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## **GOUVERNEUR CENTRAL SCHOOL DISTRICT**

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# **CODE OF CONDUCT**

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Approved 7/9/2007 BOE Organizational Meeting  
Revised 7/11/2011 BOE Organizational Meeting  
Revised 8/27/2012 BOE Regular Meeting  
Revised 8/26/2013 BOE Regular Meeting  
Revised 6/23/2014 BOE Regular Meeting  
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Approved 6/25/2018 BOE Regular Meeting  
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Revised 7/13/2020 BOE Organizational Meeting  
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Revised 6/27/2022 BOE Regular Meeting  
Revised 5/22/2023 BOE Regular Meeting  
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## INTRODUCTION

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The Board of Education of the Gouverneur Central School District is committed to ~~providing~~ ~~fostering~~ a safe and orderly school environment where students ~~may receive, can learn~~ and district personnel ~~may can~~ deliver high-quality educational services without disruption. ~~or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.~~ Achieving this goal requires responsible behavior from students, teachers, staff, parents, and all visitors.

The district ~~has a~~ upholds long-standing ~~set of~~ expectations for conduct on school property and at school functions, ~~rooted in the values of These expectations are based on the principles of~~ civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. ~~The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly. To this end, the Board adopts this code of conduct ("code").~~ To ensure these expectations are clearly defined, the Board establishes this Code of Conduct ("Code"), which outlines acceptable behavior, potential consequences for misconduct and the fair and timely administration of discipline when necessary.

Unless otherwise ~~indicated, stated,~~ this ~~e~~Code applies to all students, school personnel, parents, and ~~other~~ visitors ~~when while~~ on school property or attending ~~a~~ school functions.

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## DEFINITIONS

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In accordance with the **Dignity for All Students Act**, School District policy and practice must ensure that no student is subject to discrimination, bullying and/or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex by school employees or students on school property, on a school bus, at a school function, or off school property when the actions create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property.

The District Dignity Act Coordinator will be the High School Principal. In addition, each Building Principal will serve as The Building Dignity Act Coordinator with designated building counselors serving as assistants.

**Cyberbullying** means harassment/bullying, as defined below, through any form of electronic communication. Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory email messages, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying involving District students may occur both on campus and off school grounds and may involve student use of the District internet system or student use of personal digital devices including, but not limited to, cell phones, digital cameras, personal computers, and electronic tools.

**Disability** means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held; or (d) any restriction or lack (due to any impairment) of ability to

perform an activity in the manner or within the range considered typical.

**Discrimination** means discrimination against any student by (a) student(s) and/or employee(s) on school property or at a school function including, but not limited to, discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender expression, gender or sex, or any other legally protected status.

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

**Emotional Harm** means harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.

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

**Gender** means actual or perceived sex and includes a person's gender identity or expression.

**Gender Expression** means the way a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice, or mannerisms.

**Gender Identity** means one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.

**Harassment and/or Bullying** means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that 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 wellbeing, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for their physical safety. Such conduct shall include acts of harassment and/or bullying that occur on school property or at a school function or occur off school property where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property. Acts of harassment and/or bullying shall include, but are not limited to, conduct, threats, intimidation, or abuse 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.

**Illegal Substances** include, but are not limited to, alcohol inhalants, marijuana/cannabis, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs or synthetic drugs, look-alikes (including but not limited to synthetic cannabinoids), prescription or over-the-counter drugs when possession is unauthorized or such are inappropriately used or shared with others, and any product which, when misused, will result in an impaired or altered state; illegal substances also include any paraphernalia related to these substances.

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

gender, sex or any other legally protected status.

**Logical Consequences-** Strategies used to respond to student misbehavior in the Responsive Classroom philosophy. There are 3 main strategies of logical consequences which include: “You break it, you fix it,” “Loss of privilege” and “Positive Time-Out.” For details, please refer to the Elementary Student Handbook.

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

**Relationships** mean the way in which two or more people regard and behave toward each other.

**Respect** means the act of treating everyone in the school community with dignity. This is demonstrated by treating others with kindness and care, being polite and using manners, expressing thoughts and opinions in ways that are polite and courteous, using a polite tone of voice and body language, listening to others who are speaking to you, keeping one’s hands to oneself and not violating others’ personal space.

**Responsibility** means an obligation to behave in accordance with social norms and being held accountable for one’s actions.

**Restorative Practices** are a response to student actions that violate the dignity, safety, or well-being of others by connecting the person responsible for the harm with those who have been harmed, to reach a resolution that guides, and assists the person responsible for the harm in accepting responsibility, apologizing for the harm, making meaningful reparation, and improving the relationship between parties.

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

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

**School Function** means a school sponsored extracurricular event or activity.

**School Property** means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus.

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

**Therapeutic Crisis Intervention for Schools (TCIS)** is a trauma-informed crisis prevention and intervention model designed to assist school staff in preventing high-risk behaviors, de-escalating potential crises, managing acute behavioral incidents, and reducing the need for physical interventions. TCIS emphasizes creating a safe and supportive school environment.

**Tobacco Product** means any vaping or nicotine-containing devices and accessories to such devices and any other tobacco-containing product in any form, as well as matches, lighters and other related paraphernalia. This also includes any simulated tobacco products that imitate or mimic tobacco products.

**Under the Influence** A student shall be considered “under the influence” if they have used any quantity of an Illegal Substance or alcohol within a time period reasonably proximate to their presence on School Property, on a School Bus, in a school vehicle, or at a school-sponsored School Function and/or exhibits symptoms of such use as to lead to the reasonable conclusion of such consumption.

**Violent Pupil** means a student under the age of 21 who:

1. Commits or attempts to commit an act of violence upon a school employee.
2. Commits or attempts to commit while on school property or at a school function, an act

of violence upon another student or any other person on school property or at the school function.

3. Possesses, while on school property or at a school function, a weapon or any instrument that appears capable of causing physical injury or death.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

**Weapon** means a firearm as defined in 18 USC § 921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death. Any “look-alikes,” fake or toy weapons are considered a weapon for purposes of this definition.

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## STUDENT BILL OF RIGHTS AND RESPONSIBILITIES

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### With every right comes a responsibility.

#### *It is the student's right:*

- 1) To attend school in the district in which one's parent or legal guardian resides.
- 2) To expect that school will be a safe, orderly and purposeful place for all students to gain an education and to be treated fairly.
- 3) To be respected as an individual.
- 4) To express one's opinions verbally or in writing.
- 5) To dress in such a way as to express one's personality.
- 6) To be afforded equal and appropriate educational opportunities.
- 7) To take part in all school activities on an equal basis regardless of race, color creed, religion, religious practice, sex, sexual orientation, gender, national origin, ethnic group, political affiliation, age, marital status, or disability.
- 8) To have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance to students with serious personal problems.
- 9) To be protected from intimidation, bullying, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function or activity.
- 10) To a supportive learning environment where they feel safe and respected. Through the implementation of TCIS, the district is committed to providing interventions that promote positive behaviors and address challenges constructively, focusing on de-escalation and reintegration into the classroom.

#### *It is the student's responsibility:*

- To attend school daily, regularly and on time, perform assignments, and strive to do the highest quality work possible and be granted the opportunity to receive an education.
- To be aware of all rules and expectations regulating student's behavior and conduct oneself in accordance with these guidelines.
- To respect one another, and to treat others in the manner that one would want to be treated.
- To express opinions and ideas in a respectful manner so as not to offend, slander, or restrict, the rights and privileges of others.
- To dress appropriately in accordance with the dress code, so as not to endanger physical health, safety, limit participation in school activities or be unduly distracting.
- To be aware of available educational programs in order to use and develop one's capabilities to their maximum.
- To work to the best of one's ability in all academic and extracurricular activities, as well as being fair and supportive of others.
- To be aware of the information and services available and to seek assistance in dealing with personal problems, when appropriate.
- To respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act. To conduct themselves in a manner that fosters an environment that is free from intimidation, bullying, harassment, or discrimination. To report and encourage others to report any incidents of intimidation, bullying, harassment or discrimination.
- To contribute to a positive and respectful learning environment by demonstrating self-regulation, engaging in conflict resolution strategies, and participating in restorative practices when necessary. Students are expected to follow de-escalation techniques, seek help from staff when facing challenges, and take an active role in reintegration efforts after behavioral incidents to maintain a safe and supportive school community.

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## ESSENTIAL PARTNERS

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### Expectations for Parents

1. Recognize that the education of their child(ren) is a joint responsibility of the parents or guardians and school community.
2. Prepare their children for school ready to participate and learn as required by NYS Education Law and in accordance with the District's Comprehensive Student Attendance Policy (#7110).
3. Ensure that children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society, appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them to maintain a safe, orderly environment in accordance with the District *Code of Conduct*.
8. Convey to their children a supportive attitude towards education and the District.
9. Build good relationships with teachers, other parents, and their children's friends.
10. Work with our schools to maintain open and respectful communication.
11. Help their children deal effectively with peer pressure.
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Provide a place for study and ensure homework assignments are completed.
14. Teach their children respect and dignity for themselves, and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act.

### Expectations for Teachers

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
  - a) Course objectives and requirements.
  - b) Marking/grading procedures.
  - c) Assignment deadlines.
  - d) Expectations for students.
  - e) Classroom discipline plan.
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.
7. Confront issues of discrimination, bullying and/or harassment in any situation that threatens

the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function.

8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Report incidents of discrimination, bullying and/or harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
10. Maintain confidentiality about all personal information and educational records concerning students and their families.
11. All staff members are required to participate in ongoing professional development that equips staff with the skills necessary to prevent and manage crisis situations effectively, ensuring a safe and supportive environment for all students. Physical intervention techniques are taught as a last resort, emphasizing de-escalation and reintegration strategies.

### **Expectations for School Counselors**

1. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
2. Initiate and appropriately document teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
3. Regularly review with the students their educational progress, career plans and graduation requirements.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Coordinate Intervention Support Services, as needed, with student, parent, Building Principal, and teachers.
7. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
8. Report incidents of discrimination, bullying and/or harassment that are witnessed or otherwise brought to the counselor's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
9. Maintain confidentiality about all personal information and educational records concerning students and their families.
10. All staff members are required to participate in ongoing professional development that equips staff with the skills necessary to prevent and manage crisis situations effectively, ensuring a safe and supportive environment for all students. Physical intervention techniques are taught as a last resort, emphasizing de-escalation and reintegration strategies.

### **Expectations for Student Support Service Personnel**

1. Support educational and academic goals.
2. Know school rules, abide by them and enforce them in a fair and consistent manner.
3. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
4. Set a good example for students and colleagues by demonstrating dependability, integrity, and other standards of ethical conduct.
5. Maintain confidentiality about all personal information and educational records concerning



students and their families.

6. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, as a way to resolve problems and communicate as necessary in any other manner with parents and other staff regarding student progress and needs.
7. Regularly review with students their educational progress and career plan.
8. Provide information to assist students with career planning.
9. Encourage students to benefit from the curriculum and extra-curricular programs.
10. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
11. Report incidents of discrimination, bullying and/or harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
12. All staff members are required to participate in ongoing professional development that equips staff with the skills necessary to prevent and manage crisis situations effectively, ensuring a safe and supportive environment for all students. Physical intervention techniques are taught as a last resort, emphasizing de-escalation and reintegration strategies.

#### **Expectations for Other School Staff**

1. Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
2. Set a good example for students and other staff by demonstrating dependability, integrity and other standards of ethical conduct.
3. Assist in promoting a safe, orderly, and stimulating school environment.
4. Maintain confidentiality about all personal information and educational records concerning students and their families.
5. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
6. Report incidents of discrimination, bullying and/or harassment that are witnessed or otherwise brought to a staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
7. All staff members are required to participate in ongoing professional development that equips staff with the skills necessary to prevent and manage crisis situations effectively, ensuring a safe and supportive environment for all students. Physical intervention techniques are taught as a last resort, emphasizing de-escalation and reintegration strategies.

#### **Expectations for Principals**

1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of grievances.
3. Evaluate on a regular basis the effective safety, behavioral and school management issues related to all instructional programs.

4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the Code of Conduct, ensuring that all cases are resolved promptly and fairly and, when necessary, appropriately documenting actions.
6. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
7. Follow up on any incidents of discrimination, bullying and/or harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC).
8. All staff members are required to participate in ongoing professional development that equips staff with the skills necessary to prevent and manage crisis situations effectively, ensuring a safe and supportive environment for all students. Physical intervention techniques are taught as a last resort, emphasizing de-escalation and reintegration strategies.

### **Expectations for the Superintendent**

1. Promote a safe, orderly, respectful, and stimulating school environment, free from intimidation, discrimination, bullying and harassment, supporting active teaching and learning.
2. Promote a safe, orderly, respectful, and stimulating school environment, free from intimidation, discrimination, bullying and harassment, supporting active teaching and learning.
3. Review with District administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
4. Inform the School Board about educational trends, including student discipline.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Work with District administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
7. Address all areas of school-related safety concerns.

### **Board of Education**

1. Collaborate with students, teachers, administrators and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, District personnel and visitors on school property and at school functions.
2. Approve and review at least annually the District's Code of Conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Appoint a Dignity Act Coordinator in each school building. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, and sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.
4. Lead by example by conducting Board meetings in a professional, respectful, and courteous manner.

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## STUDENT USE OF ELECTRONIC COMMUNICATION DEVICES

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The G.C.S.D believes in the importance of uninterrupted instructional settings as critical to student attention to task and ultimately to their academic achievement. To that end, G.C.S.D. may control such interruptions to the learning climate including, but not limited to, personal electronic devices.

We also recognize that students are being educated in a global setting. Electronic devices play an important role in this education. Students now live in a technology dependent world in which electronic devices such as laptop computers, tablets, and smart phones play a key role. However, the district reserves the right to monitor, control, and limit the use of any electronic device used within the school grounds and at all school functions to mitigate distractions, enhance learning, and maintain the safety of students and staff.

Students are not permitted to use any form of information technology, including their own personal electronic devices, to intimidate, harass or threaten others. This type of harassment is generally referred to as cyberbullying. If a student violates this prohibition, then he/she is subject to discipline under this provision and/or any other provision in the District *Code of Conduct* that may be applicable to the circumstances involved.

### **Prohibition of Cell Phones and Electronic Devices in New York State Assessments**

Students are prohibited from bringing cell phones and certain other electronic devices into a classroom or other location where a New York State assessment is being administered, including but not limited to Regents Exams, Regents Competency Tests, Grades 3-8 Tests in English Language Arts and Mathematics, Grades 5 and 8 Science Tests, NYSESLAT, and the NYS Alternate Assessment.

Prohibited devices include, but are not limited to:

- Cell phones
- BlackBerry devices and other PDAs
- iPods and MP3 players
- iPads, tablets, and other eReaders
- Laptops, notebooks, or any other personal computing devices
- Cameras or other photographic equipment
- Headphones, headsets, or in-ear headphones such as earbuds
- Any device capable of recording audio, photographic or video content, or capable of viewing or playing back such content

Test proctors, test monitors, and school officials shall have the right to collect cell phones and other prohibited electronic devices prior to the start of the test and to hold them while the test is being administered, including break periods. Admission to the test shall be denied to any student who refuses to relinquish a prohibited device.

Some students with disabilities may use certain recording/playback devices provided that such an accommodation is specified in the student's IEP or 504 Plan. Prohibited devices further may be allowed if there is documentation from a medical practitioner on file at the school that a student requires such a device during testing. In all other cases, the prohibition as provided above remains in effect and the student may not enter the exam room with any prohibited device.

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## STUDENT DRESS CODE

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The intent of the Student Dress Code is to foster an environment that is sanitary, safe and conducive to teaching and student learning. It is also intended to provide guidance to prepare students for their role in the workplace and society.

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

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

1. Be safe, appropriate, and not disrupt or interfere with the education process.
2. Clothing should not expose the midriff (front and back), lower abdominal area, gluteal area or chest, and students may not wear clothing through which these areas of the body are visible.
3. Ensure that underwear and undergarments are completely covered with outer clothing, nor shall clothing contain any holes, rips, tears, or sheer portions allowing underwear or undergarments to be seen through clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not include the wearing of hats or head coverings in the buildings except for a medical or religious purpose or designated school activities during the academic day.
6. Not include messages or images that are lewd, vulgar, obscene, contain sexually explicit messages, (including messages that are innuendos or have double-meanings), and/or libelous or denigrate others on account of race, color, religion, creed, national origin, gender/gender identity, sexual orientation, or disability.
7. Not promote and/or endorse the use of alcohol, tobacco or illegal substances (as defined in this Code) and/or encourage other illegal or violent activities.
8. Not be clothing, jewelry, symbols, etc. that are determined by the Administration to indicate membership in a group that exists to intimidate or threaten the safe and orderly operation of the school and/or the health and welfare of the staff and/or students.

Each building principal or their designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year. Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including out of school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

Nothing in this Dress Code will be construed to limit the ability of students to dress and/or groom themselves in a way that allows them to express their gender identity, or to discipline students for doing so.

Nothing in this Dress Code will be construed to limit the ability of students to wear certain protective hairstyles (including but not limited to braids, locks and twists) or to wear their hair in a particular texture, or to discipline students for doing so.

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## PROHIBITED STUDENT CONDUCT

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The Board of Education expects all students to conduct themselves in an appropriate and civil manner per the District Code of Conduct, with proper regard for the rights and welfare of other students, district personnel and other members of the school community, and for the care of facilities and equipment. These expectations also apply to internships and student work experience.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to ~~place emphasis on the~~ **emphasize** students' ability to develop self-discipline. **To support this, the district implements Therapeutic Crisis Intervention for Schools (TCIS), which provides staff with strategies to prevent and de-escalate potential crises situations, reinforcing positive behavioral choices and fostering student well-being. While verbal interventions, conflict resolution, and restorative practices will be prioritized, physical interventions will only be used in situations where there is an imminent risk of harm, and all other de-escalation strategies have been exhausted.**

The Board recognizes the need to be clear and specific in expressing its expectations for student conduct while on District property, at a District function, or off school property when the actions create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property. The rules of conduct listed below are intended to ~~do that and focus on~~ **promote** safety and respect for the rights and property of others.

Students who ~~will not accept responsibility~~ **do not act responsibly** for their own behavior or who violate these school rules will be required to accept the consequences for their conduct. **In alignment with TCIS principles**, students may be subject to logical consequences, Restorative Practices, and/or disciplinary action, up to and including suspension from school or removal from a program, when they engage in conduct that is disorderly, insubordinate, disruptive, violent, endangers the safety, morals, health or welfare of others, ~~engage in misconduct on the school bus, or engage in academic misconduct including work/internship sites.~~

### **A. ~~Engage in~~ Conduct that is Disorderly.**

Examples of disorderly conduct include, but are not limited to:

1. Engaging in any act which disrupts the normal operation of the school community, such as running in hallways, making unreasonable noise, or using language or gestures that are profane, lewd, vulgar, abusive, intimidating, or that incite others.
2. Obstructing vehicular or pedestrian traffic.
3. Trespassing. Students are not permitted in any area of a school building, other than the school they regularly attend, without permission from the administrator in charge of the building.
4. Misusing computer/electronic communications devices, including any unauthorized or inappropriate use of the District's computer system (DCS), consisting of software, hardware, computer networks and electronic communications systems; accessing inappropriate websites; evading the District's content filter; using an outside wireless network; or any other violation of the District Acceptable Use Policy.
5. Unauthorized use of electronic devices/equipment (i.e., laptops, netbooks, Chromebooks, cell phones, smart phones, iPods, iPads, tablets, eReaders, and other personal electronic devices deemed inappropriate by the administration).
6. Violations of the Student Dress Code.

### **B. ~~Engage in~~ Conduct That is Insubordinate.**

Examples of insubordinate conduct include, but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees, or otherwise demonstrating disrespect.
2. Lateness for, missing, or leaving school or class without permission.
3. Skipping detention.

**C. ~~Engage in~~ Conduct That is Disruptive.**

Examples of disruptive conduct include, but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel or otherwise demonstrating disrespect.
2. Endangering the health and safety of other students or staff or interfering with classes or District activities by means of inappropriate appearance or behavior as per District Code of Conduct.

**D. ~~Engage in~~ Conduct that is Violent.**

Examples of violent conduct include, but are not limited to:

1. Committing, threatening, or attempting an act of physical violence (such as hitting, kicking, punching, or scratching) upon a teacher, administrator or other District employee or attempting to do so.
2. Committing, threatening, or attempting an act of physical violence (such as hitting, kicking, punching, or scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. Engaging in bullying and/or harassing conduct, threats, intimidation, or abuse (verbal or non-verbal) that reasonably causes or would reasonably be expected to cause a student to fear for their physical well-being.
4. Possessing a weapon as defined by this Code of Conduct. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on District property or at a District function.
5. Displaying, using, or threatening to use a weapon, as defined by this Code of Conduct, or displaying, using, or threatening to use what appears to be a weapon.
6. Intentionally damaging or destroying District property, the personal property of a student, teacher, volunteer, contractor, vendor, administrator, other District employee or any person lawfully on District property, or at a District function including but not limited to graffiti or arson.
7. Communication by any means, including oral, written or electronic (such as through the Internet, email or texting) off school property, where the content of such communication (a) can reasonably be interpreted as a threat to commit an act of violence on school property; or, (b) results in material or substantial disruption to the educational environment.

**E. ~~Engage in~~ Any Conduct That Endangers the Safety, Morals, Health or Welfare of Others.**

Examples of such conduct include, but are not limited to:

1. Lying, deceiving, or giving false information to a teacher, administrator or other school personnel.
2. Stealing District property or the property of other students, school personnel or any other person lawfully on school property or while attending a school function.
3. 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. This can include, but is not limited to, posting or publishing video, audio recordings or pictures via social media or other electronic communications.
4. Discrimination, based on a person's actual or perceived race, age, use of a recognized guide

dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, disability, or any other legally protected class as a basis for treating another in a negative manner on school property or at a school function.

5. Harassment, the creation of a hostile environment by conduct or by threats, intimidation or abuse (verbal or non-verbal), that 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 wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender/gender identity or sex.
6. Bullying and intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort
7. "Cyberbullying," including the use of instant messaging, email, websites, chat rooms, text messaging, or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees.
8. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending, or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
9. Displaying signs of gang affiliation or engaging in gang-related behaviors.
10. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any District or school sponsored activity, organization, club, or team.
11. Selling, using, possessing, or distributing obscene material.
12. Possessing, using, consuming, selling, purchasing, distributing, or exchanging (or attempting to possess, use, consume, sell, purchase, distributed or exchange), or being under the influence of alcohol, Tobacco Products, or Illegal Substances (as defined in this Code), on School Property or at a School Function.
13. Gambling and gaming.
14. Inappropriate touching and/or indecent exposure. Engaging in displays of affection of a sexual nature, including but not limited to kissing, caressing, groping and other similar overt expressions of affection. Such behavior is inappropriate in the school environment and depending on the circumstances, including the age of the students involved, may also constitute criminal conduct.
15. Initiating or reporting warning of fire or other catastrophe without valid cause, misusing 911, or inappropriately discharging a fire extinguisher.

#### **F. ~~Engage in~~ Misconduct While on a School Bus.**

It is crucial for students to behave appropriately while riding on District buses for their safety and that of other passengers, and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior and with this Code of Conduct. Violations of the Code of Conduct occurring on a school bus shall be subject to the same discipline as though the conduct occurred on school grounds. Excessive noise, pushing, shoving, fighting, harassment, and discrimination will not be tolerated.

#### **G. ~~Engage in~~ Any Form of Academic Misconduct.**

Examples of academic misconduct include, but are not limited to:

1. Plagiarism. Plagiarism includes, but is not limited to, instances when another person's work, words, or ideas are represented as one's own without the use of a school-recognized method of citation (e.g., copied from another source such as an author or another student without



properly acknowledging the actual writer/author) or when another person's work is copied or otherwise duplicated for academic credit. Plagiarism also occurs when knowingly giving or allowing one's own work to be copied or otherwise duplicated by another for academic credit, or when submitting one's own work for academic credit when they have already received academic credit for that work. Cutting and pasting from online sources on the Internet without proper acknowledgment and citation of primary and secondary sources (e.g., writers/authors/ organizations) also constitutes plagiarism (Nova Southeastern, 2021).

2. Cheating. Cheating is intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise, or having others complete work or exams and representing it as one's own (Nova Southeastern, 2021).
3. Copying.
4. Altering records.
5. Accessing other users' email, district provided accounts or network storage accounts and/or attempting to read, delete, copy, modify, or interfere with the transferring and receiving of electronic communications.
6. Recording audio or video or taking photographs in classrooms (including online classes) without prior permission from the course instructor or pursuant to an approved disability accommodation, and from reproducing, sharing, or disseminating classroom recordings to individuals outside of the designated course.
7. Violation of the District Acceptable Use Policy for technology.
8. Assisting another student in any of the above actions.

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## **REPORTING VIOLATIONS**

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All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal, or their designee. Any student observing or having knowledge of a student possessing a weapon, alcohol, or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee, or the superintendent. All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction. Persons standing in the parental relationship to the student shall be notified of code violations by telephone, followed by a letter. The notification must identify the student and explain the conduct that violated the code of conduct.

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

The building principal or their designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or their designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

### **Reporting Discrimination, Harassment and Bullying (Dignity For All Students Act)**

Prevention is the cornerstone of the District's effort to address bullying and harassment. In order to implement this anti-bullying prevention program, the Board will designate, at its annual



organizational meeting, individuals at each school to act as the Dignity For All Students Act Coordinator ("DAC"). These individuals shall be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex.

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

1. Professional development for staff members;
2. The complaint process; and
3. Implementation of the Dignity Act's civility curriculum components.

**The Dignity Act Coordinators are as follows:**

email addresses are [lastname.firstname@gcsk12.org](mailto:lastname.firstname@gcsk12.org):

**Lead Coordinator – District:** High School Principal, 315-287-1900

**Building Coordinators:**

**High School:** Assistant Principal, 315-287-1900  
Guidance Counselors, 315-287-4914

**Middle School:** Principal, Assistant Principal, Guidance Counselors, 315-287-1903

**Elementary:** Principal, Assistant Principal, Guidance Counselors, 315-287-2260

The DASA Coordinators are the school employees charged with receiving all reports of harassment, bullying and discrimination; however, students and parents may make an oral or written complaint of harassment, bullying or discrimination to any teacher, administrator, or school employee. The District will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment, and bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment and bullying.

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

Upon receipt of a complaint (even an anonymous complaint), or if a school employee otherwise learns of any occurrence of possible conduct prohibited by this Code, the school employee shall promptly and orally notify the DASA Coordinator(s) no later than one (1) school day after such school employee witnesses or receives the complaint or learns of such conduct. Such school employee shall also file a written report with the DASA Coordinator(s) no later than two (2) school days after making such oral report. In the event that the DASA Coordinator is the alleged offender, the report will be directed to the Principal or Superintendent.

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

Based upon the results of this investigation, if the District determines that a school official, employee, volunteer, vendor, visitor and/or student has violated the District's Code of Conduct or a

material incident of harassment, bullying and/or discrimination has occurred, immediate corrective action will be taken as warranted, it will take prompt action reasonably calculated to end the violation, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such violation was directed.

The Principal, Superintendent, or their designee shall promptly notify the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct. The Principal or the Principal's designee shall provide a regular report, at least once during each school year, on data and trends relating to harassment, bullying and/or discrimination to the Superintendent of Schools.

Retaliation against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination shall be prohibited.

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

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## DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS

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School officials must consult the Code of Conduct when determining an appropriate disciplinary intervention and/or consequence. ~~In a~~ Addressing inappropriate behavior ~~it is necessary to evaluate all~~ requires a comprehensive evaluation of the circumstances surrounding the behavior in order to determine the least punitive response that would properly address the inappropriate behavior. ~~to ensure that the response is both equitable and developmentally appropriate while promoting a supportive learning environment. The goal is to apply the least punitive yet most effective intervention that appropriately addresses the behavior and fosters growth.~~

~~The following facts must be considered prior to determining an appropriate disciplinary intervention and/or consequence:~~

~~Before determining a disciplinary intervention and/or consequence, the following factors must be considered:~~

- The student's age, maturity, and ability to understand consequences.
- The student's disciplinary record including the nature ~~of any prior misconduct and the number of prior instances of misconduct~~ frequency of prior incidents.
- The effectiveness of ~~Any~~ previous disciplinary ~~consequences and/~~ actions or interventions ~~used~~ and the student's response ~~to those interventions;~~
- The circumstances and ~~/or~~ context in which the behavior occurred;
- The student's IEP, 504 Accommodation Plan, or ~~designation as a student~~ suspected ~~of having a~~ disability ~~status~~ if applicable;
- The student's current FBA (Functional Behavioral Assessment) and BIP (Behavior Intervention Plan) if applicable;
- ~~When appropriate and~~ at the discretion of administration, individuals may participate in restorative practice strategies and/or educational ~~components;~~

when appropriate interventions to promote accountability and learning.

### A. Understanding Levels of Intervention

Behaviors are categorized based on their nature and impact, while disciplinary responses are organized into levels to provide a structured framework for addressing student conduct. Each behavior category corresponds to a range of possible interventions and consequences, ensuring that responses are fair, consistent, and developmentally appropriate. Lower-level responses emphasize preventative, restorative, and supportive approaches, such as verbal redirection, counseling, and mediation. As behaviors increase in severity, disciplinary responses become more intensive. Potentially including suspension or alternative disciplinary placements. This framework ensures that interventions are proportionate and focused on student growth rather than punishment while maintaining a safe and respectful learning environment.

### B. Consistent and Equitable Application of Discipline

~~Differentiated responses to disciplinary problems are included within the levels, under which all students are treated fairly, with respect and dignity so that:~~ Disciplinary responses will be differentiated based on individual circumstances, ensuring that all students are treated fairly, with dignity and respect. To uphold integrity and consistency across disciplinary actions:

- ~~Consequences and intervention at all levels are consistently applied across all students with honesty and integrity~~ will be applied consistently while recognizing individual student needs;
- ~~Documentation is completed~~ All incidents will be documented, and parents ~~are~~ will be notified of ~~the~~ inappropriate behavior and corresponding actions taken.

As a general rule, violations and associated penalties listed in this Code are advisory, and discipline will be progressive. This means that a student's first violation will ~~usually merit a lighter penalty than subsequent violations~~ will typically result in a less severe consequence, with escalating responses for repeated misconduct. However, the District retains ~~the~~ discretion to impose ~~any level of discipline, even for a first violation, that is proportionate to the misconduct at issue~~ an appropriate disciplinary response, including higher-level consequences for serious infractions, even for a first offense, when necessary to maintain safety and order.

### C. Students with Disabilities

If ~~the conduct of a student~~ a student's conduct is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education (CSE). ~~If warranted, consequences shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to the student's disability.~~ Any disciplinary action must be administered in accordance with federal and state laws, including IDEA and Section 504, and must align with the separate provisions in this Code of Conduct for disciplining students with disabilities. No student identified as having a disability shall be disciplined for behavior that is a direct result of their disability.

### D. Therapeutic Crisis Intervention for Schools (TCIS) and Restorative Practices

The district employs a range of disciplinary actions with an emphasis on restorative practices and

behavioral interventions. Therapeutic Crisis Intervention for Schools (TCIS) are an integral part of our approach, equipping staff with de-escalation techniques and trauma-informed practices to address the underlying causes of behavior. TCIS ensures that disciplinary responses remain supportive, educational, and developmentally appropriate. Physical interventions will be used only as a last resort when there is an imminent risk of harm and all other de-escalation strategies have been exhausted.

### **Expectations to Consider for Prekindergarten Through Grade 2**

Aggressive behavior in young children is rarely an intentional act to harm another. Rather, aggressive acts are often a result of children's unskilled attempts to communicate what they want, what they need, or what they don't like. When a child engages in aggressive behavior that threatens or harms other children or makes the learning environment feel unsafe, supportive procedures need to be in place to ensure that both children involved in the incident receive immediate attention and care. In addition, students who have experienced traumatic events may have emotional, social development, behavioral, or academic problems that need to be responded to with extreme sensitivity and awareness.

Staff members will utilize Therapeutic Crisis Intervention for Schools (TCIS) when responding to an aggressive behavior. TCIS provides staff with tools to de-escalate situations, support emotional regulation, and help students develop appropriate communication and coping strategies. Staff will prioritize verbal interventions and trauma-informed approaches to help the child regain control and prevent further escalation. Physical interventions will only be used if there is an imminent risk of harm and all other de-escalation strategies have been exhausted.

When a child engages in an aggressive act, staff and parents can expect these actions will take place:

- ~~A staff person will temporarily remove the child who has engaged in the aggressive act immediately from the environment to help the child regain a sense of calm so that staff member can speak with the child about the incident.~~
- When available, TCIS trained staff members will be called to support the child who engaged in the aggressive act. If it is determined that there is an imminent risk of harm, the other students in the classroom may be removed for their safety. The trained staff members will utilize TCIS strategies to help the child regain a sense of calm and engage in a supportive and restorative conversation about the incident.
- A staff person will speak to the child who has been threatened or harmed immediately to ensure that the child has an opportunity to talk about the incident, **validate their feelings, and to** help the child regain a sense of safety.
- Parents of children involved in the incident will be contacted.
- All responses to prekindergarten through grade 2 children's inappropriate behavior will be delivered in an age-appropriate manner and aligned with the levels below.

### **Interventions/Consequences**

The interventions and consequences aligned with each behavior level listed represent a menu of potential responses. Teachers and administrators may choose to utilize one or more responses to best address inappropriate behavior. Administrators and teachers are not expected to use all interventions listed for each level. When appropriate, administrators and teachers may choose to use lower-level interventions. Multiple incidents of lower-level infractions will warrant more

intensive and more serious consequences resulting in a higher level of intervention. School staff should strive to utilize the least punitive responses they believe will properly address the student's inappropriate behavior.

There are a range of disciplinary interventions and/or consequences when a student has made an inappropriate choice about their behavior. These include:

**Level 1: Classroom Interventions and Responses:** May be appropriate when a student has no prior incidents and interventions have not been put in place. The goal is to teach skills so students can learn and demonstrate safe and respectful behavior. The teacher aims to prevent a minor discipline problem from becoming a major disciplinary incident.

**Level 1 Suggested Interventions and/or Consequences**

Verbal Reminders

Reflective Conversations

Restorative Discussion

Teacher/Student Conference

Parent/Guardian Contact

Reminders/Redirection

Reteaching of Expectations and Skills

In-Class Time Out

Loss of In-Class Privileges

Self-Charting of Behaviors

Teacher Consequence

Seat Change

Written Reflection

Verbal Redirection

Reflective Activity

Daily Progress Sheet on Behavior

Restorative Justice Strategies

Warning from Appropriate Administrator

Referral to Student Support Team (SST)

**Level 2: Intensive Support and Appropriate Administration:** May be appropriate when supports have been put in place in the classroom to address the behavior but the behavior has continued to negatively impact the learning of the student and others or due to severity of offense.

**Level 2 Interventions and/or Consequences**

Parent/Guardian Contact

Reflective Activity

Behavior Contracts to reinforce expectations

Meeting with Appropriate Administrator

Student/Teacher/Guardian Conference

Lunch Detention(s)

Loss of Privileges

Removal from Class

In-School Suspension

Detention(s)

Change in Class/Schedule

Restitution

Referral to Student Support Team (SST)

Restorative Justice Strategies

Educational Component

Referral to Counselor

**Level 3: Short-Term Suspension:** May be appropriate given the seriousness of the offense and impact on the school community, and/or when documented interventions and supports have been put in place but the behavior is escalating (repeated offenses).

**Level 3 Interventions and/or Consequences**

Restorative Discussion

Loss of Privileges

Structured reintegration plans to promote accountability

Redirection by Appropriate Administrator

Removal from Class

Short-term Suspension (1-5 days)

    In-School Suspension

    Out-of-School Suspension

Referral to Outside Support Agencies

Referral to Counselor

Restorative Justice Strategies

Referral to Student Support Team (SST)

**Level 4: Extended Suspension, Expulsion, Referral:** May be appropriate when behavior presents a substantial disruption to the educational process or a potential or an imminent threat of serious harm to the school community, or when the student's behavior seriously affects the safety of others in the school and/or educational process.

**Level 4 Interventions and/or Consequences**

Long Term Suspension **which may include reintegration meetings to ensure student readiness to return**

Referral to Outside Support Agencies

Expulsion

Restorative Justice Strategies

Referral to Law Enforcement

Referral to Student Support Team (SST)

**What is a Student Support Team (SST)?**

A Student Support Team (SST) is a formalized structure for a group of educators, administrators, and other staff to meet regularly to address concerns about individual students or groups of students.

SSTs are designed to support students both by anticipating and preventing issues before they occur and by providing interventions and/or resources when issues do arise.

At the same time, SSTs support staff members by introducing teachers who bring an issue to the team to new strategies and building their capacity to support a wide range of students.

**Note:** A referral to the Student Support Team may result in a number of different outcomes, including but not limited to:

- Informal Classroom Behavior Plan
- Referral to Academic Intervention Services (AIS)
- Referral to the Committee on Special Education (CSE)
- Referral to the Section 504 Committee
- Development of a Functional Behavior Assessment (FBA)/Behavior Intervention Plan (BIP)

## Disciplinary Matrix

The following is the Disciplinary Matrix ~~which contains a list~~ outlines a range of potential inappropriate or disruptive behaviors and the appropriate interventions or consequences. ~~along with corresponding supportive interventions and consequences.~~ This framework is designed to be trauma-informed and developmentally appropriate, ensuring that disciplinary responses address the root causes of behavior while promoting student growth and accountability.

As a general rule, ~~violations and associated penalties listed in this Code are advisory, and~~ discipline will be progressive and restorative, meaning ~~This means that a student's first violation will usually merit a lighter penalty than subsequent violations.~~ initial violations typically result in less severe interventions focused on learning a behavior correction. However, the District ~~retains~~ reserves the discretion to ~~impose any level of discipline, even for a first violation, that is proportionate to the misconduct at issue~~ implement proportionate disciplinary responses, including higher-level interventions when necessary, to maintain a safe, supportive, and inclusive school environment.

Table of Offenses	Levels			
	1	2	3	4
Assault (SSEC)			X	X
Bomb Threat (SSEC)			X	X
Cyberbullying (SSEC)			X	X
DASA Violation/ <del>Discrimination, Harassment, Bullying</del> (SSEC)			X	X
Dress Code Violation	X	X	X	
Disruptive Behavior	X	X	X	X
Electronics – Use or Misuse	X	X	X	
Failed to Report to Detention	X	X	X	
Failed to Report to Lunch Detention	X	X	X	
Failed to Report to I.S.S.	X	X	X	
False Alarm (SSEC)			X	X
Harassment – Non DASA	X	X	X	X
Insubordination	X	X	X	X
Inappropriate Behavior	X	X	X	X
Left Class Without Permission	X	X		
Left School Without Permission	X	X	X	
<del>Minor Altercation with Physical Contact – No Injury</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
Physical Altercation	X	X	X	X

Racial Incident		X	X	X
Repeatedly Unprepared for Class	X	X		
Sexual Behavior	X	X	X	X
Sexual Offense (SSEC)			X	X
Skipped Class	X	X		
Substance Use or Possession			X	X
Tardy to Class	X	X		
Tardy to School	X	X		
Theft		X	X	X
Threat of School Violence (SSEC)			X	X
<del>Unprepared for P.E.</del>	<del>X</del>	<del>X</del>		
Unsafe Action	X	X	X	
Use, Possession, <del>or</del> Sale of Alcohol (SSEC)			X	X
Use, Possession, <del>or</del> Sale of Drugs (SSEC)			X	X
Vandalism		X	X	X
Verbal Altercation	X	X	X	
Weapons Possession (SSEC)			X	X

## H. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty. Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

### Detention

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



### **Suspension from transportation**

If a student does not conduct themselves properly on a bus, the bus driver is expected to bring such misconduct to the Director of Transportation's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the Superintendent of Schools, Building Principal, CSE Chairperson, or their designees. In such cases, the student's parent 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; the district will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

### **In-school suspension**

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension" (ISS). A student subjected to an ISS is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

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

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain their composure and self-control in an alternative setting. The GCSD supports three alternatives to students remaining in the classroom. Such practices may include, but are not limited to:

1. Short-term "time out" in a "Buddy Teacher" elementary classroom or in an administrator's office;
2. sending a student to the principal's office for the remainder of the class content period only; or
3. sending a student to a guidance counselor or other district staff member for counseling.

Time-honored responsive classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

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

A secondary classroom teacher may remove a disruptive student from class for the remainder of the period and one additional classroom period. The removal from class applies to the class of the removing teacher only. After meeting with the building administrator or their designee, the student may be assigned to an alternative setting for additional class time.

An elementary classroom teacher may remove a disruptive student for a maximum of 45 minutes for each incident. Based on the student's behavior and teacher recommendation, the principal may extend the removal time. If the removal time is extended by the principal, the teacher, principal or designee, student, and whenever possible the parents or guardians, will conference before the student returns to class. If more than two incidents occur, the teacher, principal or designee, student, and parent or guardian, will conference before the student returns to class.

If the disruptive student does not pose a danger or on-going threat of disruption to the academic process, the teacher must provide the student, parent and principal with an explanation for why they are being removed and an opportunity to explain their version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or on-going threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student, parent, and principal why the student was removed from the classroom and give the student a chance to present their version of the relevant events within 24 hours.

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

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

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents. The principal may require the teacher who ordered the removal to attend the informal conference. If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.

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

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

The principal or their designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour

period for the informal conference if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities which shall include alternative educational programs appropriate to individual student needs, until the student is permitted to return to the classroom. The principal or their designee will meet with the student, determine the alternative educational program, and make arrangements to ensure continued educational services. Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from their class. The principal must keep a log of all removals of students from class. Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from their class until they have verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

### **Suspension from school**

Suspension from school is a ~~severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent, or disruptive, whose conduct otherwise endangers the safety, morals, health, or welfare of others.~~ significant consequence and should be considered carefully. It may be imposed when a student exhibits behavior such as insubordination, disorderliness, violence, or disruption that jeopardizes the safety, well-being, or learning environment of others. Recognizing that students' actions may stem from a range of factors, including trauma, the Board maintains authority over suspensions but emphasizes that the primary responsibility lies with the Superintendent and building Principals.

~~The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals. 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 referrals shall be made in writing unless the conditions underlying the referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member. The superintendent or principal, upon receiving a 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.~~

In addressing disciplinary concerns, all staff members are encouraged to approach situations with sensitivity and understanding. Violent or disruptive behavior must be reported promptly to the Principal or Superintendent. If a referral is necessary, it must be submitted in writing unless immediate attention is required, in which case a written report should follow as soon as possible.

In processing suspension referrals, the Superintendent or Principal will gather all relevant facts ensuring a holistic approach that considers the student's context and needs, including trauma informed practices. Reintegration plans may be developed to support the student's return to school, promoting healing and addressing the underlying causes of their behavior to foster a positive and supportive school environment for all.

### **Short-term (5 days or less) suspension from school**

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student

denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents. The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish. The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable. After the conference, the principal shall promptly advise the parents in writing of their decision.

#### **Long-term (more than 5 days) suspension from school**

When the superintendent or building principal determines that a suspension of more than five days may be warranted, they shall give reasonable notice to the student and the student's parents 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 themselves, and the right to present witnesses and other evidence on their behalf. The superintendent shall personally hear and determine the proceeding or may, in their discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before them. A record of the hearing shall be maintained, but no stenographic transcript shall be required. 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.

The decision of the superintendent regarding the long-term suspension may be appealed to the Board of Education, which will make its decision based solely upon the record before it. All appeals to the Board must be in writing, specifying the reason for the appeal, and submitted to the district clerk within thirty (30) days of the date of the superintendent's decision.

There will be no personal appearances before the Board; the appeal will be considered solely in writing. The Board will not convene to consider and decide an appeal unless the full record of the appeal has been compiled and provided to the Board, and at least ten (10) business days remain before the next scheduled Board of Education meeting. If the written appeal is not received and the appeal record has not been compiled in full and provided to the Board at least ten (10) business days before the next scheduled Board meeting, then the appeal will not be considered and decided at that meeting. It will instead be considered at a later regularly scheduled Board meeting.

The Board may adopt in whole or in part the decision of the superintendent. Final decisions of the Board may be appealed to the Commissioner within thirty (30) days of the decision.

## **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 wellbeing of other students, school personnel or any other person on school property or attending a school function.

### **I. Minimum Periods of Suspension**

#### **Students who bring a weapon to school.**

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

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

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

#### **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 from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

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

## **J. Referrals**

### **Counseling/Other Support Agency Referrals**

The Guidance Office shall handle all referrals of students to counseling and other appropriate human service agencies, as needed.

### **PINS Petitions**

The district may file a PINS (Person in Need of Supervision) petition in Family Court or make referrals to other support agencies on any student under the age of 18 who demonstrates that they require supervision and treatment by:

1. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
2. Engaging in an ongoing or continual course of conduct which makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.

### **Juvenile Delinquents and Juvenile Offenders**

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

1. Any student under the age of 16 who is found to have brought a weapon to school, or
2. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law.

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

## **K. Restorative Justice Strategies**

Historically, the discipline of students in schools has focused mainly on handing out punishments based on specific actions. These punishments include reprimands, loss of privileges, office referrals, detentions, and suspensions.

Understanding and recognizing discipline as a “teachable moment” is fundamental to a positive approach to discipline with the ultimate goal of teaching prosocial behavior. Therefore, the board authorizes restorative justice strategies to be employed where appropriate. Restorative justice strategies may include but are not limited to conferences which restore relationships between staff, students, and parents/guardians; conflict resolution; mediation; restorative circles; and participation in lessons to teach positive social behavior or anger management. This approach seeks to simultaneously hold students accountable and change unacceptable behavior.

Restorative practices are a set of principles and strategies used to build community, respond to harm/conflict by repairing the harm done to affected parties, and reintegrating students into the school community. Restorative practices support SEL (social emotional learning) skills by providing students with the opportunity to practice skills such as emotion recognition, social perspective-taking, self-control, and problem solving as they work through the restorative process.

As students work through the restorative process, they will be asked:

- What happened?
- What were you thinking of at the time?
- What have you thought about since?
- Who has been affected by what you have done?
- In what way have they been affected?
- What do you think you need to do to make things right?

Essential to the implementation of restorative justice practices is helping students who have

engaged in unacceptable behavior to:

- Understand why the behavior is unacceptable and the harm it caused;
- Understand what could have been done differently in the same situation;
- Take responsibility for their actions;
- Make reparations and or restitution to repair the harm done;
- Be given the opportunity to learn prosocial strategies/skills to use in the future; and
- Understand the progression of more increasingly punitive consequences may be imposed if the behavior reoccurs.

The Board supports staff and administration to utilize restorative justice practices where appropriate in addressing student disciplinary issues. In the application of restorative principles, the process is always voluntary for the students.

Any parent (or student over the age of 18) can request to go the traditional disciplinary route and not participate in the restorative process. This may happen at any time during the process, or if a student is unwilling to accept responsibility for their actions and is not demonstrating willingness to make amends.

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## ALTERNATIVE INSTRUCTION

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When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law § 3214, the district will take immediate steps to provide alternative educational programs appropriate to individual student needs and in accordance with the requirements of the State Education Law.

**Students receiving alternative instruction will continue to have access to educational materials and support services. TCIS principles will be applied to address behavioral issues, promote self-regulation, and facilitate successful reintegration into the regular classroom setting.**

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## DISCIPLINE OF STUDENTS WITH DISABILITIES

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The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities are afforded certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

### A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the code of conduct, the following definitions apply.
  - **Suspension** means a suspension pursuant to Education Law § 3214.
  - **Removal** means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.
  - **IAES** means 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, that 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 described on the student's current individualized education program (IEP), that will

enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. School personnel may order the suspension or removal of a student with a disability from their current educational placement as follows:
  - a) The Board, the district (BOCES) superintendent of schools, the CSE Chairperson or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
  - b) The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 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.
  - c) The superintendent may order additional suspensions of not more than 10 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.
  - d) 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 to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
    - **Weapon** as used herein means the same as “dangerous weapon” under 18 U.S.C. § 930(g)(w) which includes “a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 1/2 inches in length.”
    - **Controlled substance** means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
    - **Illegal drugs** mean 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.
3. Subject to specified conditions required by both federal and state law 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 their current educational placement poses a risk of harm to the student or others.

## **B. Change of Placement Rule**

1. A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either:
  - a) for more than 10 consecutive school days; or
  - b) for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 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 suspension 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.

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

1. The district's Committee on Special Education shall:
  - a) Conduct functional behavioral assessments to determine why a student engages in a particular behavior and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 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 their current educational placement for more than 10 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 determines necessary.
  - b) Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The parents 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 law 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 presumed to have a disability for discipline 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 presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
    - conducted an individual evaluation and determined that the student is not a student with a disability, or

- determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law 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 a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

1. The district shall provide parents 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 their 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 shall accompany the notice of disciplinary removal.
2. The parents 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 parents of non-disabled students under the Education Law.
3. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated, into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
4. 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 10 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.
5. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

#### **D. Expedited Due Process Hearings**

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
  - a) The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in their current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in their current educational placement during such proceedings.
  - b) The parent 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.
    - During the pendency of 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, or 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 parents and the district agree otherwise.

- If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of 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.
2. 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, a written decision must be mailed to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

#### **E. Referral to law enforcement and judicial authorities**

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

1. 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.
2. 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.

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### **CORPORAL PUNISHMENT**

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Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. The Gouverneur Central School District prohibits the use of corporal punishment, aversive interventions, and seclusion.

However, in situations where alternative procedures and methods cannot reasonably be used, the District authorizes the limited use of timeout and physical restraint in schools to address student behaviors subject to conditions in law, regulation, and policy (#7350).

Reasonable physical force may be used to:

1. Protect oneself, another student, teacher, or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers, and duties, if that student has refused to refrain from further disruptive acts. The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

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### **STUDENT SEARCHES AND QUESTIONING OF STUDENTS**

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The Board of Education is committed to facilitating an atmosphere on school property and at school functions that is safe and orderly. Accordingly, authorized District personnel may conduct searches and/or questioning of students in accordance with applicable Board of Education policy.

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### **VISITORS TO THE SCHOOLS**

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The Board welcomes parents and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers, and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or

their designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the office of the principal upon arrival at the school. All visitations must have a purpose. There they will be required to sign the visitor's register and may be issued a visitor's identification badge, which must be always worn while in the school or on school grounds. The visitor must return the identification badge to the main office before leaving the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the principal or their designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

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## **PUBLIC CONDUCT ON SCHOOL PROPERTY**

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The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, "public" shall mean all persons when on school property or attending a school function including students, teachers, and district personnel. The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others. In addition, the District has established a District-level school safety plan and a building-level emergency response plan for each District school, which have been developed in accordance with applicable law and regulation to assure the security and safety of students and school personnel.

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

### **A. Prohibited Conduct**

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass, or discriminate against any person on the basis of actual or perceived

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

6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, use, consume, sell, purchase, distribute, or exchange (or attempt to possess, use, consume, sell, purchase, distributed or exchange), or be under the influence of alcohol, Tobacco Products, or Illegal Substances (as defined in this Code) on School Property or at a School Function.
10. Possess or use weapons in or on school property or at a school function except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Falsely report an incident, or place a false bomb as defined in the New York State Penal Law.
14. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
15. Willfully incite others to commit any of the acts prohibited by this code.
16. Violate any federal or state statute, local ordinance, or board policy while on school property or while at a school function.

## **B. Penalties**

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

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

## **C. Enforcement**

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

to assist in removing the person.

The district shall initiate disciplinary action against any student or staff member, as appropriate, with the “Penalties” section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code. and is authorized to seek restitution as described in law.

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## **DISSEMINATION AND REVIEW**

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### **Dissemination of Code of Conduct**

The Board will facilitate community awareness of this Code of Conduct by:

1. Providing copies of a summary of the Code to all students, in an age-appropriate, plain-language version, at a general school assembly held at the beginning of each school year.
2. Making copies of the Code available to all parents at the beginning of the school year.
3. Providing a summary of the Code of Conduct written in plain language to all parents of District students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current Code of Conduct when they are first hired.
6. Making copies of the Code available for review by students, parents and other community members and providing opportunities to review and discuss this Code with the appropriate personnel.

The Board will sponsor an in-service education program for all District staff members to ensure the effective implementation of the Code of Conduct, including but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, harassment, bullying and discrimination against students by students and/or school employees; and including safe and supportive school climate concepts in the curriculum and classroom management. The Superintendent may solicit the recommendations of the District staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

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

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

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

The District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website, if available. The District shall file a copy of its Code of Conduct and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.