe that internal efforts to remediate ungovernable and/or persistently truant students have been unsuccessful. Administration and/or Guidance may initiate the referral.
4. Human Service Agencies are contacted at the discretion of Guidance counselors and/or the administration. Generally a pupil study team will meet to determine the necessity of the referral and guidance counselors will initiate the contacts.

Academic Integrity/Cheating/Plagiarism Policy

This is a District-wide policy to which every student in every subject will be held accountable. Academic integrity is essential for authentic learning. Not only will the student develop a good work ethic, but also the student will become a confident life-long learner.

DEFINITION OF CHEATING:

Webster's Collegiate Dictionary defines cheating as violating the rules dishonestly or practicing fraud or trickery.

Some examples of academic honesty include borrowing a friend's note to study from, explaining to another student how to do example Math problems.

Academically, some specific examples of cheating include but are not limited to: bringing a cheat sheet to a test; getting answers to a test ahead of time from other students; having someone else (peers, siblings, parents) do the homework, assignment or project (this is often referred to as "helping"); and/or turning in an older sibling's work as one's own.

DEFINITION OF PLAGIARISM:

Plagiarism is defined by *Webster's* as stealing or passing of the ideas, words or images of another as one's own; using a created production without crediting the source; committing literary theft; and/or presenting as new and original an idea or product derived from an existing source.

Examples of academic integrity include using quotations in a research project and citing the sources, using a previously created image as the basis for an art project and citing the source.

Some specific examples of plagiarism include but are not limited to: copying information, ideas, or images from books, encyclopedias, web sites, etc., and not indicating the source, buying a paper/essay off the internet, paying someone to do the work for you, inventing sources or page number references.

Students may be asked to turn in assignments both as a hard copy and on a computer disc in order to facilitate checking for plagiarism.

Students will be asked to sign a statement acknowledging their understanding of cheating and/or plagiarism and the consequences if they are caught.

Students will suffer the consequences of cheating regardless of the amount of plagiarism in the piece. In other words, whether the whole assignment or only part of it includes copying, the consequences will be the same.

CONSEQUENCES:

Grade 7 – Zero credit for the original assignment. Students could re-do the assignment or be given an alternative assignment, at the discretion of the teacher. Only a maximum of 75% credit will be allowed for the second assignment. Written documentation (referral) will be recorded by the teacher.

Grade 8 – Zero credit for the original assignment. Students could re-do the assignment or be given an alternative assignment, at the discretion of the teacher. Only a maximum of 50% credit will be allowed for the second assignment. Written documentation (referral) will be recorded by the teacher.

Grades 9-12 – Zero credit for the assignment, no make-up. Written documentation (referral) of the incident.

Should a student be caught cheating/plagiarizing on more than one occasion, a parent-teacher-administrator meeting will be held.

Due Process

A student and/or parent who has concerns regarding the application of any policy may make an appeal in the following order: the Building Principal, the Superintendent of Schools, the Board of Education, the NYS Commissioner of Education.

The Role of Teachers, Administrators, Other School Personnel, the Board and Parents

❖ Role of Teachers and Staff

- Explain rules of behavior to students
- Enforce school rules and maintain order
- Fairness and consistency in enforcing school rules
- Reinforce desired behavior
- Refer students to counselors when appropriate
- Model appropriate standards of conduct, dress, language and respectful treatment of others

❖ Administrators

- Take leadership role in establishing rules of conduct
- Make rules known to students, staff and parents
- Enforce school rules and maintain order
- Fairness and consistency in enforcing school rules
- Communicate and work with parents to help modify student behavior
- Reinforce desired behavior
- Refer students to counselors when appropriate
- Model appropriate standards of conduct, dress, language and respectful treatment of others

❖ Board of Education

- Establish broad policy objectives for:
 - Good conduct
 - Promoting a safe and productive learning environment
- Authorize administration to enforce policies within legal boundaries
- Model appropriate standards of conduct, dress, language, and respectful treatment of others

❖ Parents

- Ensure regular and punctual student attendance
- Know the rules of conduct and the consequences and encourage student compliance
- Instill respect of law, authority, rights of others
- Model appropriate standards of conduct, dress, language and respectful treatment of others

Discipline of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities are afforded 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 State and Federal laws and regulations.

Teacher Removal of Disruptive Students

A student's behavior can affect a teacher's ability to teach, making 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, but are not limited to: (1) sending a student into the hallway briefly; (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 for counseling. Management techniques such as these do not constitute disciplinary removals for purposes of this process.

For purposes of the guidelines stated below, 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 education 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.

Procedure

When efforts by the teacher to modify a student's classroom behavior have not been successful, the following procedure will apply:

1. The teacher will send the student to the Main Office for being disruptive and notify the Main Office that the student is being sent.
2. Before the student leaves the room, the teacher will explain to the student why he/she is being removed.
3. The teacher will complete a Class Removal Referral and meet with the principal to review the situation no later than the morning of the next school day.
4. Before a removal occurs, the principal will meet with the student to allow the student to explain his/her version of the relevant events. This meeting will take place within 24 hours of the meeting with the teacher.
5. The principal will notify the student's parent by telephone of the temporary removal, as well as the parent's right to an informal conference with the principal. Written notification will follow the telephone contact.

Guidelines

1. The length of a temporary removal will be no more than two days. The two days will be in addition to the day of removal.
2. The number of temporary removals a student may have will be limited to two (2) for the same class.
3. The assignment to in-school suspension will be for the class period of the removal only. The student will attend each of his/her other classes.
4. During the removal, the teacher will provide classwork for the student to complete while assigned to in-school suspension.
5. If a student continues to be disruptive following the second temporary removal, he/she may be removed from the class indefinitely pending a Superintendent's Hearing.
6. Teachers will maintain a record of actions taken to modify the student's behavior prior to the temporary removal.

Administrative Procedure

1. Notify the parents within 24 hours of the reason(s) for the removal.
2. The student/parent will be given an opportunity to discuss reasons with principal. If student denies the charges, student/parent must be given explanation of basis for removal and an opportunity to present his/her version. This should take place within 24 hours of removal. The teacher will attend for clarification.

3. Principal will decide, by the close of business on the day following the opportunity to be heard by the principal, whether or not the discipline will be set aside. Principal may set aside discipline if:
 - a. The charges against the student are not supported by substantial evidence
 - b. The student's removal is in violation of the law
 - c. The conduct warrants suspension, which will be imposed

Student Protests – No activities are permitted on school grounds which interrupt the academic mission. As always, failure to attend classes may result in both academic and behavioral consequences.

Dress Code

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. A student's dress, grooming and appearance shall be safe, appropriate and not disrupt or interfere with the educational process. The U.S. Supreme Court ruled in the 2007 Morse V. Frederick case to "...allow schools to restrict student expression that they reasonably regard as promoting illegal drug use." LaFayette has established the following dress code:

Inappropriate attire includes the following:

- 1) Extremely brief garments such as tube tops, net tops, halter tops, and short shorts, plunging necklines (front and/or back) and see through garments are not appropriate. Clothing should not be too tight.
- 2) Underwear must be completely covered with outer clothing.
- 3) Footwear is required at all times and should be appropriate for activities for that day. Footwear that is a safety hazard is not allowed.
- 4) The wearing of hats in the building is prohibited except for medical or religious purposes or to celebrate special events sanctioned by school personnel. This also includes scarves and hoods.
- 5) Items that are vulgar, obscene, and libelous or denigrating to others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability are prohibited.
- 6) Items that promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities are prohibited.
- 7) Outerwear (unless warranted by building climate conditions)
- 8) Sunglasses do not need to be worn in the building (on the head, face, around the neck) unless medically necessary.

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.