



Enlarged City School District

# Code of Conduct 2024-2025



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Community Communication Chain				
Area	Step 1	Step 2	Step 3	Step 4
<b>Academics:</b> Difficulties, Scheduling, Curriculum	Class/Course Teacher	School Counselor	Building Principal	Director of Pupil and Personnel Services
<b>Attendance</b>	Classroom Teacher/ School Nurse/ School Secretary	Social Worker or School Counselor	Principal	Director of Pupil and Personnel Services
<b>Athletics</b>	Coach	Director of Athletics & PE	Principal	Superintendent
<b>Behavior and Classroom</b>	Teacher	Principal	Director of Pupil and Personnel Services	Superintendent
<b>Board of Education Policy</b>	District Clerk	Superintendent	Board of Education	
<b>Budget</b>	Business Administrator	Superintendent		
<b>Buildings and Grounds</b>	Building Main Office	Director of Facilities	Business Administrator	
<b>Counseling</b>	Teacher/School Counselor	Principal	Director of Special Education	Superintendent
<b>Employment</b>	Personnel Office	Director of Pupil and Personnel Services	Superintendent	
<b>Extracurricular Activities</b>	Advisor	Principal		
<b>Food Service</b>	Building Cafeteria Manager	Food Service Director	Principal	Business Administrator
<b>Free/Reduced Meal Program</b>	Food Service Director	Business Administrator		
<b>Health/Medical</b>	Teacher and/or School Nurse	Principal	Director of Pupil and Personnel Services	
<b>Registration and Residency</b>	Registrar	Director of Pupil and Personnel Services	Superintendent	
<b>Safety</b>	School Resource Officer (JH/HS)	Building Principal	Business Administrator	Superintendent
<b>Scholarships</b>	High School Counseling Office	Principal	Director of Pupil and Personnel Services	
<b>Special Education</b>	Teacher	Principal	Director of Special Education	
<b>Technology</b>	Principal	IT Administrator	Superintendent	
<b>Transportation</b>	Transportation Center	Principal	Business Administrator	Superintendent
<b>Use of Facilities</b>	Principal	Athletic Office /Building & Grounds	Business Administrator	
<b>Website</b>	Building Main Office	IT Administrator	Superintendent	

# District Mission, Vision, Commitments and Goals

## Mission

Our fundamental purpose is to ensure high levels of learning for every student.

## Vision

We help every student be ready for career, college, and citizenship having reached competency in our essential social emotional and academic learning standards.

## Commitments

- Hold high expectations for all;
- Build a shared knowledge and commitment to our mission, vision, collective commitments, and interdependent goals through modeling, acknowledging, and celebrating;
  - Instructional
  - Program
  - Policy
  - Fiscal
- Make decisions that are aligned with our mission and vision and that are data-driven
- Involve stakeholders (community, staff & students) in the learning process;
- Create and maintain a positive, safe, and secure learning environment for all;
- Ensure a collaborative culture exists, focused on continuous improvement and learning for everyone;
- Provide collaborative teams with time, direction, feedback, training, and resources to support them in their work.

## Goals

- We commit to a progressive learning environment that promotes the development of every student, staff and board member as a whole person.
  - All K-8 students will be proficient on (ELA) AIMSwebPLUS benchmark assessment and/or meet the expected growth by the spring benchmark.
  - All K-8 students will be proficient and/or make the expected amount of growth (Math) by the spring benchmark.
  - Every student will graduate after four years of high school.
  - Every high school student will be enrolled in 6.5 credits.
  - Every high school student will achieve at least 6.5 credits annually.
  - We will increase the number of secondary students who achieve Advanced Placement or Concurrent Enrollment credit.
- We will cultivate Pride in the school community through student empowerment, while celebrating success, supporting each other through growth, and honoring every voice.
  - We will reduce chronic absenteeism.
  - Every 7-12 student will engage in at least one extra- or co-curricular activity.

# Introduction

We believe that every student, staff, caregiver, community member, and visitor to our school community deserves to engage in a safe and positive environment that is welcoming and creates a sense of belonging for all. As we work to ensure learning for every student and prepare them for career, college, and citizenship we acknowledge the need to enlist practices that maintain dignity and safeguard our school community.

At times, conduct within the school community may interfere with the operation of a safe, appropriate and orderly environment. The procedures outlined by this code of conduct will be used to address these issues and mitigate any negative impacts while creating learning opportunities. Most behavior is a form of communication and it is important for growth and success that appropriate forms of communication be learned.

Negative interactions or behavior can damage relationships and cause harm within the school community. Our purpose is not merely to react to these incidents but to view them as invaluable opportunities for learning and growth. By fostering a culture of understanding, empathy, and accountability, we aim to create a safe and inclusive environment where students can reflect on their actions, take responsibility, and learn from their mistakes. Through restorative practices, we endeavor to repair harm and facilitate successful reentry into the school environment, while respecting the rights of those who may have been harmed.

## Application

All provisions within this code of conduct will apply universally to all students, district staff, caregivers, and other visitors when on Cortland Enlarged City School District property, on school field trips, or any school district function.

## Student Rights and Responsibilities

### Student Rights

Cortland Enlarged City School District is committed to safeguarding the rights given to all students under state and federal law and district policy. In addition to those rights, all Cortland Enlarged City School District students have the right to:

1. A safe, healthy, orderly, clean and civil learning environment free of harassment, which includes harassment between students and between faculty and students. Refer to page 39 for the definition of harassment.
2. Take part in all school district activities on an equal basis regardless of age, actual or perceived race, weight, religion, religious practice, color, national origin, ethnic group, gender (identity or expression included), sexual orientation, disability or socioeconomic status.
3. Due process in the event of disciplinary action brought against them as outlined in the Code of Conduct. Refer to page 18.
4. Access to school district rules and when necessary, to receive an explanation of those rules from Cortland Enlarged City School District personnel.

5. Respectfully express their opinions verbally or in writing and dress in such a way to express their personality, in accordance with the Code of Conduct.
6. Have access to objective information concerning drug and alcohol use, misuse and abuse as well as access to individuals or agencies capable of providing direct assistance to students with personal problems.
7. Be free from retaliation when, in good faith, the student reports or assists in the investigation of harassment, bullying and/or discrimination.

All Cortland Enlarged City School District students have the responsibility to:

1. Engage in appropriate behavior as defined by district and building behavior proficiency matrix, commonly referred to as the ROAR matrix.
2. Contribute to maintaining a safe, clean and orderly environment that is conducive to learning and shows respect to other persons and to property.
3. Report suspicion of potentially dangerous activities and/or presence of the following to any school personnel (i.e. suicide, violent acts, use of a substance, possession of a substance, possession of weapons) and volunteer information in disciplinary cases.
4. Follow directions given by all school district employees and any adult in a supervisory capacity in a respectful and positive manner.
5. Attend classes every scheduled day (unless excused); be on time, ready to learn and have expected materials.
6. Be conscientiously involved in all academic and co-curricular pursuits, and strive toward the highest level of achievement possible.
7. Conduct themselves as representatives of Cortland Enlarged City School District when participating in or attending school sponsored co-curricular events by holding themselves to the highest standards of conduct.
8. Express opinions and ideas in a respectful and non-discriminatory manner so as not to offend, slander or restrict the rights and privileges of others.
9. Engage in and actively develop appropriate academic behavior such as:
  - a. Metacognition
  - b. Self-Concept
  - c. Self-Monitoring
  - d. Strategy
  - e. Volition
10. Engage in and actively develop appropriate social behaviors such as:
  - a. Responsible verbal and physical interactions
  - b. Appropriate language
  - c. Respect for property and materials
  - d. Independently staying on a required task
  - e. Regular attendance

# Dignity for All Students Act (DASA)

## Prevention

The school setting provides an opportunity to teach children, and emphasize among staff, that cooperation with and respect for others are key district values. Staff members and students will be proactive in the prevention of bullying. Our increased awareness as part of district instruction and professional development, which will include identification of bullying warning signs, will be designed to not only decrease incidents of bullying, but to help students build more supportive relationships with one another.

Curricular material that raises awareness and sensitivity to discrimination or harassment and civility in the relationships of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, sexes or gender expression or identities are included in the district's instructional program K-12.

## Intervention

Intervention by adults and bystanders is an important step in preventing escalation and resolving issues at the earliest stages. Intervention will emphasize education and skill-building.

Successful intervention may involve remediation. Remedial responses to bullying and harassment include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target. Remediation may be focused on the individual(s) involved in the bullying behavior or environmental approaches which pertain to the school or district as a whole.

In addition, intervention will focus upon the safety of the target. Staff are expected and required, when aware of bullying, to either refer the student to designated resources for assistance or to intervene where appropriate.

## Provisions for students who do not feel safe at school

The Board acknowledges that, notwithstanding actions taken by district staff, intervention may require a specific coordinated approach if the child does not feel safe at school. Students who do not feel safe at school are limited in their capacity to learn and reach their academic potential. Students, staff and parents, when aware of harassment, including but not limited to bullying, should bring this to the attention of the building principal, the Dignity Act Coordinator (DAC) or Title IX Compliance Officer. The building principal, DAC or Title IX Compliance Officer will work together to define and implement any needed action with other appropriate staff, the student and the student's parent.

The district recognizes the need to handle each case individually in order to create a safe environment for all students, especially those that are targets of harassment or discrimination including but not limited to bullying. The student, parent/guardian and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

In order to implement this program, the Board will designate, at its annual organizational meeting, a Dignity Act Coordinator. The role of the DAC is to coordinate and enforce implementation of the Act. Dignity Act Coordinators are building principals and the Director of Instruction, Equity, and Instructional Personnel.

**Dignity Act Coordinator (DAC) Contact Information:**

<b>Location</b>	<b>DAC</b>	<b>Contact Information</b>
District	Robert Edwards, Superintendent	<a href="mailto:redwards@cortlandschools.org">redwards@cortlandschools.org</a> 607-758-4100
District	Joseph Mack, Director of Pupil and Personnel Services	<a href="mailto:jcmack@cortlandschools.org">jcmack@cortlandschools.org</a> 607-758-4100 ext. 2221
Barry Primary	Phyllis Klumpp, Principal	<a href="mailto:pklumpp@cortlandschools.org">pklumpp@cortlandschools.org</a> 607-758-4150
Smith Intermediate	Jennifer Block, Principal	<a href="mailto:jblock@cortlandschools.org">jblock@cortlandschools.org</a> 607-758-4180
Randall Middle	Juliann Quinn, Principal	<a href="mailto:jquinn@cortlandschools.org">jquinn@cortlandschools.org</a> 607-758-4170
Junior High School	John Zarcone, Principal	<a href="mailto:izarcone@cortlandschools.org">izarcone@cortlandschools.org</a> 607-758-4190
High School	Janesa Cornish, Principal	<a href="mailto:jcornish@cortlandschools.org">jcornish@cortlandschools.org</a> 607-758-4110
Athletics	Tiffany Beam, Director of Athletics	<a href="mailto:tbeam@cortlandschools.org">tbeam@cortlandschools.org</a> 607-758-4115

## **Training**

All instructional staff are trained annually on provision and requirement pursuant to DASA.

## **Reporting and Investigation**

At all times, complaints will be documented, tracked and handled in accordance with the regulations and procedures accompanying this policy and/or the district's Code of Conduct. If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with their supervisor. Incidents will be included in the School Safety and Educational Climate (SSEC) Report when applicable. These reports are important in order for the district to effectively address harassment, discrimination and bullying. Students who have been harassed, discriminated against or bullied, parents whose children have been harassed, discriminated against or bullied, or other students or staff who observe harassing, discrimination or bullying behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided.

It is a responsibility for all school personnel to report any incidents of student-to-student, staff-to-student and student-to-staff harassment, discrimination or bullying that they observe to their building principal or other administrator who supervises their employment. In addition, it is also the responsibility of all parents, staff and/or non-members of CECSD to report any incidents of student-to-student, staff-to-student and student-to-staff harassment, discrimination or bullying of which they are made aware by students to the building principal or other administrator.

Students, staff and parents may report bullying in many ways. Reports may be made directly to a member of the district staff, building or district administrator verbally, via email or by completing the Harassment or Intimidation (Bullying) Reporting Form attached at the end of the Code of Conduct. Students, staff and caregivers may also anonymously report bullying or harassment via the Tip Line located on the district website, [www.cortlandschools.org](http://www.cortlandschools.org).

## Student Dress Code

### **1. Certain body parts must be covered for all students at all times.**

Clothes must be worn in a way such that genitals, buttocks, breasts and nipples are fully covered with opaque (not see-through) fabric. All items listed in the “Must Wear” and “May Wear” categories below must meet this basic principle stated above of coverage.

### **2. Students Must Wear\*, while following the basic principle of Section 1 above.**

- A shirt with fabric in the front, back and on the sides under the arms, AND
- Pants or the equivalent (for example, a skirt, dress, jeans, sweatpants, leggings or shorts), AND
- Shoes

\*Courses that include attire as part of the curriculum (for example, professionalism, public speaking and job readiness) may include assignment-specific dress, but should not focus on covering bodies in a particular way or promoting culturally-specific attire. Activity-specific shoes requirements are permitted (for example, athletic shoes for Physical Education).

### **3. Students May Wear, as long as these items do not violate Section 1 above:**

- Hats - must allow the face and ears to be visible to staff and not interfere with the line of sight of any student or staff.
- Religious or cultural headwear - headbands and headwraps are hair accessories and are always permitted as long as the face is not obscured.
- Hoodie sweatshirts - wearing the hood overhead is allowed but the face and ears must be visible to school staff.
- Ripped jeans - underwear and buttocks are not to be exposed.
- Tank tops and muscle shirts.
- Athletic attire.

#### **4. Students Cannot Wear:**

- Violent language or images.
- Sexually explicit language or images.
- Images or language depicting/suggesting drugs, alcohol, vaping, paraphernalia or any illegal item or activity.
- Bullet proof vest, body armor, tactical gear, or facsimile.
- Hate speech or symbols, profanity or pornography.
- Images or language that create a hostile or intimidating environment based on any protected class or consistently marginalized groups.
- Any clothing that reveals visible undergarments (visible straps are allowed).
- Swimsuits (except as required in class or athletic practice).
- Accessories that could be considered dangerous or could be used as a weapon.
- Any item that obscures the face or ears (except as a religious observance or as personal protective equipment (PPE)).

## **Athletics and Co-Curricular**

Participation in co-curricular activities including all extra-curricular activities and athletics is a privilege that commands responsibility. The purpose of the co-curricular program is to promote educational attitudes and behaviors that will help students find success in life beyond school. Participants have a responsibility to model behaviors that display high academic standards, leadership, sportsmanship, cooperation and service in both the school and community.

A co-curricular activity is an official school sponsored activity that is outside the prescribed curriculum; an activity that isn't required or is not a normal part of a course of study or work.

#### **Participation Requirements**

##### **1. Academics**

- a. Participants must pass all of their courses to maintain full eligibility.
- b. Students failing one course will be placed on probation.
- c. Students failing two or more courses are deemed ineligible.

##### **2. Attendance**

Participants must be on time and in school all day on the day of a school event.

\*Note: Excused tardy with note from parent, to be submitted upon entry to school, may enable a student to participate. Examples of excused absences include, but are not limited to, personal illness, death in the family, religious observance, quarantine, required court appearances, attendance at health clinics or other medical appointments for student, college visits, military obligations, impassable roads as determined by school transportation, absences approved in advance by the principal.

##### **3. Citizenship**

Participants need to consistently demonstrate respect to all faculty/staff, fellow students and property. Participants may not receive more than two referrals with consequences within a ten-week marking period to maintain eligibility.

Athletic Participation Requirements		
Academic	Attendance	Citizenship
<ul style="list-style-type: none"> <li>• Eligible = Passing all classes.</li> <li>• Probation = Failing one class. Student may participate as fully eligible student. However, student must meet with the teacher of the class not passing, no less than once per week.</li> <li>• Ineligible = Failing two or more classes. Student may continue to participate in practices or meetings. However, student is not eligible to participate in contests or events. Ineligible students may not travel with clubs or teams.</li> <li>• Passing grades earned at the end of the school year and summer school, when applicable, will earn student eligibility for participation OR will earn eligibility for the student.</li> </ul>	<ul style="list-style-type: none"> <li>• In order to be eligible to participate the day of a co-curricular event, a student must be on time and in school for the entire day. If extenuating circumstances apply, please explain the situation to an administrator ASAP.</li> <li>• Excused tardy with a note from parent, to be submitted upon entry to school, may enable a student to participate.</li> <li>• Examples of excused absences include, but are not limited to: personal illness, death in the family, religious observance, quarantine, required court appearances, attendance at health clinics or other medical appointments for student, college visits, military obligations, impassable roads as determined by school transportation, absences approved in advance by the principal and other reasons as may be approved by the Commissioner of Education.</li> <li>• To ensure that unexcused absences do not occur, please be certain that for every tardy to school or absence that a parent /guardian provides a signed written note providing the reason for the tardy or absence to the attendance office.</li> </ul>	<ul style="list-style-type: none"> <li>• Students receiving more than two referrals with consequences during any 10-week marking period will be ineligible for co-curricular activities during the remainder of the 10-week period.</li> </ul>

Advisors and coaches are responsible for submitting accurate student rosters for each activity or sport at the start of the school year or each season so that eligibility standards may be monitored. Updates to rosters may be requested at any point by an administrator. Administration will be in charge of notifying all students, parents and advisors/coaches of code infractions, ineligibility and eligibility for students.

## **Eligibility Determination Processes**

*How will a student be determined as ineligible through academic standards?*

- A student will be deemed ineligible if failing two or more classes at the end of the marking period.

*How can a student regain eligibility through academic standards?*

- A student may regain eligibility by passing all classes within ten school days and attending teacher requested learning blocks.

*What if a student receives an incomplete (INC) for a course, how will it affect the student's eligibility and overall average?*

- An incomplete (INC) is calculated as a 50%. Students are encouraged to take advantage of academic assistance and meet with their teacher to complete all work before the end of the marking period. If an INC is given, students will have five weeks to complete the work required to receive the appropriate grade in place of the incomplete. A student can come off the ineligible list PRIOR to a five week progress report only if the incomplete is due to medical reasons or school related issues due to administrative decisions.

*What academic avenues will be available to assist with improving a student's overall average?*

- A student may take advantage of academic assistance at learning blocks or meet with their teachers when schedules permit.

## **Additional Expectations**

*Membership Standards:*

1. Participants will report on time for all practices and activities unless excused by the advisor/coach in advance.
2. Participants will travel to and from events under the supervision of personnel assigned by school administration. The advisor/coach may authorize return transportation by the student's own parent by signing the travel release form. An administrator with written parental permission may authorize return transportation by an adult other than the student's parent under extenuating circumstances.
3. Participants will take care of school equipment and return it personally in a timely manner upon leaving a team/group or at the conclusion of the season. School issued equipment shall only be used for school sanctioned events.
4. It is the responsibility of participants to report to their advisor/coach any injury or change in physical condition that affects their ability to safely participate.
5. A participant must be a full-time student (i.e. a junior/senior high school student must be enrolled in at least five classes plus physical education).
6. Participants must be in school all day the day of the event unless excused by a school official.
7. Any participant who leaves a team without both the knowledge and consent of the coach and the Director of Athletics will not be allowed to participate in the first 25% of the contests in the next sport season in which the student participates. This penalty is the maximum to be administered. A lesser penalty may be deemed appropriate if mitigating circumstances are found.

## **Substance Use and Abuse Standard**

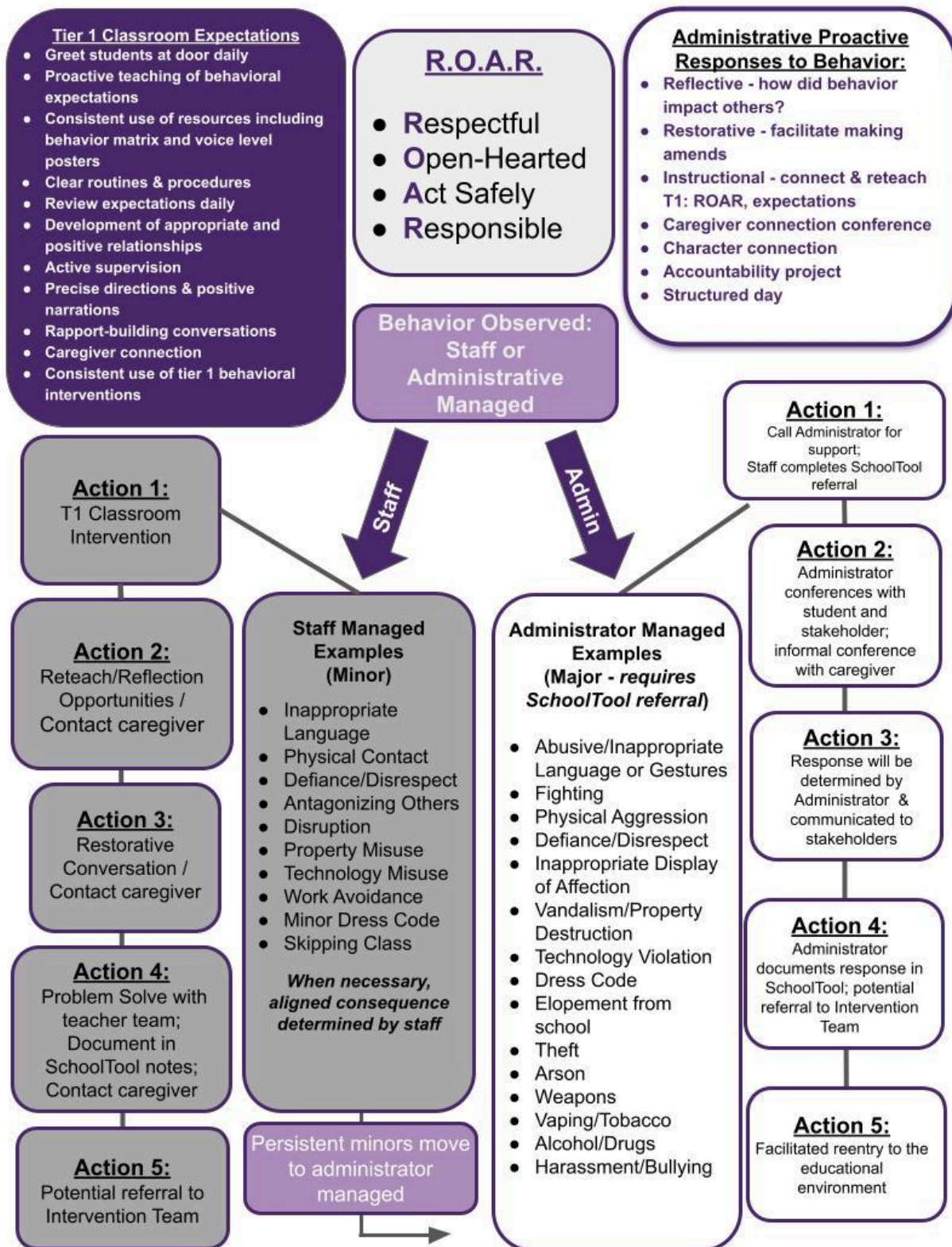
Participants shall show that respect for one's health and physical development is an integral part of daily living. Participation in co-curricular activities demands commitment, which involves sacrifice and dedication.

1. A participant's possession, use, manufacturing, distribution or sale of alcohol, tobacco in any form (E-cigarettes, including vape or any electronic delivery system), marijuana, prescription medications, other controlled substances, look-alike or designer drugs is prohibited.
2. Participants are expected to avoid or leave an establishment or location where minors are involved with alcohol, illegal drugs or illegal activities.
3. Participants and/or caregivers are encouraged to confidentially approach an advisor/coach or school official for help with substance use problems and will be given appropriate confidential help.

## **Penalties**

- Participants will be held accountable for choosing behaviors that adhere to the standards set forth in the Co-Curricular Code of Conduct. In instances where the Co-Curricular Code of Conduct has not been met, consequences will be imposed by the principal based on the participant's entire school record and in accordance with the District Code of Conduct.
- If infractions take place during school hours or at school activities in a manner that provides a basis for additional discipline, the penalties outlined below will be applied concurrently with and/or in addition to any school or district penalties.
- It is the responsibility of coaches, club advisors, the student body, athletes and parents to ensure these code rules are observed. Any violation of the district's drug and alcohol policy should be reported immediately to the principal and/or athletic director. If a violation of the Co-Curricular Code of Conduct occurs in relation to use, possession, consumption, distribution of alcohol, tobacco in any form, E-cigarettes, including vape pens or any electronic delivery system, marijuana, prescription medications or other controlled substances or look-alike or designer drugs, the following consequences will occur:
- The periods of suspension from athletics and/or extra-curricular activities listed below are inclusive of any suspension from school associated with the offense(s), including long-term suspensions (Superintendent Hearing).
- For the first offense only: Students are not eligible to participate in any contests or events but may participate in practice or rehearsal (not including periods of suspension).

# Behavior Intervention Process



# Prohibited Conduct

Engage in Conduct that is Insubordinate or Disruptive	
Staff Managed Behavior Examples	Administrator Managed Behavior Examples
<ul style="list-style-type: none"> <li>• Failure to comply with the directions of school personnel</li> <li>• Minor inappropriate language</li> <li>• Horseplay</li> <li>• Failure to follow teacher directions</li> <li>• Elopement from the classroom</li> <li>• Skipping class</li> <li>• Rude gestures</li> <li>• Defiance or disrespect</li> <li>• Antagonizing others</li> <li>• Property misuse</li> <li>• Inappropriate noises</li> <li>• Running in hallways</li> <li>• Obstructing vehicular or pedestrian traffic</li> <li>• Engaging in any willful act which disrupts the normal operations of the community</li> <li>• Trespassing or loitering</li> </ul>	<ul style="list-style-type: none"> <li>• Elopement from school</li> <li>• Pervasive skipping of class</li> <li>• Abusive and inappropriate language</li> <li>• A pattern of minor classroom disruptions</li> <li>• A pattern of “staff managed” insubordinate or disruptive behavior</li> </ul>

Engage in Conduct that is Violent	
Staff Managed Behavior Examples	Administrator Managed Behavior Examples
<ul style="list-style-type: none"> <li>• Minor physical contact</li> <li>• Minor verbal confrontation</li> </ul>	<ul style="list-style-type: none"> <li>• Harassment or bullying as defined by DASA.</li> <li>• Committing an act of violence (such as hitting, kicking, punching, biting, spitting and scratching) upon any school district staff, students or visitors or attempting to do so.</li> <li>• Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school district property or at a school district function.</li> <li>• Displaying what appears to be a weapon.</li> <li>• Threatening to use any weapon.</li> <li>• Intentionally damaging or destroying the personal property of any school district employee or any person lawfully on school property.</li> <li>• Intentionally damaging or destroying school district property.</li> <li>• Intimidating or threatening to commit an act of violence, in person or through the use of technology, including social media.</li> </ul>

## Engage in Conduct that Endangers the Safety, Morals, Health, or Welfare of Others

Staff Managed Behavior Examples	Administrator Managed Behavior Examples
<ul style="list-style-type: none"> <li>● Lying to school district personnel</li> <li>● Public displays of affection on school property or at any school district functions</li> <li>● Gambling</li> <li>● Creating an unsafe or unhealthy environment (minor)</li> </ul>	<ul style="list-style-type: none"> <li>● Stealing property of the district, students, staff or any other person lawfully on school property or attending a school function</li> <li>● Intentionally damaging or removing district or personal property, or inappropriate use of district property while attending a school function</li> <li>● Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them</li> <li>● Discrimination, which includes using race, color, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual orientation, weight, disability, equitable treatment or access to facilities available to others</li> <li>● Acts of harassment as defined in the school district sexual harassment policy</li> <li>● Acts of harassment, bullying, or cyber-bullying as defined by this code</li> <li>● Selling, using, distributing, manufacturing or possessing obscene material</li> <li>● Possessing, using, manufacturing, distributing or selling alcohol, tobacco in any form (E-cigarettes, including vape pens or any electronic delivery system), marijuana, prescription medications or other controlled substances or look-alike or designer drugs</li> <li>● Possession of paraphernalia related to use of tobacco, including but not limited to E-cigarettes, vape pens or vape pods, alcohol or other illegal substances, including needles</li> <li>● Possessing, consuming, selling, manufacturing, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include but are not limited to: inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs"</li> <li>● Possession of, sharing, use, or distribution of over-the-counter and/or prescription drugs or harmful substances</li> <li>● Use of prescription or non-prescription medication or drugs not dispensed by the school nurse</li> <li>● Creating an unsafe or unhealthy environment</li> </ul>

	<ul style="list-style-type: none"> <li>• Falsely reporting an incident</li> <li>• Subjecting other students, school personnel, or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury</li> <li>• Allowing an unauthorized person into the school building</li> </ul>
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Engage in Any Form of Academic Misconduct	
Staff Managed Behavior Examples	Administrator Managed Behavior Examples
<ul style="list-style-type: none"> <li>• Copying others classwork</li> <li>• Minor cheating</li> </ul>	<ul style="list-style-type: none"> <li>• Copying others assessment answers</li> <li>• Plagiarism</li> <li>• Use of Artificial Intelligence to draft or create student work or assessment without express permission from teacher</li> <li>• Forgery of any kind</li> <li>• Altering a grade or another student's record on paper or in electronic form</li> <li>• Assisting another student in any of the above actions</li> </ul>

Engage in Misconduct While on a School Vehicle
<p>It is crucial for students to behave appropriately while riding on school district school vehicles to ensure their safety and that of other passengers. School vehicle drivers are authorized to assign seats. All students are to stay in their seats while riding. Students are to conduct themselves on the school vehicle in a manner consistent with established standards for classroom behavior. Excessive noise, profane language, pushing, shoving, fighting, vandalism, littering, eating, drinking, smoking, vaping and other behaviors prohibited by this code or deemed to be distracting by the school vehicle operator are prohibited. Students are to keep all body parts and all objects inside the school vehicle. Students waiting for school vehicles when not on school property are expected to conduct themselves in accordance with the school district Code of Conduct. While the district will attempt to teach students appropriate conduct, students not following the code of conduct may have their riding privileges suspended or revoked.</p>

**Engagement in Off-Campus Misconduct That Endangers the Health and Safety of Students or Staff Within the School or Adversely Affects of the Educational Process**

Staff Managed Behavior Examples	Administrator Managed Behavior Examples
	<ul style="list-style-type: none"> <li>• Cyber-Bullying</li> <li>• Threatening, hazing, harassing students or school personnel over the phone or the internet</li> <li>• Using any application to convey threats, derogatory comments or post inappropriate pictures or video including, but not limited to, voice or text-based communication via phone, email, instant messaging, text messaging, or through social networking websites</li> <li>• Drug and/or alcohol use; including non-prescribed prescription medications</li> </ul>

**Misuse of Electronic Devices**

Staff Managed Behavior Examples	Administrator Managed Behavior Examples
<ul style="list-style-type: none"> <li>• Minor mistreatment of district technology</li> <li>• Use of school phone system without permission</li> <li>• Use of cell phone during the school day</li> <li>• Visiting non-work related websites without teacher permission (playing games, watching videos etc.)</li> </ul>	<ul style="list-style-type: none"> <li>• Use of cell phones during the school day after staff managed interventions</li> <li>• Cyber-Bullying using school or personal devices during the school day</li> <li>• Threatening, hazing, harassing students or school personnel over the phone or the internet during the school day</li> <li>• Using any application to convey threats, derogatory comments or post inappropriate pictures or video including, but not limited to, voice or text-based communication via phone, email, instant messaging, text messaging, or through social networking websites</li> <li>• Visiting inappropriate websites including but not limited to pornographic content, weapons related content, or hate groups</li> </ul>

**Student Dress Code (Refer to policy on page 8)**

Staff Managed Behavior Examples	Administrator Managed Behavior Examples
<ul style="list-style-type: none"> <li>• Clothing does not fit well and creates an issue with the dress code (connect with support staff as needed)</li> <li>• Unintentionally wearing clothing with an unacceptable image</li> </ul>	<ul style="list-style-type: none"> <li>• Student has been directed by staff to correct a dress code issue and refuses</li> <li>• Significant dress code issue and/or on a recurring basis</li> </ul>

# Behavior Interventions and Consequences

Behavior Interventions and Consequences	
Staff Managed Interventions (illustrative only)	Administrator Managed Interventions (Illustrative only)
<ul style="list-style-type: none"> <li>• Review classroom behavior expectations and rules</li> <li>• Provide a verbal or nonverbal prompt</li> <li>• Review classroom agreements or commitments</li> <li>• Contact the student's caregiver</li> <li>• Have the student contact their caregiver</li> <li>• Use proximity</li> <li>• Require restitution</li> <li>• Require an apology</li> <li>• Use precorrection</li> <li>• Use behavior rehearsals</li> <li>• Try redirection</li> <li>• Follow the teacher team assistance process</li> <li>• Assign a safe seat or location</li> <li>• Use a structured break</li> <li>• Invite the student's caregiver to sit in on class</li> <li>• Conference with the student</li> <li>• Assign a behavior think sheet</li> <li>• Assign a reflection sheet</li> <li>• Cosign a behavior contract or restorative agreement or assign a restorative assignment</li> <li>• Require a behavior assignment</li> <li>• Revoke a privilege</li> <li>• Change the seating chart</li> <li>• Partner with a teacher</li> <li>• Other interventions as deemed appropriate</li> </ul>	<ul style="list-style-type: none"> <li>• Facilitate reflective conversation</li> <li>• Wrap around meeting with caregiver</li> <li>• Character connection</li> <li>• Structured day</li> <li>• Caregiver connection conference</li> <li>• Detention</li> <li>• Suspension from transportation</li> <li>• Suspension from co-curricular, athletic and other privileges</li> <li>• In-School Suspension</li> <li>• Out of School Suspension (OSS), short term (5 days or less)</li> <li>• Assign OSS long term (five days or more will require a superintendent hearing or early resolution conference in lieu of hearing)</li> <li>• Facilitate reentry into the educational environment</li> <li>• Others as deemed appropriate by school or district administration</li> </ul> <p>*All disciplinary consequences including OSS will follow provisions of Education Law §3214</p>
Staff Intervention Action Steps	Administrative Action Steps
<ol style="list-style-type: none"> <li>1) Tier 1 classroom response menu</li> <li>2) Reteach / Reflection opportunities (student behavior reflection sheet), contact caregiver</li> <li>3) Restorative conversation, contact caregiver</li> <li>4) Problem solve with collaborative teacher team</li> <li>5) Document in SchoolTool notes, contact caregiver</li> <li>6) Potential referral to intervention team</li> </ol>	<ol style="list-style-type: none"> <li>1) Investigate incident</li> <li>2) Contact caregiver</li> <li>3) If considering an out of school suspension, issue an intent to suspend letter and set up informal conference with caregiver</li> <li>4) Continue investigation</li> <li>5) Assign appropriate consequences</li> <li>6) Facilitate student reentry to the educational program</li> </ol>

\*Refer to Cortland Schools Behavior Flowchart

## **Procedures**

The amount of due process a student is entitled to before a penalty is imposed will depend on the type of penalty. In all cases, regardless of the penalty imposed, Cortland Enlarged City School District personnel authorized to impose the penalty must let the student know what misconduct the student is alleged to have committed and must investigate the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the Cortland Enlarged City School District personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

Students who are to be given penalties other than a verbal warning, written referral or written notification to their caregivers are entitled to additional rights before the penalty is imposed. Penalties and associated rights are explained as follows:

### ***Detention***

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

### ***Suspension from transportation***

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

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

### ***Suspension from co-curricular, athletic and other privileges***

A student subjected to a suspension from co-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law § 3214. However, the student and the student's caregiver will be provided with a reasonable opportunity for an informal conference with the building principal or program supervisor imposing the suspension to discuss the conduct and the penalty involved.

### ***In-school suspension***

The Board recognizes that the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals, program supervisors, and the superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension." "In-school suspension" is the temporary removal of students from the classroom and their placement in another area of

the school building designated for such a suspension, where students will receive instruction from certified personnel.

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

### ***Teacher removal of disruptive students***

Nothing in this section of the Code of Conduct abridges the customary right or responsibility of a principal to suspend a student. Further, nothing in this code abridges the customary right and responsibility of a teacher to manage student behavior in the classroom. The removal process should not become a substitute for good classroom management.

A disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A disruptive student can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In many instances, the classroom teacher can control disruptive student behavior by using good management techniques. Occasionally, however, it may be necessary for a teacher to remove a disruptive student from the classroom to ensure that the other students continue to learn.

If the student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student, before the student is removed, with an explanation for why he or she is being removed. The student must also be given the opportunity to present his or her version of the relevant events to the teacher. Only after this informal discussion may a teacher remove a student from class.

If the student does pose a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24 hours.

The teacher must complete a Cortland Enlarged City School District-established referral form and meet with the principal as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the referral forms.

Within the same school day, it is expected that the teacher notify the caregiver that the student was removed from their class and why. Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom. All educational materials and lesson plans will be provided by the classroom teacher.

### ***Suspension from school***

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

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

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

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

### ***Short term (five 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 caregiver in writing at the last known address of the caregivers that the student will 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 if the decision is to propose suspension; this may include email. Where possible, notice should also be provided by telephone if Cortland Enlarged City School District has been provided with a telephone number(s) for the purpose of contacting the caregiver.

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

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

After the conference, the principal shall promptly advise the caregiver in writing of his or her decision. The principal shall advise the caregiver that, if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within ten business days. If not satisfied then, they

must provide a written appeal to the Board of Education with the District Clerk within ten business days of the date of the decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education. These appeals must be filed within 30 days of the decision.

### ***Long Term (more than five days) suspension from school***

When the superintendent or Board of Education determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's caregiver of their right to a fair hearing. At the hearing, the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf. The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the 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 that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within 30 business days of the date of the Superintendent's decision, unless the caregivers can show that extraordinary circumstances preclude them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

### ***Procedure after Long Term suspension***

The superintendent may hold a student's long-term suspension in abeyance contingent upon voluntary participation in activities such as counseling, specialized classes, or engagement in the school community.

### ***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, Cortland Enlarged City School personnel or any other person lawfully on Cortland Enlarged City School District property or attending a Cortland Enlarged City School District function.

### ***Minimum Periods of Suspension***

*Students who bring a weapon to Cortland Enlarged City School District property or functions:*

Any student, other than a student with a disability, found guilty of bringing a weapon onto Cortland Enlarged City School District property or events will be subject to suspension from Cortland Enlarged City School District programs for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The superintendent has the authority to modify the minimum suspension period on a case-by-case basis. The superintendent may consider the following:

- The student's age.
- The student's grade in school.
- The student's prior disciplinary record.

- The superintendent's belief that other forms of discipline may be more effective.
- Input from caregivers, teachers, students and/or others.
- Other extenuating circumstances.

*Students who commit violent acts other than bringing a weapon to school:* Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension. The student and the student's caregiver will be given notice and opportunity for a hearing given to all students subject to a short term suspension. If the proposed penalty exceeds a five-day suspension, the student and the student's caregiver 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 a 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 of possessing a weapon.

## Alternative Instruction

When a student of any age is removed from class by a teacher, or a student of compulsory attendance age is suspended from school pursuant to Education Law § 3214, Cortland Enlarged City School District will take immediate steps to provide alternative means of instruction for the student. Elementary students will be eligible to receive two hours of tutoring per day; JSHS students will be eligible to receive three hours per day.

## Discipline of Students with Disabilities

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities are extended certain procedural protections under the IDEA and Article 89 of New York's Education Law whenever Cortland Enlarged City School District authorities intend to impose discipline on them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This Code of Conduct affords the students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable Federal and State laws and regulations.

## **Definitions**

For purposes of this section of the Code of Conduct, the following definitions apply:

*Suspension:* A temporary removal pursuant to Education Law § 3214.

*Removal:* Relocating for disciplinary reasons from the student's current education placement other than a suspension and change in placement to an Interim Alternative Education Setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself/herself or others.

*IAES:* A temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. This enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those on the student's current individualized education plan (IEP), that will enable the student to meet the goals set out in such IEP, and also include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from occurring.

*Weapon:* The same as "dangerous weapon" under 18 U.S.C.: §930(g)(w) which includes "a weapon, device or instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury."

*Controlled substance:* A drug or other substance identified in certain provisions of the Federal Controlled Substances Act specified in both federal and state laws and regulations applicable to this policy.

*Illegal drugs:* A controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

## **Authorized Suspensions or Removals of Students with Disabilities**

School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:

- The Board, superintendent of schools or a building principal delegated the authority to suspend students may order the placement of a student with a disability into IAES or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
- The superintendent may order the placement of a student with a disability into an IAES or suspension for up to ten consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
- The Superintendent may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.

- The superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE) for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon, inflicts serious bodily injury upon another person, knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance at school, at a school function or on school grounds.
- Subject to specified conditions required by both federal and state laws and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

### **Change of Placement Rule**

- A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
  - a. for more than ten consecutive school days; or
  - b. for a period of ten consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than ten school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
- School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspensions or removal.
- However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

### **Special Rules Regarding the Suspension or Removal of Students with Disabilities**

1) The District's Committee on Special Education shall conduct functional behavioral assessments to determine why a student engages in a particular behavior and develop or review behavioral plans whenever the District is first suspending or removing a student with a disability for more than ten school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than ten school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary. If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee deems necessary.

2) The caregivers of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state laws and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was

a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student who is presumed to have a disability for disciplinary purposes.

- A. The superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
- B. A student will not be considered a student who is presumed to have a disability for disciplinary purposes if, upon receipt of information that supports a claim indicating the district had knowledge the student was a student with a disability, the district either:
  - 1. conducted an individual evaluation and determined that the student is not a student with a disability, or
  - 2. determined that an evaluation was not necessary and provided notice to the caregivers of such determination, in the manner required by applicable laws and regulations.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made while such non-disabled student is subjected to disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state laws and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for disciplinary purposes shall remain in the educational placement determined by the district, which can include suspension.

3) Cortland Enlarged City School District shall provide caregivers with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.

The procedural safeguards notice prescribed by the Commissioner of Education shall accompany the notice of disciplinary removal.

4) The caregivers of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to caregivers of non-disabled students under the Education Law.

5) Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be divided into a guilt phase and a penalty phase in accordance with the procedures set forth in the Regulations of the Commissioner of Education incorporated into this policy.

6) The removal of a student with disabilities other than a suspension or placement in an IAES, shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than ten consecutive days or for

a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.

7) Manifestation review is a review of the relationship between the student's disabilities and the behavior subject to disciplinary action required when the disciplinary action results in a disciplinary change of placement, and conducted in accordance with requirements set forth later in this policy.

8) During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Regulations of the Commissioner of Education incorporated into this policy.

### **Expedited Due Process Hearing**

An expedited due process hearing shall be conducted in the manner specified by the Regulations of the Commissioner of Education incorporated into this policy.

- Cortland Enlarged City School District requests such a hearing to obtain an order from an impartial hearing officer placing a student with a disability in an Interim Alternative Education Setting (IAES) where school personnel maintain that it is dangerous for the student to be in his or her current educational placement or, pending due process hearings, where Cortland Enlarged City School District personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
- The caregiver requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
  - (1) Pending an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the caregivers and Cortland Enlarged City School District agree otherwise.
  - (2) If Cortland Enlarged City School District personnel propose to change the student's placement after expiration of an IAES placement, pending any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
- An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such a time period, he or she must mail a written decision to the district and the caregivers within five business days after the last hearing date, and not later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

### **Referral to Law Enforcement and Judicial Authorities**

In accordance with the provisions of IDEA and its implementing regulations:

- The district may report a crime committed by a child with a disability to appropriate authorities and such action will not constitute a change of the student's placement.

- The superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

## Corporal Punishment

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

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

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

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

## Student Searches

The Board of Education is committed to ensuring an atmosphere on Cortland Enlarged City School District property and at Cortland Enlarged City School District functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district Code of Conduct. Students are not entitled to any sort of Miranda-type warning before being questioned by Cortland Enlarged City School District officials, nor are Cortland Enlarged City School District officials required to contact a student's caregiver before questioning the student. However, Cortland Enlarged City School District officials will tell all students why they are being questioned.

In addition, the Board authorizes Cortland Enlarged City School District staff, principals, district administrators, social workers, teachers and the superintendent to conduct searches of students and their belongings if the authorized Cortland Enlarged City School District official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district Code of Conduct. An authorized Cortland Enlarged City School District official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the Cortland Enlarged City School District official has a legitimate reason for the very limited search.

An authorized Cortland Enlarged City School District official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the Cortland Enlarged City School District employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, they make an admission against their own interest, they provide the same

information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. Cortland Enlarged City School District employees will be considered reliable informants unless they are known to have previously supplied information that was known to be inaccurate.

Before searching a student or the student's belongings, the authorized Cortland Enlarged City School District official should attempt to get the student to admit that he or she possesses physical evidence that he or she violated the law or the district code, or get the student to voluntarily consent to the search.

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

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

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and Cortland Enlarged City School District officials retain complete control over them. This means that student lockers, desks and other Cortland Enlarged City School District places may be subject to search at any time by Cortland Enlarged City School District officials, without prior notice to the students and without their consent. Additionally, it should be understood that random locker searches may be justified for the purpose of school safety, to ensure the safety of students, faculty and staff members, and to prevent disruptions to the learning environment.

### **Documentation of Searches**

The official performing the search shall be responsible for promptly recording the following information about each search using the Student Search Documentation Form found at the end of this policy. Such form shall be maintained in each administrative office and a copy forwarded to the Assistant Superintendent for Pupil and Personnel Services. This form will require the following information:

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

The principal shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The principal or supervisor shall retain control of the items, unless the items are turned over to the police.

### **Police Involvement in Searches and Interrogations of Students**

Cortland Enlarged City School District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in Cortland Enlarged City School District buildings or at Cortland Enlarged City School District functions, or to use Cortland Enlarged City School District facilities in connection with police work. Police officials may enter Cortland Enlarged City School District property or a Cortland Enlarged City School District function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or arrest warrant,
2. Probable cause to believe a crime has been committed on Cortland Enlarged City School District property or at a school function, or
3. Been invited by Cortland Enlarged City School District officials.

Before police officials are permitted to question or search any student, the building principal or program supervisor shall first try to notify the student's caregiver to give them the opportunity to be present during the police questioning or search. If the student's caregiver cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted, unless the student is 16 years of age or older. The principal or supervisor will also be present during any police questioning or search of a student on Cortland Enlarged City School District property or at a Cortland Enlarged City School District function.

The above information regarding police involvement in searches and interrogations of students generally pertains to the School Resource Officer, SRO. The School Resource Officer program was created for prevention purposes and the individual SRO will generally conduct investigatory interviews only. In the event of an emergency or observed violation of the law, the SRO, however, has a responsibility to fulfill his/her duties as a police officer abiding by all governing laws.

Students who are questioned by police officials on Cortland Enlarged City School District property or at a Cortland Enlarged City School District function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

### **Child Protective Service Investigations**

Consistent with the district's commitment to keep students safe from harm, Cortland Enlarged City School District personnel are required to report to child protective services when they have reasonable cause to suspect that a student has been neglected, abused or maltreated. The district will cooperate with local child protective services employees who wish to conduct interviews of students on Cortland Enlarged City School District property relating to allegations of suspected child abuse and/or neglect, or custody investigations.

All requests by child protective services to interview a student on school property shall be made directly to the principal or PPS staff, who shall set the time and place of the interview. A Cortland Enlarged City School District official may be present during the entire interview.

If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services employee to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services employee or school district official of the opposite sex.

A child protective services worker may not remove a student from Cortland Enlarged City School District property without a court order, unless the employee reasonably believes that the student would be subject to danger of abuse if he or she were not removed from Cortland Enlarged City School District property before a court order can reasonably be obtained. If the employee believes the student would be subject to danger of abuse, he or she may remove the student without a court order and without the caregiver's consent.

## Responsibilities of the Essential Partners in Education

We recognize that the education of students is a joint responsibility of the caregivers and the educational community.

**Caregivers** - All district caregivers are expected to:

- Send their student(s) healthy, well rested and ready to learn and participate in educational programs.
- Ensure their student(s) attend school on time.
- Ensure absences are excused (i.e. sickness, funeral, religious activity). Family vacations are not excused absences.
- Insist their student(s) be dressed and groomed in a manner consistent with the student dress code.
- Help their student(s) understand that, in a democratic society, appropriate rules are required to maintain a safe, orderly environment.
- Know Cortland Enlarged City School rules including the District Code of Conduct and help their student(s) understand them.
- Convey to their student(s) a supportive attitude toward education and Cortland Enlarged City School District.
- Promote good relationships with school employees, other caregivers, and peers.
- Model and support student use of technology in a positive and appropriate manner.
- Help their student(s) deal effectively with peer pressure.
- Inform school officials of changes in the home or health situation that may affect student conduct or performance.
- Provide a place for study and ensure homework assignments are completed.
- Read notices from the school and communicate with school staff regarding questions about school programs or student progress.
- Participate in caregiver-teacher-student conferences and other school events.
- Inform school officials of changes in residency in a timely manner.

**Staff** - All district staff, including but not limited to teachers, support staff, administration, the superintendent and Board of Education, are expected to:

- Promote and ensure CECSD and building specific Mission, Vision, and Collective Commitments.
- Promote a safe, orderly, stimulating and positive school environment that supports active teaching and learning.

- Establish and maintain a climate of mutual respect, civility and dignity, which will strengthen students' self-concept and promote confidence to learn.
- Communicate with students, caregivers and other staff concerning student growth and achievement.
- Be prompt and prepared.
- Know Cortland Enlarged City School District and NYS policies and rules, including the District Code of Conduct, and enforce them in a fair and consistent manner.
- Model and support student use of technology in a positive and appropriate manner.
- Communicate the following to students and caregivers:
  - Course objectives and requirements,
  - Marking/grading procedures,
  - Assignment deadlines,
  - Expectations for students,
  - Classroom management plans,
  - Freedom from retaliation when, in good faith, the staff member reports or assists in the investigation of harassment, bullying and/or discrimination.

## School Employee Dress Code

All school employees are expected to give proper attention to personal cleanliness and to dress appropriately for work and school sponsored functions. School employees should exemplify and reinforce acceptable attire, and help students develop an understanding of appropriate appearance in the educational setting. It is expected that CECSD staff set a professional tone by modeling appropriate dress.

All school employee's dress, grooming and appearance, shall:

1. Not consist of inappropriate garments that disrupt the educational process, such as brief or revealing clothing.
2. Not include items that are vulgar, obscene, libelous, or that denigrate others on account of actual or perceived race, color, religion, ethnic group, national origin, gender (including gender identity and expression), weight, sexual orientation, religious practice or disability.
3. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

School employees who violate the school employee's dress code shall be required to modify their appearance by covering or changing the offending item immediately. Any school employee who refuses to do so shall be subject to disciplinary measures.

## School Employee Language Code

School employees are expected to use appropriate and acceptable language at all times. This language should exemplify and reinforce professional standards.

School employees shall not engage in language that is:

- Considered a threat of violence: An expression of intention to inflict emotional or physical injury or damage.
- Considered abusive or humiliating.

- Considered indecent: Language that is gross, unseemly or offensive to manners or morals.
- Considered obscene.

School employees shall not engage in harassment of any kind. All school employees shall conduct themselves in accordance with Board Policies 6190, 7551 (Sexual Harassment and Sexual Harassment of Students).

## Visitors to the School

The Board encourages caregivers and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers and other staff. However, schools are a place of work and learning; therefore, certain limits must be set for such visits. The building principal is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to Cortland Enlarged City School District property:

1. Anyone who is not a regular staff member or student of the school or program will be considered a visitor.
2. All visitors to the Cortland Enlarged City School District facility must report to the main office upon arrival at the school. There they will be required to provide appropriate identification which will be verified prior to access. Visitors will sign the register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return to the main office before leaving and sign out.
3. Visitors attending Cortland Enlarged City School District functions that are open to the public during school hours, such as parent-teacher organization meetings or public gatherings, will be issued a visitor's identification badge that must be worn at all times while in the school or on school grounds. The visitor must return to the main office before leaving the building and sign out.
4. Caregivers or citizens are welcome to visit a classroom while school is in session, but are required to arrange such visits at least 24 hours in advance with the classroom teacher(s) so that class disruption is kept to a minimum.
5. Caregivers are expected to make an appointment to discuss individual student matters with a teacher and are not to take class time for this purpose.
6. All other visitors are expected to make an appointment with a staff member outside of his/her instructional time.
7. Any unauthorized person on school property will be reported to the main office or principal/designee. Unauthorized persons will be asked to leave. Law enforcement may be called if the situation warrants.
8. All visitors are expected to abide by the rules for public conduct on Cortland Enlarged City School District property contained in this Code of Conduct and other Board of Education policies.

## Public Conduct on School Property

The Cortland Enlarged City School District is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on Cortland Enlarged City School District property and at all school-sponsored functions.

The restrictions on public conduct on Cortland Enlarged City School District property and at all school-sponsored functions contained in this code are not intended to limit freedom of speech or peaceful

assembly. Cortland Enlarged City School District recognizes that free expressions are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

School visitation assumes a commitment on the part of the visitor to exhibit integrity and positive ethical behavior toward all persons. The behavior of visitors, teachers or students is expected to reflect respect for all rules and policies in effect in the classrooms, the school buildings and at all school-sponsored functions.

### **Expected Conduct**

All visitors, staff and students shall:

1. Exhibit integrity and positive ethical behavior towards all persons.
2. Follow the directions and accept the decisions of school personnel.
3. Promote good sportsmanship by demonstrating self-control and respect for others at all times.
4. Be supportive of all participants.
5. Use language and wear clothing that is non-disruptive and appropriate for the function.

### **Prohibited Conduct**

No visitor, staff or student, either alone or with others, shall:

1. Intentionally intimidate, harass or injure any person or threaten to do so.
2. Intentionally damage or remove district or personal property or use district property, other than for its intended use.
3. Disrupt the orderly conduct of classes, Cortland Enlarged City School District programs or other Cortland Enlarged City School District activities.
4. Wear clothing or materials on Cortland Enlarged City School District grounds or at Cortland Enlarged City School District functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others or are disruptive to the educational programs.
5. Intimidate, harass or discriminate against any person on the basis of actual or perceived race, color, nationality, religion, religious practice, age, sex, marital status, weight, gender (including gender identity and expression), sexual orientation or disability.
6. Enter any portion of the Cortland Enlarged City School District premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person on school property or at any school sponsored functions unless otherwise authorized to do so.
8. Violate the traffic laws, parking regulations or other school restrictions on vehicles.
9. Possess, consume, sell, manufacture, distribute or exchange alcoholic beverages, controlled substances or any synthetic versions (whether or not specifically illegal or labeled for human consumption), or be under the influence of either on Cortland Enlarged City School District property or at a Cortland Enlarged City School District function.
10. Use tobacco or electronic cigarettes in school, on school grounds or at school sponsored functions.
11. Possess or use firearms or other weapons including but not limited to air guns, pistols, rifles, shotguns, ammunition, explosives, box cutters, knives, gas canisters, in or on school property or at school functions, except in the case of law enforcement officers or except as specially authorized by Cortland Enlarged City School District.
12. Possess illegal sprays, sprays in illegal canisters, in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by Cortland Enlarged City School District.

13. Loiter on or about Cortland Enlarged City School District property or at school sponsored functions.
14. Distribute or post printed or written matter for non-school activities without prior approval by the principal.
15. Gamble on Cortland Enlarged City School District property or at school sponsored functions.
16. Refuse to comply with any request of identifiable Cortland Enlarged City School District staff performing their duties.
17. Willfully incite others to commit any of the acts prohibited by this code.
18. Use language and/or gestures that are obscene, abusive, sexual or indecent.
19. Violate any Federal or State statute, local ordinance or Board policy while on Cortland Enlarged City School District property or while at a school sponsored function.
20. Bring unauthorized pets onto school property.

### **Penalties and Procedures**

Persons who violate any of the provisions of these rules shall be subject to the following penalties and procedures:

1. A verbal warning may be issued to modify their appearance, language or behavior.
2. Immediate surrender of any prohibited spray or weapon to the authorized school official is expected and appropriate legal action will be initiated. In all cases where legal or illegal chemical sprays are used on school district property appropriate legal action will be initiated. In all cases where legal or illegal chemical sprays are used on school district property appropriate law enforcement agencies will be notified.
3. Authorization, if any, to remain on Cortland Enlarged City School District grounds or at the Cortland Enlarged City School District function shall be withdrawn. The person in violation shall be directed to leave the premises. Refusal to leave shall result in ejection. If necessary, law enforcement officials will be called to assist in this ejection. Law enforcement agencies will be called if illegal behavior is suspected.
4. A student shall be subject to disciplinary action as the facts of the case may warrant, including: warning, reprimand, loss of privileges, probation or suspension as prescribed by section 3214 of the Education Law and he/she shall be subject to ejection.
5. A faculty member shall be subject to: warning, ejection, reprimand, suspension and/or other disciplinary action as prescribed by and in accordance with section 3020-a of the Education Law, if applicable.
6. A staff member in the classified service of the civil service shall be subject to the penalties and procedures prescribed in section 75 of the Civil Service Law and are subject to: warning, ejection, reprimand and/or suspension.
7. A staff member other than one described in subdivisions 5 and 6 shall be subject to: warning, ejection, reprimand, dismissal, suspension without pay or censure.

### **Enforcement**

1. Any school personnel witnessing a violation of the Public Conduct on School Property Code shall address the situation and/or immediately refer the situation to an appropriate school official, i.e.; principal, coach, or other person in a supervisory capacity.
2. The superintendent and designee shall be responsible for enforcing the conduct required by this code. The superintendent may designate other Cortland Enlarged City School District staff who are authorized to take action consistent with the code.

## Dissemination and Review

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

1. Providing copies of a summary of the code to all students at the beginning of each academic year.
2. Providing a summary of the Code of Conduct written in plain language (electronic or print) to all caregivers of district students at the beginning of the academic year and making this summary available upon request.
3. Notifying all employees of annual revisions of the code and making a copy of the code available upon request.
4. Providing all new employees with a print copy of the current Code of Conduct when they are first hired by the district.
5. Posting the complete Code of Conduct on the Cortland Enlarged City School District's website.

On an annual basis, the expected students behaviors will be publicized and explained to all students and distributed to caregivers of students.

A copy of the code will be filed in each school building, where it will be available for review by any individual and placed on the Cortland Enlarged City School District's Website.

The district will sponsor an in-service education program for all Cortland Enlarged City School District staff members to ensure the effective implementation of the Code of Conduct. 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 Code of Conduct will be reviewed on a regular basis and updated as necessary.

Before making any revisions to the code, the Board will hold at least one public hearing at which school personnel, caregivers, students and any other interested party may participate.

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

# Definitions

For purposes of this code, the following definitions apply.

**Abusive:** improper use or treatment of property or people.

**Accountability Project:** individualized research projects assigned to students to help them develop an understanding of their behavior's effects. These projects aim for students to take responsibility for their actions and become accountable for their behavior.

**Act of Violence:** an infliction of evil, injury or damage to self, others or property.

**Arson:** deliberately starting a fire with intent to damage or destroy property.

**Assault:** intentional or reckless act resulting in injury or causing impairment of physical condition or substantial pain.

**Bomb Threat:** a telephone, written, or electronic message that a bomb, explosive, or chemical or biological weapon has been or will be placed on school property.

**Burglary:** entering or remaining unlawfully on school property with intent to commit a crime.

**Caregiver:** the biological, adoptive or foster parent, guardian or person in parental relation to a student.

**Caregiver Connection Conference:** when the caregivers of students with multiple disciplinary infractions are requested to attend a conference with their student's teachers and administrators to proactively problem solve

**CECSD:** Cortland Enlarged City School District.

**CECSD Property:** 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 (Education Law §11[1]).

**Character Connections:** An after school intervention program designed to address student behavior in an effort to change to a desired behavior.

**Consequence:** anything beyond verbal warning.

**Criminal Harassment:** striking, shoving, or kicking another person or subjecting another person to unwanted physical contact with the intent to, annoy, alarm or injure another person.

**Criminal Mischief:** intentional or reckless damaging of school property or the property of another person, including, but not limited to, vandalism and the defacing of property with graffiti.

**Custodial Interview:** an investigation by police authorities, as a suspect in the commission of a crime, after he/she has been detained by them, regarding the facts and circumstances of the crime for the purposes of prosecution.

**Cyber-Bullying:** harassment as defined by this code through the use of electronic devices/technology.

**Disability:** (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 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 (Education Law §11[4] and Executive Law §292[21]).

**Discrimination:** unfair treatment against any students or staff by students and/or employees on school property or at a school function, including but not limited to unfair treatment based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).

**Disruptive Student:** an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

**Due Process:** notice and opportunity to be heard; fairness. The level of due process owed is dependent upon specific facts of the matter.

**Electronic Nicotine Delivery System:** known as e-cigarettes or vape pens are products that produce an aerosolized mixture containing flavored liquids and nicotine that is inhaled.

**Emotional Harm:** that takes place in the context of harassment or bullying shall be defined as 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. Such conduct shall include, but is not limited to, acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex.

**Employee:** any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §§11[4] and 1125[3]).

**Extenuating Circumstances:** situations such as, but not limited to, legal, family, medical obligations.

**False Alarm:** falsely activating a fire alarm or other disaster alarm.

**Gang:** the ongoing organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts and having a common name or common identifying sign, colors or symbols.

**Gender:** the actual or perceived sex and shall include a person's gender identity or expression.

**Harassment and bullying:** the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyber-bullying, that:

- a. has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or
- b. reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
- c. reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
- d. occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

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

**Hazing:** is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

**Indecent:** grossly inappropriate or offensive to manners or morals.

**Insubordination:** not following the directive of an adult; being disobedient.

**Intimidation:** intentionally placing another person in fear of imminent physical injury.

**Investigatory Interview:** an information-seeking activity.

**Larceny or Other Theft Offenses:** unlawful taking and carrying away of personal property with the intent to deprive the rightful owner of the property. Permanently or unlawfully withholding property from another.

**Loitering:** to stand idly about; linger aimlessly.

**Minor Altercations:** physical contact is involved and no physical injury is sustained.

**Physical Harassment:** physical conduct that creates a hostile, intimidating or offensive environment and/or interferes with another's ability to learn, such as, but not limited to; threatening or intimidating actions, blocking a person's path with intent to threaten or intimidate, pushing, shoving, or purposely bumping into a person.

**Racial Harassment:** intimidation through use of epithets or slurs involving race, ethnicity or national origin.

**Reckless Endangerment:** subjecting individuals to danger by recklessly engaging in conduct that creates a grave risk of death or serious injury but no actual physical injury is sustained.

**Removal:** relocating, other than suspension and change in placement, for disciplinary reasons from the student's current educational placement to an interim alternative educational setting (IAES).

**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.

**Robbery:** forcible stealing of property from a person by using, or threatening to use, immediate physical force.

**School Bus:** 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 (Education Law §11[1] and Vehicle and Traffic Law §142).

**School District Function:** any CECSD-sponsored extracurricular event or activity.

**School Resource Officer (SRO):** a law enforcement officer, with sworn authority, assigned by the employing police department to work at a school in collaboration with a school and community-based organizations.

**Sexual Orientation:** actual or perceived heterosexuality, homosexuality, or bisexuality.

**Sexual Harassment:** harassment based on sex or sexual orientation, which consists of unwelcome sexual advances, request for sexual favors, sexually motivated physical conduct or other verbal, non-verbal or physical conduct of sexual nature.

**Suspension:** Means a suspension pursuant to Education Law § 3214.

**Stealing:** Unlawfully taking personal property of another.

**Structured Day:** An initial alternate to In-School Suspension, the structured day consists of a modified schedule in which a student is allowed to participate in the core content subject areas ONLY. All other parts of the student's day including specials, lunch, recess, and any other non-core subjects will take place in an alternate setting.

**Threat of Violence:** An expression of intention to inflict emotional or physical injury or damage.

**Tardy:** Late; not on time.

**Truancy:** Absent from school without permission.

**Vandalism:** Deliberate mischievous or malicious destruction or damage of property.

**Violence:** An unwarranted exertion of force or power.

**Violent Student:** A student who may be described by any of the clauses below:

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

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

## HARASSMENT OR INTIMIDATION (BULLYING) REPORTING FORM

Directions: Harassment and intimidation (bullying) are serious and will not be tolerated. This is a form to report alleged harassment and intimidation (bullying) that occurred on school property; at a school-sponsored activity or event off school property; on a school bus; or on the way to and/or from school, in the current school year. If you are a student victim, the parent/guardian of a student victim, or a close adult relative of a student victim, or a school staff member and wish to report an incident of alleged harassment or intimidation (bullying), complete this form and return it to the Principal at the student victim's school. Contact the school for additional information or assistance at any time.

Harassment and bullying shall mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that: (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying shall include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. Cyberbullying" shall mean harassment or bullying as defined above where such harassment or bullying occurs through any form of electronic communication

Today's date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ School: \_\_\_\_\_  
Month Day Year  
 School System: \_\_\_\_\_

### PERSON REPORTING INCIDENT

Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Place an **X** in the appropriate box: ☐ Student ☐ Parent/guardian ☐ Close adult relative ☐ School Staff

1. Name of student victim: \_\_\_\_\_ Age: \_\_\_\_\_  
(Please print)

2. Name(s) of alleged offender(s) (If known): <small>(Please print)</small>	Age <small>(if known)</small>	School	Is he/she a student?
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

3. On what date(s) did the incident happen?

\_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_      \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_      \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Month Day Year      Month Day Year      Month Day Year

4. Where did the incident happen (choose all that apply)?

- |   |  |
|---|--|
| <input type="checkbox"/> On school property | <input type="checkbox"/> At a school-sponsored activity or event off school property |
| <input type="checkbox"/> On a school bus    | <input type="checkbox"/> On the way to/from school*                                  |

5. Place an **X** next to the statement(s) that best describes what happened (choose all that apply):

- ☐ Hitting, kicking, shoving, spitting, hair pulling, or throwing something
- ☐ Getting another person to hit or harm the student
- ☐ Teasing, name-calling, making critical remarks, or threatening, in person or by other means
- ☐ Demeaning and making the victim of jokes
- ☐ Making rude and/or threatening gestures
- ☐ Excluding or rejecting the student
- ☐ Intimidating (bullying), extorting, or exploiting
- ☐ Spreading harmful rumors or gossip
- ☐ Other (specify) \_\_\_\_\_

6. What did the alleged offender(s) say or do?

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(Attach a separate sheet if necessary)

7. What are the circumstances under which this (bullying) occurred?

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(Attach a separate sheet if necessary)

8. Did a physical injury result from this incident? Place an **X** next to one of the following:

- ☐ No                      ☐ Yes, but it did not require medical attention                      ☐ Yes, and it required medical attention

9. If there was a physical injury, do you think there will be permanent effects?   ☐ Yes   ☐ No

10. Was the student victim absent from school as a result of the incident?   ☐ Yes   ☐ No

If yes, how many days was the student victim absent from school as a result of the incident? \_\_\_\_\_

11. Is there any additional information you would like to provide?

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(Attach a separate sheet if necessary)

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Administrative Use:**

What response/action was taken in regard to this matter?

This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

Original - Administrator  
cc: Superintendent

# STUDENT SEARCH DOCUMENTATION

Name of Student Searched: \_\_\_\_\_

Age: \_\_\_\_\_

Grade: \_\_\_\_\_

Name of Informant(s): \_\_\_\_\_

Person conducting search: \_\_\_\_\_

Witness(es) to search: \_\_\_\_\_

Location of search: \_\_\_\_\_

Reason for search: \_\_\_\_\_

\_\_\_\_\_

Purpose of search (items being sought): \_\_\_\_\_

\_\_\_\_\_

Type or scope of search: \_\_\_\_\_

\_\_\_\_\_

Results of search (items found): \_\_\_\_\_

\_\_\_\_\_

Disposition of items found: \_\_\_\_\_

\_\_\_\_\_

Student's reaction to search: \_\_\_\_\_

\_\_\_\_\_

Time, manner and results of parental notification: \_\_\_\_\_

\_\_\_\_\_

Staff member who completed the search: \_\_\_\_\_ Date: \_\_\_\_\_

*Signature*

Witness (if applicable): \_\_\_\_\_ Date: \_\_\_\_\_

*Signature*