

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

K – 12 SCHOOL CONDUCT & DISCIPLINE CODE

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## **TABLE OF CONTENTS**

I.	INTRODUCTION	1
II.	DEFINITIONS	1
III.	DIGNITY FOR ALL STUDENTS ACT	6
IV.	STUDENTS' BILL OF RIGHTS	7
V.	APPROPRIATE AND ACCEPTABLE BEHAVIOR OF STUDENTS/STUDENT RESPONSIBILITIES	8
VI.	PROHIBITED STUDENT CONDUCT	8
VII.	RANGE OF CONSEQUENCES FOR BEHAVIOR RELATED OFFENSES	10
VIII.	OFFENSES AND CONSEQUENCES	10
IX.	REMEDIAL RESPONSES TO VIOLATIONS OF CODE OF CONDUCT	14
X.	ACCEPTABLE AND APPROPRIATE ATTIRE OF STUDENTS	14
XI.	LANGUAGE DEEMED APPROPRIATE FOR STUDENTS	15
XII.	ESSENTIAL PARTNERS	15
XIII.	REPORTING VIOLATIONS OF THE CODE OF CONDUCT	21
XIV.	BUILDING PROCEDURES FOR EARLY IDENTIFICATION AND RESOLUTION OF DISCIPLINE PROBLEMS	23
XV.	STANDARDS/PROCEDURES TO ASSURE SECURITY AND SAFETY OF STUDENTS AND SCHOOL PERSONNEL	24
XVI.	REMOVAL OF DISRUPTIVE STUDENTS FROM THE CLASSROOM AND/OR SCHOOL PROPERTY	25
XVII.	DURATION OF REMOVAL	26
XVIII.	MINIMUM PERIOD OF SUSPENSION	26
XIX.	CONTINUING EDUCATION AFTER REMOVAL	27
XX.	REMOVAL PROCESS OF DISRUPTIVE STUDENTS	28
XXI.	SUSPENSION FROM SCHOOL	31
XXII.	DISCIPLINE PROCEDURES FOR STUDENTS WITH DISABILITIES	33

XXIII.	Family Access Coordination Team (FACT) PETITIONS AND SOCIAL SERVICE REFERRALS	36
XXIV.	CHILD ABUSE IN AN EDUCATIONAL SETTING	37
XXV.	SCHOOL EMPLOYEES' CODE OF ACCEPTABLE AND APPROPRIATE CONDUCT	38
XXVI.	SCHOOL EMPLOYEES' CODE OF CONDUCT: STAFF AND PROFESSIONALS	38
XXVII.	ACCEPTABLE AND APPROPRIATE ATTIRE FOR EMPLOYEES	40
XXVIII.	LANGUAGE DEEMED APPROPRIATE FOR EMPLOYEES	40
XXIX.	VIOLATIONS OF SCHOOL CODE FOR EMPLOYEES	41
XXX.	VISITORS' RESPONSIBILITIES UNACCEPTABLE AND INAPPROPRIATE BEHAVIOR	41
XXXI.	ACCEPTABLE AND APPROPRIATE ATTIRE FOR VISITORS	42
XXXII.	LANGUAGE DEEMED APPROPRIATE AND ACCEPTABLE FOR VISITORS	43
XXXIII.	REPORTING OF INCIDENTS	43
XXXIV.	CONSEQUENCES FOR VISITORS WHO VIOLATE THIS CODE	43
XXXV.	ENFORCEMENT OF THE CODE WITH VISITORS	44
XXXVI.	IN-SERVICE EDUCATIONAL PROGRAMS	44
XXXVII.	DISSEMINATION AND REVIEW	45
APPENDIX A – VIOLENT AND DISRUPTIVE INCIDENTS TERMS AS DEFINED BY THE NEW YORK STATE EDUCATION DEPARTMENT		
PARENT RESPONSIBILITIES WHEN VISITING EAST IRONDEQUOIT SCHOOLS		

## I. INTRODUCTION

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

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

## II. DEFINITIONS

### Cyber-bullying

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

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

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

Cyber-bullying involving District students may occur both on campus and off-school grounds and may involve student use of the District Internet system, District issued devices, or student use of personal digital devices including but not limited to: cell phones, digital cameras, personal computers, electronic tools. Cyber-bullying can occur using downloaded Apps and digital platforms including, but not limited to ~~such as~~ Snapchat, Instagram, Discord, Tik Tok, and Microsoft Teams.

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

## Disability

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.

## Discrimination

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

## Employee

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 the Social Services Law, and consistent with the provisions of such law 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.

## Harassment/ Bullying

Harassment/Bullying means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that either (1) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or (2) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety. Such definition includes acts of harassment or bullying that occur:

- a. on school property; and/or
- b. at a school function; or
- c. off-school property where such acts create 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.

Such conduct shall include, but not be limited to, those acts based on a person's race,

color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status.

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

### Firearm

Firearm means 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; the frame or receiver of any such weapon, any firearm muffler or firearm silencer; or any destructive device including any explosive, incendiary, poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the devices described above.

### Gender

Gender means a person’s sex and includes a person’s gender identity or expression.

### Hazing

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

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

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

### Illegal Substances

Illegal Substances include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs or synthetic drugs and look alike (including synthetic cannabinoids) and prescription or over-the-counter drugs when possession is unauthorized or such are inappropriately used or shared with others.

#### Material Incident of Harassment, Bullying and/or Discrimination

Material incident of Harassment, Bullying and/or Discrimination means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property and is the subject of a written or oral complaint to the superintendent, principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status.

#### Parent

Parent means the biological, adoptive or foster parent, guardian or person in parental relation to a student.

#### School Bus

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

School Function means a school-sponsored extra-curricular event or activity.

#### 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.

#### Sexual Harassment

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

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

This applies whether the harassment is between people of the same or different gender. Sexual harassment can include, but is not limited to, verbal, written or physical conduct, directed at or related to a person's gender or gender expression, such as sexual gossip or personal comments of a sexual nature, sexually suggestive or foul language, sexual jokes, whistling, spreading rumors or lies of a sexual nature about someone, demanding sexual favors, forcing sexual activity by threat of punishment or offer of educational reward, obscene graffiti, display or sending of pornographic pictures or objects, touching, pinching, grabbing, kissing or hugging or restraining someone's movement in a sexual way. It also includes sexual violence which is defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence as defined by New York Penal Law includes but is not limited to acts such as:

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

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

### Sexual Orientation

Sexual Orientation means sexuality.

### Tobacco or Nicotine Products

Tobacco Products means cigarettes, cigars, pipes, chewing tobacco, snuff, herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, e-cigarettes, vapes, cloves, bidis and kreteks as well as matches lighters and devices that tobacco or tobacco-like products.

### Retaliation

Retaliation is a separate and distinct violation of this policy in which any member of the school community retaliates against any person who reports alleged bullying, discrimination or harassment or against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to such conduct. It is possible that an alleged harasser may be



found to have violated this anti-retaliation provision even if the underlying complaint of harassment is not found to be a violation of this policy. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment.

## Weapon

Weapon means a weapon or firearm as defined in 18 USC§ 930 and 18 USC § 921 respectively of the Gun Free Schools Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, air-gun, spring-gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, 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 serious physical injury or death when used as a weapon (e.g. pocket knife, folding knife, lockback knife, or pen knife). Any “look a likes” or other instruments wielded as a weapon are considered a weapon for purposes of this definition.

## Location of Prohibited Conduct

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

## III. DIGNITY FOR ALL STUDENTS ACT (DASA)

The Dignity for All Students Act (DASA) effective July 1, 2012, contains similar requirements for maintaining a positive learning environment for all students and will be integrated with the district Code of Conduct. DASA specifically prohibits bullying, discrimination and harassment by school employees and students on school property or at a school function by school employees and students based on, **BUT NOT LIMITED TO**, race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex, or bullying related to a student’s hairstyle, commonly known as the CROWN Act (Creating a Respectful and Open World for Natural Hair.). The CROWN Act protects students’ rights to wear or treat their hair however they desire, without threat of racial discrimination or loss of access to school programs or activities. Also included are provisions for reporting and intervening in cases of discrimination, harassment or bullying. Any related complaints should be brought to the attention of the building principal and/or the Dignity Act Coordinator (DAC) to assist in implementation of the DASA in each school building.

Prevention is the cornerstone of the district’s effort to address bullying and harassment. In order to implement its anti-bullying prevention program, the Board will designate, at its annual organizational meeting, individuals at each school to act as the DAC. 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 and any other legally protected status.

The DAC's 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.

The DAC's will be responsible for assisting in coordinating and enforcing the requirements of the Dignity for All Students Act and its related policies and regulations at each school building, including but not limited to:

- Professional development for staff members;
- The complaint process; and
- Support of the Dignity Act's civility curriculum components.

**The DAC's for each building are:**

Name	School Building	Phone
Eastridge Counselors	Eastridge High School	339-1455
Kristen Nowakowski	East Irondequoit Middle School	339-1415
Jeff Jasak	Durand Eastman School	339-1360
Jacqueline McAllister	Laurelton Pardee School	339-1382
Beth Zimmer	Ivan Green School	339-1320
Chelsea Sullivan	Helendale Road School	339-1375

Additional or alternate DASA Coordinators may be appointed from time to time as needed. A current list of DASA Coordinators will be maintained on the District website and in the main office of the schools.

**IV. STUDENTS' BILL OF RIGHTS**

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

1. Expect an orderly school environment
2. Personal protection
3. Protection of personal property
4. Expect an atmosphere in which learning can take place
5. Expect an atmosphere that promotes emotional security
6. Expect due process
7. Be informed of all school rules
8. Expect fair, appropriate, consistent and timely enforcement of rules
9. Expect communication and cooperation between home and school

10. Expect that school personnel will act and make decisions based on each student's best interests
11. Learn as they become developmentally capable
12. Be free from bullying, discrimination, harassment and/or retaliation on school property or school functions including but not limited to the educational program, activities, or admission policies of their school.

**V. APPROPRIATE AND ACCEPTABLE BEHAVIOR OF STUDENTS/ STUDENT RESPONSIBILITIES**

The East Irondequoit School District deems “appropriate and acceptable” conduct *and* considers students responsible for actions in which students:

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

**VI. PROHIBITED STUDENT CONDUCT**

Students are expected to conduct themselves in an appropriate and civil manner, with regard for the rights, safety and welfare of other students, district personnel, and other members of the school community, and for the care of school facilities and equipment.

The rules of student conduct listed hereafter are intended to focus on safety and respect for the rights and property of others. Students who do not accept responsibility for their own behavior and who violate school rules will be required to accept penalties for their conduct. Any

student who engages in behavior which either causes or may reasonably have been expected to cause personal injury to another person can expect that consequences may be more severe than otherwise, due to that personal injury factor.

Disciplinary action will be firm, fair, and consistent to be the most effective in changing student behavior. The staff at a school has the responsibility for taking appropriate actions when a student is involved in a situation which disrupts the learning environment of a school.

When determining the consequences, they will take the following into consideration:

1. The nature of the offense and the circumstances which led to the offense.
2. The age-appropriateness of the consequence.
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. The extent to which the offense interfered with the responsibility / rights / privileges / property of others.
7. The extent to which the offense posed a threat to the health and safety of others.
8. Other extenuating circumstances.

The following list of sanctions is considered advisory and, generally, discipline will be progressive. This means that a student's first violation will usually merit a lesser penalty than subsequent violations. In the case of students who are habitually disruptive or who frequently violate school rules, administrators have the prerogative of applying more severe penalties at any stage, including removal from class and suspension from school, which is proportionate to the misconduct at issue. The range for in-school suspension or out-of-school suspension shall be 1 to 5 days.

Although not all-inclusive, the following list of offenses on school property or at a school function and range of consequences apply in most circumstances. The list of offenses and range of consequences below is illustrative of what consequences will most frequently apply and is not all-inclusive or exclusive. The District reserves the right to apply consequences which are appropriate to an offense, but which also consider the best interests of all students, and the potential for a remedial impact upon the student subject to the penalty. The range of consequences are not listed in rank order.

<b>VII. RANGE OF CONSEQUENCES FOR BEHAVIOR RELATED OFFENSES</b>		
<b>I OPTIONS</b> <ul style="list-style-type: none"> <li>• Warning/verbal reprimand</li> <li>• Time-out or out of classroom</li> <li>• Loss of privilege</li> <li>• Conference with student</li> <li>• Communication with parent</li> <li>• Detention</li> <li>• Counseling</li> <li>• *Restitution</li> <li>• *Restriction of Electronic Tools</li> </ul>	<b>II OPTIONS</b> <ul style="list-style-type: none"> <li>• Removal from class</li> <li>• *Suspension               <ul style="list-style-type: none"> <li>√ In-school (<b>Range 1 to 5 Days</b>)</li> <li>√ Out-of-school (<b>Range 1 to 5 Days</b>)</li> <li>√ Transportation</li> <li>√ Athletic participation</li> <li>√ Extracurricular activities</li> </ul> </li> <li>• *Saturday detention</li> <li>• *Police notification</li> <li>• *Removal from school property               <ul style="list-style-type: none"> <li>*Social probation</li> </ul> </li> <li>• *Superintendent’s Hearing               <ul style="list-style-type: none"> <li>** Principal’s Waiver of Superintendent’s Hearing</li> </ul> </li> </ul>	<b>III OPTIONS</b> <ul style="list-style-type: none"> <li>• */**Alternative placement</li> <li>• **Long-term suspension               <ul style="list-style-type: none"> <li>**Superintendents hearing</li> </ul> </li> </ul>
*Administrator action only **Superintendent action only		

<b>VIII. OFFENSES AND CONSEQUENCES</b>		
<b>Offense</b>	<b>Definition</b>	<b>Range of Consequences (Options)</b>
1. Absence (Unlawful)	An absence for a day or any portion of a day for any reason other than those cited as lawful and/or failure to bring a note by a parent/guardian to verify a lawful absence.	I – II
2. Alcohol/Drug Violation	Possession, distribution, consumption, being under the influence, or sale of Illegal Substances, alcoholic beverages or drug paraphernalia on school property, at a school function, on a school bus, or in a school vehicle. Over the counter medications cannot be possessed or distributed. Possession will be presumed if Illegal Substance(s), alcoholic beverage(s) or drug paraphernalia are found in an area of control by the student (i.e. backpack, automobile, personal belongings)	II - III
3. Arson/fire	Attempting to, aiding in, or setting fire to a building or other property.	II - III
4. Bus Misbehavior	Any violation of bus behavior rules.	I- II
5. Cheating/Academic Dishonesty	Copying, plagiarizing, altering records, cheating, collusion or assisting another in such actions.	I- III

6. Computer/ Electronic Communication Misuse	Any unauthorized use of computers, software, or internet/intranet account to access internet/intranet; accessing another's e-mail or an inappropriate website; misuse of a website, including transmission of inappropriate language or images via electronic/digital devices. Recording people without their permission. Includes violation of District's acceptable use policy.	I -III
7. Cutting class	Illegal absence from a class or school activity.	I-II
8. Cyberbullying	As defined in Article II above. Cyberbullying includes the use of information technology, including, but not limited e-mail, instant message, blogs, chat rooms, pagers, cell phones, and gaming systems, to harass, threaten, isolate or intimidate others.	I- III
9. Defamation	False or unprivileged statement or representation about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group.	I -II
10. Destruction of Property/ Vandalism	Damage, destruction, or defacement (graffiti) of property belonging to another or the school.	II-III
11. Discrimination	As defined in Article II above.	I-III
12. Disrespect Toward Others	Inappropriate comment or physical gesture to a student, teacher, staff member, or other adult.	I -II
13. Disorderly Conduct	Behavior disturbing the atmosphere or order, to include obstructing or restraining the authorized or lawful movement or participation of another (pedestrian or vehicular). Examples include but are not limited to: running in the hallways, making unreasonable noises, creating a hazardous or physically harmful condition by any act which serves no legitimate purpose.	I-II
14. Disruption – Classroom	Behavior that is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.	I -III
15. Disruption – School	Behavior that interferes with the safe and orderly environment of the school or school activity. Failure to comply with the reasonable directions of teachers, administrators or other school personnel in charge of students.	I-III
16. Driving/ Parking Violations	Failure to obey all state, district, and campus traffic and parking signs and rules.	I-II
17. Failure to Serve Assigned Consequences	Failure to serve detention, Saturday detention, suspension or other assigned consequences.	I-II

18. False Alarms/Bomb Threats	Initiating a report or warning of fire, or catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.	II-III
19. Fighting	A hostile confrontation with physical contact involving two or more students.	II-III
20. Fireworks or Explosives	Possession, use, and/or threat to use a firework, smoke bomb, flare, or combustible or explosive substance.	II-III
21. Firearm	Possession of a firearm	II-III
22. Gambling	Wagering money or property.	I-II
23. Harassment and/or Bullying	As defined in Article II above.	I-III
24. Hazing	As defined in Article II above.	I-III
25. Indecent Exposure	Exposing the private parts of the body in a lewd or indecent manner.	I- III
26. Invasion of privacy	Any act that infringes on an individual's right to privacy. Example: video-taping, photographing or making slanderous statements or comments	1-III
27. Insubordination	Refusing to follow reasonable requests of teachers, staff, or administration, including failure to identify self or knowingly providing false information.	I -III
28. Leaving school grounds without permission	Leaving school grounds during regular school hours without written or verbal permission from parent/guardian, administrator or someone listed on the emergency procedure card.	I -II
29. Loitering	Idle presence in an area without authorization.	I -II
30. Physical Attack on Staff, Students/Others	Assault, or aggressive physical action, directed at students, staff, or others, including a situation where a staff member is intervening in a fight or other disruptive activity.	II- III
31. Possession of Disruptive Items	Unauthorized possession of a sound box, laser pointer, squirt gun, water balloon, personal audio device, playing cards, dice or any other disruptive item.	I- II
32. Possession of Portable Electronic Communication Devices	Unauthorized possession of pager or cellular phone, radios, digital devices, video recording devices, MP3 players or other electronic devices during the instructional day except in areas or at times specifically authorized by the building principal	I-II
33. Possession of Skate boards, Roller blades/ Scooters	Unauthorized use or unauthorized possession of a skateboard, scooter, or roller blades on school property.	I- II

34. Sexting	Sending, receiving or forwarding sexually suggestive nude or nearly nude photos through text message, email or other electronic/digital means.	I- III
35. Sexual Harassment	Unwanted and inappropriate verbal, written, graphic representation or physical conduct of a sexual nature directed toward another person.	I -III
36. Tardiness	Lateness to school or class.	I-II
37. Theft	Taking or obtaining property of another without permission of the owner.	II-III
38. Threat to Staff, Student or Other Person	Expression, conveyed by word or action, of intent to abuse, intimidate, coerce, or injure a staff member, student, or other person.	I -III
39. Transportation	Violating rules and regulations when using school transportation. Unauthorized use of school transportation.	I-II
40. Tobacco Products Violation	Possession, sale, distribution, exchange or use of any Tobacco and Nicotine Product; This prohibition extends to on school property, at a school function, on a school bus, or in a school vehicle.	I -II
41. Trespassing	Unauthorized presence on school property, including while on suspension.	III
42. Truancy	Unlawful absence without parental knowledge and/or permission.	I- II
43. Unacceptable Language/Behavior	Using vulgar or abusive language, cursing, or swearing. Displays of inappropriate public affection.	I -II
44. Weapon Possession	Possession of a weapon. Displaying what appears to be a weapon or threatening to use any weapon.	II- III
45. Retaliation	As defined in Article II above.	I-III
46. Failure to Report	Purposeful failure to report threats to safety and well-being of school community or violation of the Code of Conduct to school staff.	I-III
47. Under the Influence	Physical or psychological indications of being in chemically induced altered state	II-III
48. Failure to Cooperate with Investigation	Refusing to cooperate with a search of possessions and clothing or refusing to supply information in relation to an investigation of the Code of Conduct	II-III
49. Continuous and Willful Violation of the Code of Conduct	Continuing to violate the same portions of the Code of Conduct despite several interventions and consequences.	II-III



## **IX. REMEDIAL RESPONSES TO VIOLATIONS OF CODE OF CONDUCT**

Students who violate this Code may also be referred for remedial action as the facts may warrant, including but not limited to 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.

## **X. ACCEPTABLE AND APPROPRIATE ATTIRE OF STUDENTS**

The intent of this dress code is to foster an environment that is sanitary, safe and conducive to teaching and student learning. It is also intended to provide guidance to prepare students for their role in the workplace and society. Teachers and all other District personnel should exemplify and reinforce acceptable student dress, thereby helping students develop an understanding of appropriate appearance in the school setting. Acceptable and appropriate attire may be defined as clothing or accessories that are suitable to the educational environment or school sponsored events.

1. Students must wear clothing including both a shirt with pants or skirt, or the equivalent (for example dresses, leggings, or shorts) and shoes.

2. Clothing must have opaque fabric and must cover undergarments (waistbands and straps excluded).
3. Hats and other headwear must allow the face to be visible to staff, and not interfere with the line of sight of any student or staff. Hoods cannot be worn.
4. Clothing must be suitable for all scheduled classroom activities including physical education, science labs, wood shop and other activities where unique hazards exist.
5. Specialized courses may require specialized attire, such as sports uniforms or safety gear.
6. The principal may alter requirements for appropriate dress based on the needs of the school building with consultation with the Superintendent.
7. Clothing (including head coverings) worn for religious purposes is excluded from this policy.

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

- Enforcement should be consistent with a school's overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations.
- Violations should be treated as minor on the continuum of school rule violations.
- No student should be disproportionately affected or shamed by dress code enforcement because of gender, race, body size, or body maturity.
- The dress code should be clearly conveyed to students, staff, and parents.

Unacceptable and inappropriate attire may include, but is not limited to, the following:

Clothing or accessories that include offensive language, images or slogans of sex, drugs, violence, or discrimination based on race, color, religion, religious practices, creed, national origin, ethnic origin, ethnic group, weight, disability, gender (including gender identity and expression), sexual orientation or any other legally protected status are prohibited.

## **XI. LANGUAGE DEEMED APPROPRIATE FOR STUDENTS**

Language deemed appropriate and acceptable or inappropriate and unacceptable:

- A. The East Irondequoit School Community believes that students will demonstrate respectful behavior by using appropriate and acceptable language at all times towards staff or students. Appropriate language includes words that are courteous, non-offensive, and without malice.

B. The School Board adopts the following language as unacceptable and inappropriate:

1. Verbal harassment on the basis of race, color, religion, religious practices, creed, national origin, ethnic origin, ethnic group, weight, disability, gender (including gender identity and expression), sexual orientation *or any other legally protected status*.
2. Profane or obscene words.
3. Verbal assault (the use of demeaning, derogatory, offensive, threatening, or abusive language) towards staff or students.
4. To speak in a quarrelsome, belligerent and contentious manner to others.

## **XII. ESSENTIAL PARTNERS**

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

### **A. Role Of Teachers**

1. Promote a climate of mutual respect and dignity, regardless of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status that will strengthen the student's positive self-image.
2. Recognize that some disciplinary problems are caused by personal and academic frustration of students.
3. Seek to develop cooperative relationships with parents for the educational benefit of the student.
4. Interpret the School Conduct and Discipline Code to the students, and distinguish between minor student misconduct best handled by the teacher, and major problems requiring the assistance of an administrator or designee.
5. Teach the common courtesies by establishing rules of conduct and demonstrating desirable standards of behavior within the discharge of their duties.
6. Handle individual infractions, and whenever possible avoid punishing the group for the misbehavior of one or two.
7. Help students cope with peer pressure.
8. Recognize changing behavior patterns and be sensitive to student's problems so as to be available to act as a referral resource to school and community agencies.
9. Send communications home in a timely manner.
10. Report to the principal or designee any student who jeopardizes their own safety, the

safety of others or of the teacher, or who seriously interferes with the instructional program of the classroom.

11. Develop positive working relationships with students, teachers, staff, and administrators.
12. Guide students to attain their full potential.
13. Enforce the School Conduct and Discipline Code in all areas of the school.
14. Recognize that some disciplinary problems can be effectively dealt with through consultation with counselors and/or other staff.
15. Plan and conduct a program of instruction that will make learning challenging and stimulating.
16. Utilize classroom routines, which contribute to the total instructional program and to the students' development of responsibility and self-discipline.
17. Deal with all staff, parents and students in a respectful manner at all times.
18. Confront issues of bullying, discrimination, harassment, retaliation or any situation that threatens the emotional or physical health or safety of any student (or others) on school property or at a school function.
19. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
20. Report incidents of bullying, discrimination, harassment and/or retaliation that are witnessed or otherwise brought to a staff member's attention in a timely manner.
21. Report incidents of bullying, discrimination, harassment or retaliation that are witnessed or otherwise brought to the school employee's attention to the Building Administrator and/or Dignity Act Coordinator in a timely manner.

## **B. Role of Other School Employees**

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Assist students in their daily activities as directed by the classroom teacher(s) and administrator(s).
3. Maintain an environment of mutual respect and dignity for all students regardless of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, sex or any other legally protected status, which will strengthen students' confidence and promote learning.
4. Confront issues of bullying, 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.
5. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

6. Report incidents of bullying, discrimination, harassment or retaliation that are witnessed or otherwise brought to the school employee's attention to the Building Administrator and/or Dignity Act Coordinator in a timely manner.

### **C. Role of Counselors/Psychologists**

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor/psychologist conferences as necessary and parent/teacher/student/counselor/psychologist conferences, as necessary, as a way to resolve problems or in the case of threats or actions by students against themselves, including suicide, immediately contact parents/guardians and the school administrators.
3. Report information to a school administrator which might impact a safe, orderly school environment.
4. Encourage students to benefit from the curriculum and extracurricular programs.
5. Participate in crisis management.
6. Refer students and/or parents to appropriate human service agencies outside the school.
7. Assess student social and emotional behaviors.
8. Confront issues of bullying, 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.
10. Report incidents of bullying, discrimination, harassment or retaliation that are witnessed or otherwise brought to an employee's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.
11. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.

### **D. Role Of Building Administrators**

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

1. Seek to develop a sound and healthful atmosphere of mutual respect and dignity, regardless of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status within the school community and exemplify an enthusiastic supportive attitude toward school and education.
2. Evaluate the program of instruction in their school to achieve a meaningful education

program.

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

#### **E. Role Of District Administrators**

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

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

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

#### **F. Role Of The Board Of Education**

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

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

#### **G. Role Of Parents/Guardians**

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

1. Exemplify an enthusiastic and supportive attitude toward school and education.
2. Build a good working relationship between themselves and their child, their teachers, and the school.

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

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

### **XIII. REPORTING VIOLATIONS OF THE CODE OF CONDUCT**

All students are expected to promptly report violations of the code of conduct, any threats to the safety and well-being of the school community, and any potential criminal activity to a staff member. Any student observing a student 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 who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff, including volunteers, who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct and any potential criminal activity 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, stored in a safe, secure area, and promptly turned over to the law enforcement agency after that agency



has been notified. This shall be 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 their designee should immediately notify the appropriate local law enforcement agency of those code violations, and any other conduct that occurs on school property or at a school function or in travel to and from school, that is criminal in nature and substantially affects the physical, mental or emotional well-being of a student or the order, security or overall safety of the school, and, in the absence of extenuating circumstances, such notification should occur no later than the close of business the day the principal or their designee learns of the conduct. The notification should identify the persons involved in the conduct, the names of any victims and witnesses and an explanation of the conduct that may constitute a crime.

Offenses which involve conduct such as stealing, damaging property and physical violence that do not result in serious injuries are matters that may be handled by the administration without the assistance of law enforcement. Whenever criminal conduct occurs, school staff shall not discourage or prevent crime victims from filing a complaint with local law enforcement.

Whenever conduct involves drugs, assaults where there are serious injuries or inappropriate sexual acts, immediate notification to law enforcement by the building principal or their designee should be made.

Certain acts of misconduct which occur may require the exercise of reasonable judgment by staff in consultation with the principal or superintendent in order to determine whether referral to law enforcement officials is appropriate, or whether the matter will be handled solely through the district's Code of Conduct and student discipline system.

#### **A. Reporting Discrimination, Harassment and Bullying**

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 bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment and bullying.

It is essential that any student who believes they have been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator. The staff member / administrator to whom the report is made (or the staff member / administrator who witnesses or suspects bullying / cyberbullying behavior) shall document and take appropriate action to address the immediacy of the situation and shall promptly report in accordance with the following paragraphs.

Upon receipt of a complaint (even an anonymous complaint), or if a district official otherwise learns of any occurrence of possible conduct prohibited by this policy, the school employee shall promptly and orally notify the school principal no later than one school day after such school employee witnesses or receives the complaint or learns of such conduct. Such school employee shall also file a written report with the school principal no later than two school days after making such oral report.

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 verify that such investigation is completed promptly and investigated 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 verify 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.

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

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

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

The Principal must notify promptly the Superintendent of Schools and the appropriate local law enforcement agency when they believe that any harassment, bullying or discrimination constitutes criminal conduct.

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

#### **XIV. BUILDING PROCEDURES FOR EARLY IDENTIFICATION AND RESOLUTION OF DISCIPLINE PROBLEMS**

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

1. Confer with the student and/or parent.
2. Meet with the school counselor and/or other staff.
3. Request a student-teacher-administrator conference.
4. Request a conference with all staff members involved with the student.
5. Request a parent conference.
6. Involve the building mental health team.
7. Work, in conjunction with the family, with outside agencies to bring about resolution of the problem.
8. Assign discipline/consequence in accordance with building discipline policy.

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

#### **XV. STANDARDS / PROCEDURES TO ASSURE SECURITY AND SAFETY OF STUDENTS AND SCHOOL PERSONNEL**

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

1. Policies and procedures for the safe evacuation of students, teachers, other school personnel, and visitors to the school in the event of a serious violent incident or other emergency that may occur before, during, or after school hours, which shall include evacuation routes and shelter sites and procedures for addressing medical needs, transportation, and emergency notification to persons in parental relation to a student;

2. Designation of an emergency response team, other appropriate incident response teams, and a post-incident response team'
3. Procedures for assuring that crisis response fire and law enforcement officials have access to floor plans, blueprint, schematics, or other maps of the school interior, school grounds, and road maps of the immediate surrounding area;
4. Establishment of internal and external communication systems in emergencies;
5. Definition of the chain of command in a manner consistent with national interagency incident management system (NIMS) /incident command system (ICS);
6. Coordination of the school safety plan with the state-wide plan for disaster mental health services to assure that the school has access to federal, state, and local mental health resources in the event of a violent incident;
7. Procedures for annual review and the conduct of drills and other exercises to test components of the emergency response plan, including the use of tabletop exercises, in coordination with local and county emergency responders and preparedness of officials;
8. Policies and procedures for securing and restricting access to the crime scene in order to preserve evidence in cases of violent crimes on school property.

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

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

(Substantial Disruption/Substantial Interference)

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

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

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

plan.

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

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

## **XVII. DURATION OF REMOVAL**

No disruptive student may return to class until the principal has made a final determination. Duration of student removal may not exceed the following guidelines:

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

The principal may overturn the removal of the student from the class only if in the principal's judgment there is a lack of substantial evidence to support a removal, there is violation of law, there is justification for suspending the student from school, or the removal is inconsistent with the code of conduct. Accordingly, after discussion with the teacher, the principal may return the student to class. At the teacher's discretion, they may rescind the removal prior to the two-day removal period.

After meeting with an administrator, a student who is removed from class may be placed in a supervised setting until the period of removal is completed. As soon as possible, but no later than the beginning of the next school day, the removing teacher must provide a guide for instruction and appropriate instructional material(s).

## **XVIII. MINIMUM PERIOD OF SUSPENSION**

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

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

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

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

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

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

### **3. Students who are repeatedly substantially disruptive of the educational process or**

who repeatedly substantially interfere with the teacher authority over the classroom:

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

#### **XIX. CONTINUING EDUCATION AFTER REMOVAL**

Any student being removed from a class who is considered a "substantial disruption" or a "substantial interference" has the right to have a continued program of study immediately following removal from a classroom. Therefore, any student being sent out of a classroom must be sent with the class work that is being taught at the time of removal. This work must also cover the duration of the removal period. This is not applicable for a student who "poses a danger". If a student poses a danger as defined above, the first responsibility is to remove the student from the class.

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

#### **XX. REMOVAL PROCESS OF DISRUPTIVE STUDENTS OR STUDENTS WHO POSE A DANGER**

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

1. The teacher must first determine that a student is disruptive. The behavior should be of a sort in which it prevents a teacher from teaching the "students who want to learn".
2. If the student's conduct was merely "disruptive", the teacher must notify the student of the reasons for the removal prior to the removal. The teacher must also allow the student an opportunity to explain their side of the story.
3. Where the student's conduct poses a "continuing danger to persons or property" or "an ongoing threat of disruption to the academic process," the teacher may immediately remove the student without explaining the reasons for the removal. In that case, the teacher has 24 hours to notify the student of the reasons and allow a response.
4. In all instances, the teacher must inform the principal in writing of the basis for the

removal.

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

(see flow chart on page 30)



## Removal of Disruptive Pupil by Teacher

NO

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

Traditional disciplinary measures

YES

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

YES

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

NO

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

## Principal’s Responsibilities Triggered by Teacher Removal

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

## **XXI. SUSPENSION FROM SCHOOL**

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

The primary responsibility for the suspension of students lies with the superintendent and the building principals. Any staff member may recommend to the superintendent or the principal that a student be suspended. 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 student with a disability may be suspended only in accordance with the requirements of state and federal law.

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 ensure the provision of continued educational programming and activities, including alternative means of instruction for the student.

The following procedures will apply to suspensions of students from school:

### **a. Short-Term (5 days or less) Suspension From School**

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 orally. 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 conference, the parents/student shall be permitted to ask questions of the suspending authority and any complaining witnesses. If the witness is a minor student, their parents will be notified to provide consent.

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 conference, the principal shall promptly advise the parents in writing of their decision. If the parents are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Commissioner of Education within 30 days of the decision.

b. Long-Term (more than 5 days) Suspension From School

When the superintendent or Board of Education determines that a suspension for more than five days may be warranted, the process outlined above regarding short-term suspension shall apply. The superintendent shall give reasonable written notice to the student and the student's parents of their right to a fair hearing, pursuant to section 3214 of the Education Law. This written notice shall provide the time date and location of the hearing, the conduct with which the student is being charged and the student's rights regarding the hearing. At the hearing the student shall have the rights:

1. The right to be represented by counsel.
2. The right to question witnesses.
3. The right to refrain from testifying at said hearing, since the testimony may be used against you.
4. The right to present witnesses on your behalf.
5. The right to have the Superintendent/Hearing Officer issue subpoenas on your behalf.
6. The right to make any statement on your behalf concerning the alleged incidents.
7. The right to have a record of the hearing maintained.

The superintendent shall personally hear and determine the proceeding or may, in their 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 them. A record of the hearing shall be maintained, but no stenographic transcript shall be required. An audio recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline 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 of Education, which will make its decision based solely upon the record before it. The Board may adopt in whole or in part the decision of the superintendent. All appeals to the Board must be in writing and submitted to the District clerk within thirty (30) days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. Following receipt of a written appeal, if the parent(s) or person(s) in potential relation, or counsel request to make an oral presentation to the Board, then the Board of Education will schedule time on its agenda to hear the appeal in executive session at the next regularly-scheduled meeting

of the Board, where such appeal is received in time to be included in the Board's "meeting packet" ahead of the meeting. At the request of the parent(s)/person(s) in parental relation or the student, the parent(s)/person(s) in parental relation or the student shall be given the opportunity to speak at the Board meeting regarding the student's appeal, with a time limit of ten (10) minutes. Final decisions of the Board may be appealed to the Commissioner of Education 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.

**XXII. DISCIPLINE PROCEDURES FOR STUDENTS WITH DISABILITIES**

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

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

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

Behavior occurs

Notice is given

Immediate telephone notice to parent (if possible)

Parent receipt of written notice within 24 hours (required) Notice describes incident, suspension and rights

Arrange for setting/suspension

Immediately provide alternate instruction

Minimum one-hour alternate instruction per day – elementary students

Minimum two hours alternate instruction per day – secondary

Informal conference with the Principal

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

Behavior occurs

Notice is given

Immediate telephone notice to parent (if possible)

Parent receipt of written notice within 24 hours (required) Notice describes incident, suspension and rights

Arrange for setting/suspension

Immediately provide alternate instruction

Minimum one-hour alternate instruction per day – elementary students

Minimum two hours alternate instruction per day – secondary

Written notice of Section 3214 hearing

Right to counsel

Superintendent's hearing within 5 days

Charges are proven – continue suspension for up to 10 days

Charges not proven – back to class, expunge record

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

Includes in-school suspension

Notice of all procedural safeguards

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

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

Conducts manifestation determination review

Develops, reviews or modifies plan to address behavior

Behavior is found to not be related to disability

Same disciplinary procedures as used with all students

FAPE must continue

CSE meets to determine Interim Alternative Educational Setting (IAES)

Behavior is found to be related to disability

No further disciplinary procedures

Conduct a functional behavioral assessment and implement a behavioral intervention plan

Consider need for IEP modifications

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

Behavior occurs

Notice is given

Immediate telephone notice to parent

(if possible)  
Parent receipt of written notice within 24 hours (required) Notice describes incident, suspension, and rights  
Notice must include all procedural safeguards

Superintendent's hearing within 5 days

Charges not proven – back to class, expunge record

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

Behavior related to disability

CSE meeting to determine IAES for up to 45 days

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

Behavior is not related to disability

May apply same disciplinary procedure as non-disabled student  
FAPE

Consider record in determination

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

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

Appoint an Impartial Hearing Officer

Manifestation Team Review

CSE meeting within 10 calendar days of request for hearing

Manifestation determination

Recommend IAES

Behavior review

Impartial Hearing Officer

Substantial evidence – current placement likely to result in injury to self and others

Considers reasonable efforts to minimize

Determines if IAES meets requirements

Impartial Hearing Officer denies change in setting

Student returns to current placement

Impartial Hearing Officer orders a change in setting

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

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

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

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

**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 they require 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 ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.

**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 or firearm 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.

**XXVI. CHILD ABUSE IN AN EDUCATIONAL SETTING**

Employees must report any allegation of child abuse that occurs in an educational

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

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

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

Allegations of abuse from child, parent, or someone else

Certificated employee, administrator, or superintendent

Written report of abuse on Commissioner’s form to Principal

Principal or Superintendent makes “Reasonable Suspicion” determination

NO  
Matter closed

**YES**

Where child reported Abuse:  
 - promptly notify the child’s parent of the allegation  
 - provide the parent with the written statement  
 - provide a copy of such report to the Superintendent  
 - promptly forward the report to appropriate law enforcement

**YES**

Where parent reported Abuse:  
 - provide the parent with the written statement  
 - provide a copy of such report to the Superintendent  
 - promptly forward the report to appropriate law enforcement authorities

**YES**

Where someone other than child or parent reported Abuse:  
 - promptly notify the child’s parent of the allegation and provide the written statement  
 - ascertain the source and basis for the allegation  
 - provide a copy of such report to the Superintendent  
 - promptly forward the report to appropriate law enforcement authorities

Superintendent must then forward report to Commissioner

**XXV. SCHOOL EMPLOYEES’ CODE OF ACCEPTABLE AND APPROPRIATE**



## **CONDUCT**

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

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

## **XXVI. SCHOOL EMPLOYEES’ CODE OF CONDUCT: STAFF AND PROFESSIONALS**

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

### **Principle I – Commitment to the Student**

In fulfilling their obligation to the student, the staff member:

1. Shall not, without just cause, restrain the student from independent action in their pursuit of learning, and shall not, without just cause, deny the student access to varying points of view.
2. Shall respect the right of the student to be heard.
3. Shall not deliberately suppress or distort subject matter for which they bear responsibility.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall conduct professional business in such a way that he does not expose the student to unnecessary embarrassment or disparagement.
6. Shall not, on the grounds of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, exclude any

student from participation in, or deny-their benefits under any program, nor grant any discriminatory consideration or advantage.

7. Shall not use professional relationships with students for private advantage.
8. Shall keep in confidence information that has been obtained in the course of professional service, unless disclosure serves professional purposes or is required by law.
9. Shall not tutor for remuneration students assigned to their classes, unless no other qualified teacher is reasonably available.

### **Principle II – Commitment to the Public**

In fulfilling their obligation to the public, the staff member:

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

### **Principle III – Commitment to the Profession**

In fulfilling their obligation to the profession, the staff member:

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

## **Principle IV – Commitment to Professional Employment Practices**

In fulfilling their obligation to the profession, the staff member:

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

## **XXVII. ACCEPTABLE AND APPROPRIATE ATTIRE FOR EMPLOYEES**

In the interest of maintaining a professional atmosphere, and in serving as a role model for students; district employees will dress in an appropriate, professional manner, which sets a good example to the school community. More casual attire is appropriate for some school related activities such as field trips, or school spirit days.

Clothing or accessories that may include offensive images or slogans of sex, drugs, violence, or discrimination on the basis of race, color, religion, religious practices, creed, national origin, ethnic origin, ethnic group, weight, disability, gender (including gender identity and expression), or sexual orientation are prohibited.

## **XXVIII. LANGUAGE DEEMED APPROPRIATE FOR EMPLOYEES**

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

B. The School Board adopts the following language as unacceptable and inappropriate:

1. Verbal harassment on the basis of race, color, religion, religious practices, creed, national origin, ethnic origin, ethnic group, weight, disability, gender (including gender identity

and expression), or sexual orientation.

2. Profane or obscene words.
3. Verbal assault (the use of demeaning, derogatory, offensive, threatening, or abusive language) towards staff or students.

**XXIX. VIOLATIONS OF SCHOOL CODE FOR EMPLOYEES**

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

**XXX. VISITORS' RESPONSIBILITIES UNACCEPTABLE AND INAPPROPRIATE BEHAVIOR**

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

1. Willful physical injury of any person, or the threat to use force that would result in such injury
2. Discrimination, harassment, *bullying* or retaliation against any person
3. Sexual harassment
4. Willful damage to, destruction of, or theft of property
5. Conduct that is disorderly, i.e., intentionally causing public inconvenience, annoyance or alarm, or recklessly creating a risk thereof by:
  - a. Fighting or engaging in violent behavior;
  - b. Making unreasonable noise;
  - c. Using abusive or obscene language or gestures;
  - d. Disturbing any lawful assembly or meeting of persons;
  - e. Obstructing vehicular or pedestrian traffic; or
  - f. Creating a hazardous or physically offensive condition by any act that serves no legitimate purpose
6. Entry of any school building or any portion of the school premises unless such entry is made in connection with official business with the district or to attend an authorized activity or function
7. Remaining in or on district property after being ordered to leave

8. Willful interference with the lawful and authorized activities of others
9. The possession, consumption, or exchange of alcoholic beverages, unauthorized drugs, Illegal Substances, drug paraphernalia, narcotics or herbal/chemical products designed to mimic the effects of Illegal Substances.
10. Possession or use of a weapon, or use of any object that reasonably can be considered a weapon, or possession of a bomb or fireworks, etc. on property of the school district
11. Violation of any federal or state statute, local ordinance, or Board policy
12. Insubordination, i.e., failing to comply with the lawful directions of a teacher, school administrator or other school employees
13. Distribution, transfer, or sale of any item in or on the property of the district in such a way that is disruptive to the educational process
14. Violation of rules and regulations when using school transportation. Any form of school transportation is considered school property, and anyone using it must adhere to district rules and regulations
15. Unauthorized use of school transportation is forbidden. Anyone using school transportation must be engaged in an authorized school function
16. Use of buses to which they are not assigned without following the procedure established for their school building
17. The use of cigarettes or any other Tobacco Products (except as examples in curriculum-based instruction) or herbal/chemical products or electronic devices designed to mimic the effects of tobacco products including but not limited to electronic cigarettes.
18. Displays of public affection

**XXXI. ACCEPTABLE AND APPROPRIATE ATTIRE FOR VISITORS**

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

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

Unacceptable and inappropriate attire may include the following:

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

**XXXII. LANGUAGE DEEMED APPROPRIATE AND ACCEPTABLE FOR VISITORS**

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

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

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

### **XXXIII. REPORTING OF INCIDENTS**

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

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

### **XXXIV. CONSEQUENCES FOR VIOLATIONS OF THIS CODE**

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 and/or arrest.
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 the civil service who 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 have.

#### **XXXV. ENFORCEMENT OF THE CODE**

The building principal or their designee shall be responsible for enforcing the conduct required by this code.

When the building principal or their designee sees an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, the principal or their designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or their 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 their 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 "Consequences" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

#### **XXXVI. IN-SERVICE EDUCATIONAL PROGRAMS**

The Board will provide in-service education programs for all District staff members for the effective implementation of this Code, to promote a safe and supportive school climate while discouraging, among other things, harassment, bullying and discrimination against students by students and/or school employees and to include safe and supportive school climate concepts in the curriculum and classroom management. In-service education programs shall also include training on the social patterns of harassment, bullying and discrimination, including but not limited to those acts based on a person's race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex, the identification and mitigation of harassment, bullying and discrimination, and strategies for effectively addressing problems of exclusion, bias and aggression in educational settings. 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.

The following are suggested programs that may be utilized for in-service education for all staff members for effective implementation of this Code: (1) School-oriented programs developed at the district and building level; (2) Superintendent's workshop days; and (3) faculty meetings.

#### **XXXVII. DISSEMINATION AND REVIEW**

The Board will work to inform the community about this code of conduct by:

1. Providing copies of an age-appropriate version of the summary of the code to all students, written in plain language so that students may understand the standards of respect and appropriate behavior that the school community expects from them. This shall take place at a general assembly held at the beginning of each school year and on an on-going basis at registration for those students who enter the district after the beginning year meeting.
2. Making copies of the code available to all parents, students and community members throughout the school year.
3. Mailing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents and other community members.
7. Posting the code of conduct on the District's web site.

This Code shall be reviewed by the Board of Education on an annual basis and shall be amended when appropriate. 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 making any revisions to the Code, the Board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate. Amendments to the Code will be filed with the Commissioner of Education no later than thirty days after adoption.



## APPENDIX A

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

#### Incident Categories

- (1) **Homicide:** Any conduct that results in the death of another person.
- (2) **Sexual Offenses:**
  - 2.1 **Forcible Sex Offenses:** Involving forcible compulsion
  - 2.2 **Other Sex Offenses:** involving inappropriate sexual contact but no forcible compulsion.
- (3) **Robbery:** Forcible stealing of property from a person by using or threatening the immediate use of physical force upon that person, with or without the use of a weapon.
- (4) **Assault with Serious Physical Injury:** Intentionally or recklessly causing serious physical injury to another person, with or without a weapon, in violation of the school district code of conduct
- (5) **Arson:** Deliberately starting a fire with intent to damage or destroy property.
- (6) **Kidnapping:** To abduct a person, so as to restrain such person with intent to prevent his or her liberation.
- (7) **Assault with Physical Injury:** Intentionally or recklessly causing physical injury (not serious) to another person, with or without a weapon, in violation of the school district code of conduct.
- (8) **Reckless Endangerment:** Subjecting individuals to danger by recklessly engaging in conduct that creates a grave risk of death or serious physical injury, but no actual physical injury.
- (9) **Minor Altercations:** involving physical contact and no physical injury.
- (10) **Intimidation, Harassment, Menacing, or Bullying Behavior and No Physical Contact:** Threatening, stalking, or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal or physical conduct that threatens another with harm, including intimidation through the use of epithets or slurs involving race, ethnicity, national origin, religion, religious practices, gender, sexual orientation, age, or disability that substantially disrupts the educational process.
- (11) **Burglary:** Entering or remaining unlawfully on school property with intent to commit a crime.
- (12) **Criminal Mischief:** Intentional or reckless damaging of the property of the school or of another person, including, but not limited to, vandalism and the defacing of property with

graffiti.

- (13) ***Larceny or Other Theft Offenses:*** Unlawful taking and carrying away of personal property with intent to deprive the rightful owner of property.
- (14) ***Bomb Threat:*** A telephoned, written, or electronic message that a bomb, explosive, chemical, or biological weapon has been or will be placed on school property.
- (15) ***False Alarm:*** Falsely activating a fire alarm or other disaster alarm.
- (16) ***Riot:*** Four or more persons simultaneously engaging in tumultuous and violent conduct and thereby intentionally or recklessly causing or creating a grave risk of physical injury or substantial property damage or causing public alarm.
- (17) ***Weapons Possession Only:*** Bringing a weapon to or possessing a weapon at school.
- (18) ***Use, Possession, or Sale of Drugs Only***
- (19) ***Use, Possession, or Sale of Alcohol Only***
- (20) ***Other Disruptive Incidents:*** Incidents involving disruption of the educational process serious enough to lead to consequences.

### **Parental Responsibilities When Visiting East Irondequoit Schools**

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

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

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