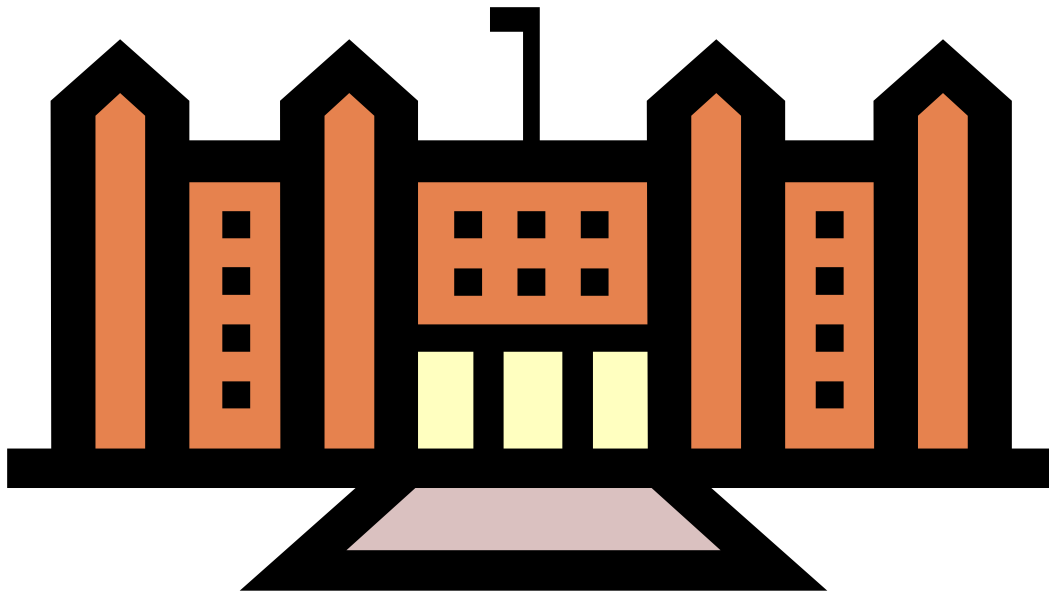


ICHABOD CRANE CENTRAL SCHOOL



DISTRICT CONDUCT POLICY

POLICY #5310 and Regulation
Mandated Policy

2010 – 2011 School Year
Effective: August 3, 2010

CODE OF CONDUCT

I. BELIEF STATEMENT

Schools are a reflection of the community in which they exist. Ichabod Crane Central School should be a place where children and adults work and learn together in an atmosphere of mutual respect and with a clear understanding of each person's rights and responsibilities. As members of the school community, students, teachers, administrators, other school officials, parents and visitors have rights, which must be balanced by the responsibilities on which these rights are based. While students at Ichabod Crane Central School have the right to an education, this right is qualified by eligibility requirements and by performance requirements developed for the benefit of all students. Although the school must be concerned with the welfare of each individual, it must also be concerned with the welfare of the entire school community. While the school is a social institution, its primary function remains the education of its students. Good behavior will be encouraged through positive reinforcement and the positive and supportive example of school employees and parents. However, when a behavior at school demonstrates the individual is not fulfilling his/her responsibilities or exercising his/her rights in an appropriate manner, the school will respond according to its Code of Conduct and policy on discipline. The District is committed to the consistent enforcement of the procedures governing discipline. Its policy is a reflection of the goals governing the Pro Children Act which ensures a tobacco-free environment, the National Educational Goals 2000 which prohibits violence in the schools, and the Safe and Drug Free Schools Act dedicated to prevent the illegal use of drugs and alcohol in the schools and the assurance of behaviors which cultivate respect for individual differences. Individuals who violate these federal or state laws will be reported to the appropriate legal authorities.

CODE OF CONDUCT REGULATIONS

**I. NEW YORK CODES RULES AND REGULATIONS
(NYSCRR SECTION 100.2 POLICY ON SCHOOL CONDUCT AND
DISCIPLINE)**

In accordance with the Regulation, the District adopted a Code of Conduct in collaboration with students, teachers, administrators, parent organizations and school safety personnel. The Code was originally adopted by the Board of Education in June 2001, and reviewed in subsequent years.

The required elements of the code include:

- ✓ Description of appropriate and inappropriate dress, language and conduct.
- ✓ Requirement for civil and respectful treatment of teachers, administrators, students and others.
- ✓ The appropriate range of disciplinary measures for violations of the code.
- ✓ The roles of teachers, administrators, school personnel and the board of education.
- ✓ Standards and procedures for ensuring security and safety of students and school personnel.
- ✓ Provisions related to removal of students from the classroom by teachers and from school property and functions for violators of the code.
- ✓ Provisions prescribing a period for which a disruptive pupil may be removed from the classroom for each incident subject to the principal making a final determination or expiration of the period of removal.
- ✓ Disciplinary measures for serious incidents – those involving illegal substances, weapons, and the use of physical force, vandalism, violation of another student’s civil rights, harassment and threats of violence.
- ✓ Provision for detention, suspension and removal consistent with state and federal law
- ✓ Provision for continued educational programming and activities, including “alternative educational programs appropriate to individual student needs” for students removed from the classroom, in detention or on suspension.
- ✓ Procedures for reporting and determining violations, imposing discipline and carrying out such discipline.
- ✓ Provision for ensuring compliance with state and federal laws concerning students with disabilities.
- ✓ Provision for notifying local law enforcement agencies of violations constituting a crime. Provision for notifying persons in parental relation of code violations.
- ✓ Provision describing the circumstances in which a complaint in criminal court, a juvenile delinquency petition or PINS petition will be filed.

- ✓ Circumstances under which a matter will be referred to human service agencies.
- ✓ Minimum suspension periods for those who are “repeatedly substantially disruptive of the educational process” or “substantially interfere with teacher’s authority over the classroom” or those who have committed acts of violence.
- ✓ A bill of rights and responsibilities of students that focuses on positive student behavior; publicized and explained to students annually.
- ✓ Guidelines and programs for in-service training for staff to ensure successful implementation.
- ✓ Annual review and update of the Code and adoption by Board of Education is required.
- ✓ A copy of the Code and any amendments to it must be filed with the commissioner within 30 days of adoption.

Community awareness steps include providing a copy of the Code upon request.

When a decision is made to propose suspension of a student, pursuant to the Section 3214 (3), those in parental relation must be notified in writing within 24 hours of the decision. Telephone contact should also occur where possible. The notice shall inform those in parental relation of their right to an immediate informal conference with the principal. This conference must take place prior to the suspension unless the student’s presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the conference will take place as soon after the suspension as possible.

II. DEFINITIONS

For purposes of this Code, the following definitions apply.

“Student” means anyone who is enrolled in the K-12 program at Ichabod Crane Central School District.

“School Employee” means any person employed by the Ichabod Crane Central School District.

“Disruptive Behavior” means any behavior that is substantially disruptive of the educational process or substantially interferes with the teacher’s authority in the classroom.

“Violent Behavior” means any violent act marked by physical force, anger, sudden or intense activity that:

1. Either harms, threatens to harm, or attempts to harm, a school employee; or
2. Either harms, threatens to harm, or attempts to harm, while on school property or at a school function, a student or any other person lawfully on school property or at a school function; or
3. Involves, while on school property or at a school function, the possession of a weapon; or
4. Involves, while on school property or at a school function, the display of a weapon; or
5. Involves, while on school property or at a school function, the threat of use of a weapon; or
6. Involves the knowing and intentional damaging or destruction of the personal property of any school employee or any person lawfully on school property or at a school function; or

7. Involves the knowing and intentional damaging or destruction of school property.
8. An act that substantially disrupts the educational process. Such an act can occur on or off school property.

“Weapon” means a firearm as defined in 18 USC;921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu Star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

III. STUDENT RIGHTS AND RESPONSIBILITIES

A. STUDENT RIGHTS

The District is committed to safeguarding the rights given to all students under state and federal law. In addition, to promote a safe, healthy, orderly and civil school environment, all District students have the right to:

1. Take part in all District activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

B. STUDENT RESPONSIBILITIES

All District students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all District policies, rules and regulations dealing with student conduct.
3. Attend school every day, unless they are legally excused, and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the District when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
12. Report any potential safety hazard, or suspicion of potential act of violence to their teacher, building administrator or responsible adult.

IV. ESSENTIAL PARTNERS

It is the express intention of this Code that the acceptable standards of behavior required of students by this Code also govern the conduct of essential partners, including teachers, school administrators, other school personnel and visitors, including parents. Included in these standards of behavior applicable to essential partners are regulations regarding hazing, harassment, dress and the possession of weapons, except that authorized law enforcement personnel shall be allowed to possess on school grounds weapons they are authorized to possess in performing their law enforcement duties.

A. Parents

All parents are expected to:

1. Promote mutual respect and dignity in their communications with school personnel to encourage and model positive behavior.
2. Recognize that the education of their children is a joint responsibility of the parents and the school community.
3. Send their children to school ready to participate and learn.
4. Ensure their children attend school regularly and on time.
5. Ensure absences are excused.
6. Insist their children be dressed and groomed in a manner consistent with the student dress code.
7. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
8. Know school rules and help their children understand them.
9. Convey to their children a supportive attitude toward education and the District.
10. Build good relationships with teachers, other parents and their children's friends.
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. Report knowledge or suspicion of a potential act of violence.

B. Faculty

All District teachers are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen a student's self-concept 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. Report knowledge or suspicion of a potential act of violence.

C. Principals

All District principals are expected to:

1. Lead by example by maintaining a climate of mutual respect and dignity, which will strengthen a student's self-concept and promote confidence to learn.
2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.

3. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
4. Evaluate on a regular basis all instructional programs.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

D. Support Staff

Support staff (for example, aides, clerical staff, bus drivers, custodians, cleaners, food service staff members) contribute widely to a positive and orderly environment throughout the District. Awareness, understanding and support for the consistent implementation of the Code of Conduct by support staff members, as well as its specific relationship to each of their roles, is crucial.

Support Staff are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen a student's self-concept and promote confidence to learn.
2. Know school policies and rules, and enforce them in a fair and consistent manner.
3. Report knowledge or suspicion of a potential act of violence.

E. Superintendent

The Superintendent is expected to:

1. Lead by example by conducting the responsibilities of the position in a respectful, courteous manner.
2. Promote a safe, orderly and stimulating school environment, 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 Board about educational trends relating to 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.

F. Board of Education

The Board of Education is expected to:

1. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.
2. Support instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
3. 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.
4. Adopt 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.

V. STUDENT DRESS CODE

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. 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.

1. Students may not wear head coverings or outerwear (jackets or coats) in school or bring to wear in school other clothing items, knapsacks or jewelry that bear wording or pictures that depict, promote, advertise or encourage the use of drugs, alcohol, tobacco products, weapons, violence, obscene language, sexual conduct, ethnic/gender bias or prejudicial statements or that are in any way demonstrably disruptive of the educational program.
2. Students may not wear revealing clothing including, but not limited to, halter tops, beach wear, clothing made of mesh material, oversized tank tops, tops that expose cleavage or the midriff, or pants with side seams cut open.
3. Pants worn so that undergarments are exposed will not be permitted.
4. The wearing of hanging chains from pockets and the wearing of spiked collars, spiked rings and spiked bracelets are potential hazards and are not allowed.
5. Hats, coats, jackets, visors and other types of outerwear are to be kept in lockers and not worn during the course of the school day.
6. Students must also comply with the dress code for physical education class.

CODE OF CONDUCT K-12

VI. DISCIPLINE CODE FOR STUDENT BEHAVIOR

- There are a variety of disciplinary responses made to misbehaviors at the Kindergarten - Grade 12 level. Classroom misbehavior should typically be dealt with directly by the teacher or staff member in the setting where the infraction occurred. Teachers and staff are encouraged to make connections between the child's misbehavior and other more appropriate choices or alternatives. Parental involvement is seen as an essential component in the development of appropriate school behaviors.

However, there are times when a child will do something both unexpected and disruptive in the educational setting, which must be dealt with immediately by an administrator. If any student (K -12) threatens another student with physical harm, the administrator will follow the following protocol:

- The "threat of harm" will be assessed by the administration, and if available, in collaboration with the School Resource Officer.
- Parents will be appropriately contacted.
- Code of Conduct will be enforced.

The School Resource Officer (SRO) program began at Ichabod Crane in February 2002. The New York State Police, in conjunction with the School District, worked together and submitted a grant proposal to the United States Department of Justice. The grant proposal was approved, and the NYS Police received the federal funds to implement the program. The purpose of the program is to provide a police officer to District schools available as a resource to administrators, faculty, staff and students.

1. In an effort to ensure a safe environment for all students, from time to time, the District may allow law enforcement entities to search the middle and high school as well as the high school parking lot. Such actions may include, but are not limited to, the use of bio-sensor K-9 units.

2. Upon the required degree of suspicion, all cars parked on District premises by students are subject to search by District administrators or law enforcement.

Hazing/Harassment – Hazing in any form, including initiation, which is degrading, is strictly forbidden by New York State law. No student shall conspire to engage in hazing, participate in hazing, or commit any act that causes or is likely to cause bodily danger, physical harm, personal degradation or disgrace, resulting in physical or mental harm to any fellow student or other person. It is understood that hazing of any kind is not allowed on this campus. It is further understood that students have a duty to report any acts of hazing they see or know of to a coach, teacher or administrator, and participation in or failure to report any hazing will result in an immediate disciplinary review and appropriate disciplinary consequences.

The following pages contain descriptions of common disciplinary infractions and possible responses and disciplinary procedures.

VII. BULLYING, CYBERBULLYING, HARASSMENT, OR INTIMIDATION

A. Prohibition of Bullying

It is the policy of the Ichabod Crane School District to prohibit bullying, cyberbullying, harassment, or intimidation of any kind on district property, on district transportation, at school-sponsored events or functions or by use of electronic technology either on school premises or off school premises, where the off-campus conduct substantially disrupts the school environment. It is the policy of the Ichabod Crane School District to prohibit reprisal or retaliation against any individual who reports acts of bullying, cyberbullying, harassment, or intimidation, or who are victims, witnesses, bystanders, or others with reliable information about an act of bullying, cyberbullying, harassment, or intimidation.

B. Definition of Bullying, Cyberbullying, Harassment, or Intimidation

As used in this policy, “bullying, cyberbullying, harassment, or intimidation” means intentional conduct, including verbal, physical, or written conduct or an electronic communication that creates a hostile educational environment by substantially interfering with a student’s educational benefits, opportunities, or performance, or with a student’s physical or psychological well-being. Bullying usually consists of a pattern of negative actions or statements directed at an identifiable individual or group. Students or parents should make District staff aware of any situation that may be bullying.

Bullying may:

- Be motivated by an actual or perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, or physical or mental ability or disability; and/or,
- Be threatening or seriously intimidating; and/or,
- Occur on school property, at a school activity or event, or on a school bus; and/or,
- Substantially disrupt or have the potential to substantially disrupt the orderly operation of a school.

“Electronic communication” means a communication transmitted by means of an electronic/digital device, including but not limited to: a telephone, cellular phone, computer, laptop, pager, or other hand-held device. It further includes, but is not limited to, communications transmitted by way of email, text message, instant message, voicemail, social networking sites, webpage, video, blogs and twitter.

C. Prevention, Intervention, Remediation may include:

- Parental Communications: Letters, Phone Calls, Emails
- Parent/Teacher and Parent/Teacher/Administrator Conferences
- Administrative Counseling/Advising
- Peer Mediation
- Disciplinary Consequences as outlined in the Code of Conduct
- Special Education modifications as warranted
- Student Support (an in-house at-risk intervention program)
- Mentor Program
- Outside Agencies including:
 - School and Community Based Prevention
 - Probation
 - Child Protective Services (CPS)
 - Department of Mental Health
 - Department of Social Services
 - Reach Center
- Social Worker, Counselor, Guidance Counselor and Psychologist involvement
- National Honor Society
- National Coalition Building Institute (NCBI)
- Friends of Rachel (FOR)
- Bullying Awareness assemblies/presentations
- Cyber Safety assemblies/presentations
- Parent/Community Bullying/Cyber Safety Forums
- Individual/Group Counseling as warranted
- Morning Program Character Development
- Team/Parent/Student Meetings
- Child Study Team (CST)
- Career Day
- Jr. SAVE /SAVE
- Freshman/Senior Seminar
- Professional Development Opportunities
- SRO/Law Enforcement

VIII. DISCIPLINE PROCEDURES K-8

COMPUTERS AND DIGITAL DEVICES:

Current and future advances in technology have and will change the way that Ichabod Crane Central School community relates to the world. These advances include tools that can be used to enhance the educational program and to increase the knowledge of the students. From within the District, students, faculty and the public are able to travel all over the world to gather information, learn new skills and expand their knowledge. It is also possible for the public to obtain information about the District at their convenience from the privacy of their own homes. Please refer to the Board of Education Policy #4526.

Disciplinary Procedures

Students who misuse or abuse the privilege of using computers and/or the District's technology infrastructure at Ichabod Crane will face disciplinary action, which may include loss of privileges and/or police intervention when appropriate. It shall be a misuse or abuse of the privilege of using computers for a student to use any computer system, software, or hardware in any school for a purpose that is not directly related to classroom instruction, that is not part of an approved computer curriculum, or that is not approved in advance by a teacher, principal, or other administrator.

Student misuse of computers shall also include but not be limited to:

- Changing or causing the change of any settings, programs or functioning of any hardware or software.
- Visiting Web sites during a class that are not related to said class.
- Visiting Web sites that contain adult material, pornography, or other similar information.
- Sending/receiving e-mail via a school computer without prior authorization from an employee of the District.
- Disconnecting any hardware.
- Gaining access to any District-related administrative computer programs without explicit authorization and/or gaining access to user IDs that have not been assigned to them by the Instructional Technology Dept. and/or an administrator.

It shall also be considered misuse if a student uses his/her own computer to:

- Visit Web sites during a class that are not related to said class.
- Visit Web sites that contain adult material, pornography, or other similar information.
- Gain access to any District-related administrative computer programs without using a password that has been assigned to them by the Instructional Technology Dept. or an administrator.
- Unauthorized use of personal digital devices with the District network/software.

Violations of the Computer Use Policy shall be considered Level II or Level III infractions depending on the severity of the infraction. Additionally, the student may be barred from using the Ichabod Crane computer system or any of its components for an extended period of time up to one calendar year.

Teacher's Removal of a Student from Class:

Removal may take place when a student's behavior is disruptive of the educational process or interferes with the teacher's authority over the classroom. The student will be sent to a supervised area.

Disciplinary Probation – Middle School

Any student receiving three or more referrals or one level three infraction for misbehavior during each quarter may be placed on disciplinary probation for a five-week period that will begin on the day of the occurrence of the third referral. Students involved in a serious incident (i.e., fighting, stealing, etc.) also may be immediately placed on disciplinary probation at the discretion of the principal.

If a student who is already on disciplinary probation receives a referral, the date of removal from the ineligibility list will be extended an additional five weeks.

Ineligibility Rules

Students who are placed on disciplinary probation will:

- Not be allowed to participate in the following:
 - Activity Nights
 - Ski Club
 - After School Clubs
 - Interscholastic or Modified Sports
 - Intramurals
 - Student Council
- Loss of all pass privileges (pre-signed passes will be honored)
- Participate in field trips only if their parent or guardian accompanies them as a chaperone or if special arrangements can be made (subject to administrative and team approval).

A notification will be sent to the parent or guardian of any student placed on disciplinary probation. A student will have the opportunity to **appeal** disciplinary probation after two weeks. An appeal form must be filled out and submitted to the Assistant Principal for review.

LEVEL I

INFRACTIONS

1. Unexcused lateness to class or school
2. Abuse of hall or lavatory privileges
3. Hazardous horseplay
4. Use of language inappropriate for school environment
5. Throwing objects
6. Disruptive behavior in class or on school grounds
7. Abusive use of school property
8. Dress: Students may not wear clothing, including hats and jackets, or bring to wear in school other items such as knapsacks or jewelry that bear wording or pictures that depict, promote, advertise or encourage the use of drugs, alcohol, tobacco products, weapons, violence, obscene language, sexual conduct, ethnic/gender bias or prejudicial statements or that is in any way demonstrably disruptive of the educational program. Students may not wear revealing clothing such as halter tops, beach wear, clothing made of mesh material, oversized tank tops, tops which expose cleavage or the midriff, or pants with side seams cut open. Pants worn so that undergarments are exposed will not be permitted. The wearing of hanging chains from pockets and the wearing of spiked collars and bracelets are potential hazards and are not allowed.
9. Being in unauthorized areas
10. Unauthorized use or possession of radios, tape recorders, electronic games, iPod or MP3 -type devices, pagers, cellular phones, electronic devices capable of taking or transmitting pictures, liquid containers, perfume, after-shave bottles, breath sprays, water guns, etc.
11. Wearing of head covering (Middle School), including visors
12. Littering
13. Inappropriate displays of affection
14. Failure to comply with the dress code for physical education class.

Disciplinary Responses

1. Teacher counseling of student/verbal reprimand
2. Seat change
3. Parental contact if warranted
4. Behavior contract
5. Restriction of privileges
6. Temporary removal from class to supervised area
7. Referral for Misbehavior written if appropriate and may be kept on file
8. Detention -- as appropriate to building and assigned by administrator: Refusal to attend detention will result in having two detentions assigned. Failure to report to additional detentions will result in In-school Suspension (Middle School)
9. Confiscated items will be held in the main office. As deemed appropriate by the administrator, the item(s) may be returned at the end of the day, or, in some cases, item(s) may be returned to a parent/guardian on a time and date as determined by the administrator. If appropriate, item(s) may be released to law enforcement personnel. The District does not assume responsibility for lost or stolen items that have been confiscated.

LEVEL II

INFRACTIONS

1. Repeated Level I infractions
2. Pushing/Shoving/Tripping
3. Leaving or cutting class and/or school (truancy) without permission (truancy) -- *please note:* a class cut includes leaving the supervision of the teacher during a fire drill or any other type of evacuation or an assembly program.
4. Forging a parent/guardian signature
5. Possession of cigarettes, lighter, matches or other tobacco products or any drug paraphernalia
6. Use of profanity and/or obscene language
7. Possession or use of laser pointers
8. Possession, use, sharing, distributing of dangerous edible substances, including but not limited to hot sauces, hot peppers and herbs and spices.
9. Cheating
10. Lying
11. Hazardous horseplay
12. Disruption in class or on school premises
13. The playing of any physical game in an unregulated or unsafe manner.

Disciplinary Responses

1. Continuation of Level I options
2. Referral for misbehavior will be written and mailed home
3. Parental conference if requested by either parent or administrator
4. Temporary withdrawal of certain privileges/extra-curricular activities. (At the Middle School level, three (3) or more referrals in a given "quarter" will result in the student being placed on Disciplinary Probation)
5. In-School Suspension

LEVEL III

INFRACTIONS

1. Repeated Level II Infractions
2. Truancy
3. Stealing
4. Possession or distribution of pornographic or inappropriate materials
5. Threatening harm directly or indirectly/intimidating others

6. Vandalism of school or personal property
7. Initiating a false alarm/bomb threat
8. Arson or detonation/possession of an incendiary device, fireworks or unauthorized chemical device.
9. Use, sale, possession, distribution or being under the influence of drugs including non-authorized prescription or over-the-counter medications, alcohol or other controlled substances on school district property or at any school activity.
10. Possession and/or use of firearms or weapons.
11. Fighting -- a student who willingly provokes a fight or willingly participates
12. Extortion
13. Use of statements relating to racial, sexual, ethnic, religion, gender, or disabling conditions or other prejudicial statements, to the extent that they are determined to threaten violence to create a hostile educational environment or otherwise to disrupt the District's educational programs and activities.
14. Verbal or physical harassment of students, staff member, volunteer, contractor, visitor, or any person present on school property, in a school vehicle, or at any school-sponsored program or activity.
15. Defiance/insubordination/disrespect/refusal to follow requests or directives
16. Use of profanity and/or obscene language being directed to students, staff member, volunteer, contractor, visitor, or any person present on school property, in a school vehicle, or at any school-sponsored program or activity.
17. Use of tobacco products on school grounds (first offense) -- Possible Superintendent Hearing; possible referral to Columbia County Health Department as a violation of the Public Health Law. Possible out-of-school suspension from school one (1) to five (5) days and/or, if deemed appropriate by the building principal, voluntary participation and completion of a tobacco education/cessation program as approved by the District.
18. Hazing/Harassment – Hazing in any form, including initiation, which is degrading, is strictly forbidden by New York State law. No student shall conspire to engage in hazing, participate in hazing, or commit any act that causes or is likely to cause bodily danger, physical harm, personal degradation or disgrace, resulting in physical or mental harm to any fellow student or other person. It is understood that hazing of any kind is not allowed on this campus. It is further understood that we have a duty to report any acts of hazing we see or know of to a coach, teacher or administrator, and participation in or failure to report any hazing will result in an immediate disciplinary review and appropriate disciplinary consequences.
19. Bullying, cyberbullying, harassment or intimidation of others as defined in Section VIII.

Disciplinary Responses

1. Continuation of Level II Procedures
2. Involvement/Referral to appropriate outside agency
3. Appropriate restitution if warranted
4. Suspension from school -- not to exceed five (5) days -- ***please note:*** students must be accompanied to school by a parent following an out-of-school suspension.
5. Superintendent's Hearing -- ***please note:*** a hearing will be automatic after a second or subsequent incident of fighting, other Level III infraction or for a second or subsequent infraction of using tobacco products on school grounds
6. Parent is notified

IX. ICHABOD CRANE HIGH SCHOOL

THE DISCIPLINARY SYSTEM: AN EXPLANATION

The High School's Disciplinary System is composed of rules, which seek to make students' expected behavior clear, concrete, and reasonable. When students break the rules, the school's response is varied, depending upon the severity of the infraction and other relevant factors. In all cases where a referral is written, the students will be asked to sign the form. If a student declines to sign the form, the adult writing the referral will indicate this on the form. The student will receive a copy of the form. One copy will be retained by the faculty or staff member, one will be sent to the student's legal guardian and the original will be placed in the student's discipline file. For all infractions, demerits may be assigned.

DEFINITIONS:

LUNCH DETENTIONS: Administrators may assign one or more days of lunch period detention in the In-School Suspension Room as a response to disciplinary infractions.

TEACHER ASSIGNED DETENTION: Teachers may assign students to a detention with them providing 24 hour notice is given. Failure to report to a teacher-assigned detention will result in additional disciplinary action as prescribed in the Discipline Policy.

DEMERITS: Demerits are points, which help to quantify a student's inappropriate behavior. Demerits are assigned for violations of the disciplinary code. The number of demerits assigned for any single infraction varies depending on the infraction. When a student accumulates fifteen (15) demerits or discipline infractions an Informal Disciplinary Hearing will be held. Parents/guardians, the student and an administrator will participate in the hearing. The purpose of this hearing is to involve parents in an attempt to alter the behavior pattern of the student. Depending on the circumstances, which resulted in the hearing, additional disciplinary action may be taken. When a student reaches thirty (30) demerits or discipline infractions and all other options have been exhausted, he/she will be scheduled for a Formal Disciplinary Hearing with the Superintendent of Schools. Depending on the circumstances, which resulted in the formal hearing, additional disciplinary action may be taken. The action will be more severe than that for any single infraction and may include long-term suspension from regular instruction.

IN-SCHOOL SUSPENSION: In-School Suspension (ISS) is assigned, in some cases, as an alternative to an out-of-school suspension. It is also assigned as an early intervention as a student begins to accumulate demerits or as an intervention when a student is a discipline problem in a particular class. Students will be expected to complete class assignments forwarded by teachers.

OUT-OF-SCHOOL SUSPENSION: Suspension from school denies a student participation and attendance at all school activities for a specific period of time. Immediate suspensions by the building principal of up to five (5) days will occur if a student's action endangers the health, safety, or welfare of others. Students may be suspended out-of-school for a period of time as a result of either a formal or informal hearing.

COMMUNITY SERVICE: Students may be assigned to work in the High School or some other school building during the school day or after school instead of assigning them to out-of-school suspension. They could possibly push a floor mop, wash boards, clean the cafeteria, or a school bus, etc. Parent permission is required for this alternative consequence.

TEACHER REMOVAL FROM CLASS:

Removal may take place when a student's behavior is disruptive of the educational process or interferes with the teacher's authority over the classroom. The student will be sent to a supervised area.

PEER MEDIATION

Peer Mediation is a proven successful program that allows the two sides of a student disagreement to sit down and discuss and resolve their differences. We encourage students to use this program as an alternative to arguing or fighting. Students may refer themselves or their friends for mediation.

RESTORATIVE JUSTICE

Restorative Justice is a prescribed meeting method which seeks to repair the harm done by wrongdoing through face-to-face meetings with those who have been directly impacted. The goal of a restorative justice meeting is to hold offending students accountable for their actions, while also addressing the needs, fears and concerns of victims and the wider school community.

SPECIFIC POLICIES

COMPUTERS AND OTHER DIGITAL DEVICES:

Current and future advances in technology have and will change the way that Ichabod Crane Central School Community relates to the world. These advances include tools that can be used to enhance our educational program and to increase the knowledge of our students. From within our District, students, faculty and the public are able to travel all over the world to gather information, learn new skills and expand their knowledge. It is also possible for the public to obtain information about the District at their convenience from the privacy of their own homes. Please refer to the Board of Education Policy #4526.

Disciplinary Responses:

Failure to comply with the District's computer use policy or regulation may result in disciplinary action as well as suspension and/or revocation of computer access privileges and/or police intervention when appropriate. It shall be a misuse or abuse of the privilege of using computers for a student to use any computer system, software, or hardware in any school for a purpose that is not directly related to classroom instruction, that is not part of an approved computer curriculum, or that is not approved in advance by a teacher, principal, or other administrator.

Student misuse of computers shall also include but not be limited to:

- Changing or causing the change of any settings, programs or functioning of any hardware or software.
- Visiting Internet sites during a class that are not related to said class.
- Visiting Internet sites that contain adult material, pornography, or other similar information.
- Sending/receiving e-mail via a school computer without prior authorization from an employee of the District.
- Any mutilation of network equipment be a PC and its components, keyboard, mice, wireless access point, switches and other network devices.
- The intentional disconnection of network devices (PC and components, printers, wireless access points, switches) by disconnecting power or their cables attached to them.
- Gaining access to any District-related administrative computer programs without explicit authorization and/or gaining access to user IDs that have **not** been assigned to them by the Instructional Technology Dept. and/or administrator.

It shall also be considered misuse if a student uses his/her own computer on school property to:

- Visit Internet sites during a class that are not related to said class.
- Visit Internet sites that contain adult material, pornography, or other similar information.
- Gain access to any District-related administrative computer programs without using a password that has been assigned to them by the Instructional Technology Dept. or an administrator.
- Downloading from Internet sites any unauthorized software
- Uploading to a PC or laptop any unauthorized software

Violations of the Computer Use Policy shall be considered Level II, III or IV infractions depending on the severity of the infraction. Additionally, the student may be barred from using the Ichabod Crane computer system or any of its components for an extended period of time up to one calendar year.

DRESS CODE:

1. Students may not wear head covering or outerwear (jackets or coats) in school or bring to wear in school other clothing items, knapsacks or jewelry that bear wording or pictures that depict, promote, advertise or encourage the use of drugs, alcohol, tobacco products, weapons, violence, obscene language, sexual conduct, ethnic/gender bias or prejudicial statements or that is in any way demonstrably disruptive of the educational program.
2. Students may not wear revealing clothing including but not limited to halter tops, beach wear, clothing made of mesh material, oversized tank tops, tops which expose cleavage or the midriff, or pants with side seams cut open.
3. Pants worn so that undergarments are exposed will not be permitted.
4. The wearing of hanging chains from pockets and the wearing of spiked collars, spiked rings and spiked bracelets are potential hazards and are not allowed.
5. Head coverings, coats, jackets, and other types of outerwear are to be kept in lockers and not worn during the course of the school day.
6. Students must comply with the dress code for physical education class.

Disciplinary Response: Students will be directed to take one of the following actions:

- ⇒ Faculty, staff or administration will ask the student to comply with a request to remove, cover, or turn inside out the offending item of apparel. If the student refuses to comply with the request, they will be reported immediately to an administrator for action.
- ⇒ Remove the item of clothing or hat and place it in their locker
- ⇒ Cover the item of clothing with another item of clothing
- ⇒ If appropriate, turn the item of clothing inside out so that the offensive words or pictures are not visible
- ⇒ With parental approval, return home to change to other clothing

ELECTRONIC DEVICES:

Unauthorized use or possession of radios, tape recorders, electronic games, iPod or MP3 type devices, water guns, pagers, laser pointers, cellular phones, electronic devices capable of taking or transmitting pictures or other similar devices is prohibited during the school day.

Disciplinary Responses: Each time, the device will be taken from the student and delivered to an administrator, and if warranted, delivered to appropriate law enforcement personnel. In addition, one or more of the following actions will be taken:

- ⇒ It may be returned to the student at the end of the school day
- ⇒ One to three (1 - 3) demerits will be assigned
- ⇒ It may be held until it can be picked up by the parent/guardian of the student
- ⇒ Repeated offenses may result in the student being assigned to In-School Suspension
- ⇒ May be treated as a Level 3 or 4 infraction depending on circumstances.

SMOKING:

Smoking/use of other tobacco products in or on school grounds is forbidden by New York State Law.

Disciplinary Responses:

Possible Superintendent's hearing; possible referral to Columbia County Health Department as a violation of the Public Health Law and/or suspension from school one (1) to five (5) days and/or if deemed appropriate by the building principal, voluntary participation and completion of a tobacco education/cessation program as approved by the District.

Parking Privilege Contract: Students who wish parking privileges and their parents will be required to sign a parking privilege contract at the time a parking permit is requested. Failure to comply with the contract stipulations may result in a temporary or permanent loss of parking privileges.

Leaving School During the School Day: Ichabod Crane High School is a closed campus. Students may not be excused on a regular basis during lunches and study halls. Students who leave without permission will face loss of parking privileges and/or assignment of demerits.

LEVEL I

INFRACTIONS

1. Late to class - in the hall without a pass after the late bell has sounded
2. Inappropriate public displays of affection
3. Failure to stay for a teacher-assigned detention
4. Late to school without a note
5. Dress code violation
6. Unauthorized use or possession of radios, tape recorders, electronic games, and iPod or MP3 -type devices, pagers, cellular phones, electronic devices capable of taking or transmitting pictures, liquid containers, perfume, after-shave bottles, breath sprays, water guns, etc.

Disciplinary Responses (alone or in any combination)

1. Assignment to lunch detention by an administrator.
2. In-school community service as assigned by an administrator.
3. For each offense, the faculty or an administrator may assign not more than (1) demerit.
4. A documentation of the infraction may be filed in the administrator's office.
5. Referral to the school psychologist or guidance counselor for an informal counseling/problem solving session.
6. Teacher counseling/verbal reprimand
7. Seat Change
8. Temporary removal from class to a supervised area with administrative approval.
9. Loss of parking privileges
10. Confiscated items will be held in the main office. As deemed appropriate by the administrator, the item(s) may be returned at the end of the day, or, in some cases, item(s) may be returned to a parent/guardian on a time and date as determined by the administrator. If appropriate, item(s) may be released to law enforcement personnel. The District does not assume responsibility for lost or stolen items that have been confiscated.

LEVEL II

INFRACTIONS

1. Repeated Level I infractions.
2. Class, homeroom, advisory, study hall or lunch cuts -- *please note*: a class cut includes leaving the supervision of the teacher during a fire drill or any other type of evacuation or an assembly program.
3. Disobedience/Insubordination
4. Cafeteria misconduct
5. Verbal or physical harassment of students or staff member
6. Leaving school early without prior, verified permission
7. The use of inappropriate language
8. Disruptive behavior
9. Unauthorized possession or use of laser pointers.
10. The playing of any physical game in an unregulated or unsafe manner.
11. Possession or distribution of pornographic or inappropriate materials
12. Cheating

Disciplinary Responses (alone or in any combination)

1. Continuation of Level I Possible Disciplinary Procedures.
2. Parent conference.
3. In-school suspension as assigned by an administrator -- *please note*: in-school assignment must be served prior to a student resuming regular classes.
4. For each offense, the faculty or an administrator may assign two (2) demerits.
5. Administrator will meet with the student and/or teacher; parent may be contacted directly.
6. Behavior contract.

7. In the case of class cuts, parents may be contacted directly in the first instance by a clerical person and for subsequent infractions by the classroom teacher and/or the building administrator.

LEVEL III

INFRACTIONS:

1. Repeated Level II Infractions
2. Truancy
3. Threatening harm directly or indirectly/intimidating others
4. Vandalism/misuse or abuse of school property. An act of vandalism or theft may be treated as a Level IV infraction, depending on the circumstances and/or cost involved.
5. Theft. An act of vandalism or theft may be treated as a Level IV infraction, depending on the circumstances and/or cost involved.
6. Possession of cigarettes or other tobacco products, lighters, matches or drug paraphernalia
7. Possession, use, sharing, distributing of dangerous edible substances, including but not limited to hot sauces, hot peppers and herbs and spices.
8. Sexual activity on school premises or overt simulation of a sex act(may be treated as a Level IV infraction depending on circumstances).
9. Bullying, cyberbullying, harassment or intimidation of others as defined in Section VIII.

Disciplinary Procedures (alone or in any combination)

1. Continuation of Level I and II Possible Disciplinary Procedures.
2. Possible informal hearing for repeated offenders.
3. Demerits may be assigned only by an administrator.
4. Possible one (1) to five (5) day(s) of out-of-school suspension -- *please note:* students must be accompanied to school by a parent following an out-of-school suspension.
5. Parent is notified.
6. Involvement of appropriate agencies.
7. Loss of privileges to attend extra-class and/or special events — i.e., athletic meets, theatrical productions, the prom, graduation.
8. Restitution as appropriate.

LEVEL IV

Students who are known to have committed one of these infractions will be escorted immediately to the administration by the faculty or staff.

INFRACTIONS:

1. Repeated Level III Infractions.
2. Verbal or physical abuse of a faculty or support staff member, administrator or other member of the school community.
3. Fighting
4. Use, sale, possession, distribution or being under the influence of drugs including non-authorized prescription or over-the-counter medications, alcohol or other controlled substances on school district property or at any school activity.
5. Arson or detonation/possession of an incendiary device, fireworks or unauthorized chemical device.
6. Initiating a false alarm/bomb threat.
7. Possession of a dangerous weapon in school or on school district property or at any school activity.
8. Use of any object as a weapon to inflict pain or cause bodily harm to another individual.
9. Threatening harm or intimidating others
10. Acts of Hazing/Harassment (see information in Section VII - Discipline Code for Student Behavior)
11. Attempting to gain unauthorized access, or attempting to compromise District-owned computer equipment, software or network settings.

Disciplinary Procedures (alone or in any combination)

1. Continuation of appropriate responses from Level I, II and III.
2. Conference with parent, student and/or appropriate staff member(s) and outside agencies.
3. Continuation of Appropriate Possible Disciplinary Procedures from Levels I, II and III.
4. These offenses may carry one (1) to five (5) days of out-of-school suspension assigned by an administrator.

Additional action may include any combination of the following:

5. Appropriate involvement by police or other outside agencies.
6. Assignment of demerits by an administrator
7. Superintendent's Hearing -- *please note*: a hearing will be automatic after a second or subsequent incident of fighting or some other Level IV infraction.
8. Restitution as appropriate.

X. STUDENT RIGHT TO PROCEDURAL DUE PROCESS

A. Student Right to Procedural Due Process – Generally

Students will be afforded procedural due process in all instances where student behavior in violation of this Code of Conduct may result in the imposition of a school response.

Generally, such due process shall include the following:

- a. The student must be given notice verbally or in writing of the specific behavior in question.
- b. The student must be given the opportunity to appear informally before the person authorized to impose a school response to the alleged behavior in order to discuss the allegation. The student must be given an opportunity to address the allegation.
- c. After consideration of all the facts, the person authorized to impose a school response to the alleged behavior shall determine whether a school response is in order. If so, the response shall be consistent with the range of responses prescribed for the inappropriate behavior in the Code of Conduct. In determining the school response, the following factors shall be taken into consideration: any mitigating or aggravating circumstances surrounding the behavior; the student's prior record of conduct; the student's age; the student's intent; and other information deemed pertinent.

B. Student right to Procedural Due Process, Removal from the Classroom

A teacher may remove a student from the classroom for disciplinary and non-disciplinary reasons. Non-disciplinary removal would include a visit to the principal's office, guidance or counselor's office to discuss inappropriate behavior or a "time-out" to enable a student to regain control or composure.

Disciplinary removal will constitute any removal of a disruptive student from the classroom in excess of one school day. A student removed from a classroom for disciplinary reasons shall be placed in an alternative classroom where educational programming shall be provided. A teacher may remove a disruptive student (6 –12) from his/her classroom for up to two (2) days. In K-5, a student can be removed for a time period not to exceed 60 minutes. In the event a teacher wishes to remove a student from the classroom the student shall be afforded procedural due process as follows:

1. The teacher must inform the student that s/he is going to be removed from the classroom.
2. The teacher must specifically explain to the student why s/he is to be removed.
3. The teacher must give the student an opportunity to explain or respond.
4. The teacher may then decide to remove the student from the classroom.

However, a teacher may remove a student who poses a danger or ongoing threat of disruption from his/her classroom immediately. In the event of such removal, the following procedures must be followed within 24 hours of the removal:

1. The teacher must explain to the student why s/he was removed from the classroom.
2. The teacher must give the student the opportunity to provide an explanation of the incident(s) that led to the removal.

When a teacher removes a student from the classroom, the teacher must appropriately notify the building principal. The student must be sent to the principal's office or an alternative classroom specifically designated for the purpose of receiving students who have been removed from the class. The teacher must complete the District prescribed student removal form and provide it to the principal of the school as soon as possible but no later than the end of the school day.

As soon as possible and no later than 24 hours after the removal, the principal must provide telephonic and written notification to the student's parents or guardian of the removal and the circumstances that led to the removal. The notice must inform the parents of their right to request an informal meeting with the principal to discuss the reasons for the removal. Written notice must be by personal delivery, express mail, or some other means to reasonably ensure parental notification within 24 hours. If requested by the parents, the informal meeting must be held within 48 hours of the removal. If the parents agree, the meeting may be held at another mutually convenient time. The principal may require the teacher who removed the student from the classroom to be present at the informal conference with the parents.

A principal or designee may overturn a teacher's removal of a student from the classroom upon a finding that:

1. the charges against the student are not supported by substantial evidence;
2. the removal is in violation of the law or the District's policies, regulations or procedures; or
3. the conduct warrants suspension from school pursuant to a superintendent's hearing (Education Law S3214) and such suspension will be imposed.

Such determination may be made at any time from the principal's receipt of the student removal form to the close of the business day following the 48-hour period for the informal conference. A disruptive student removed from the classroom by a teacher shall be provided continued educational programming and activities until allowed back into the classroom.

The District shall prescribe forms upon which each teacher shall maintain a record of all cases of removal of a student from his/her classroom and upon which each principal shall maintain a record of each removal of a student from a classroom in the school for which s/he is responsible.

*Students with disabilities, please see Section XI.

C. Student Right to Procedural Due Process, Suspension from School

The Superintendent or a principal may suspend a student from school for a period not to exceed five (5) days. In the event the superintendent or a principal proposes to suspend a student for a period not to exceed five (5) days, the student shall be afforded procedural due process follows:

1. The student must be verbally notified.
2. If the student denies the allegations, s/he must be provided with an explanation of the rationale for the suspension.
3. As soon as possible and within 24 hours of the decision to propose suspension, the principal/superintendent must provide telephonic and written notification to the student's parents or guardian of the proposed suspension and the circumstances that led to the decision. The notice must inform the parents of the specific charges against the student and a description of the incident that led to the charges. It shall also provide notification of their right to request an informal meeting with the principal to discuss the reasons for the suspension. Written notice must be by personal delivery, express mail or some other means to reasonably ensure parental notification within 24 hours.

4. If requested by the parents, the informal meeting must be held within 48 hours of the removal. If the parents agree, the meeting may be held at another mutually convenient time. The principal/superintendent may require the teacher who removed the student from the classroom to be present at the informal conference with the parents. The parents shall have the opportunity to ask questions of complaining witnesses at such informal conference subject to procedures established by the principal/superintendent.
5. The student shall not be suspended until after the informal conference unless the student poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such case, the notice and the informal conference shall take place as soon as is reasonably possible after the suspension is imposed.
6. After the conference, the parents will be provided with a written decision on the matter.
7. The parents may appeal such decision to the superintendent of schools within five (5) business days, however, only for alleged procedural errors.

In the event the school response to student behavior may result in suspension of the student for a period in excess of five (5) school days, the student and his or her parents must be given an opportunity for a hearing on reasonable notice. The notice shall advise the student of the behavior that gives rise to the proceeding. Parents may attend the hearing and the student has a right to be represented by an attorney, to testify on his or her own behalf, to present witnesses and evidence and to cross-examine witnesses against the student. The Superintendent of Schools may preside at the hearing or designate a hearing officer who will render a recommendation to the Superintendent, which s/he is free to accept or reject in whole or in part. The decision of the Superintendent in such matters may be appealed pursuant to section 3214 of Education Law. Only upon a final decision of the board of education may the parents appeal a decision to the Commissioner of Education.

XI. DISCIPLINE PROCEDURES FOR STUDENTS WITH DISABILITIES

Discipline is the positive direction of behavior toward established standards of conduct, fully understood and based on reason, judgment, and the rights of others. Ideal discipline is self-directed and self-controlled. The school, community, and parents share the responsibility for helping the student develop self-discipline. Discipline is necessary to insure an orderly environment in which each person may learn to his/her full capabilities in harmony with others. When self-control falters and self-discipline fails, disciplinary forces outside the individual must be imposed to protect the rights of others.

When there is a report that a student with a disability has violated the discipline code of the school which s/he attends, the principal or designee will conduct an investigation which may include a conference with the student, parent or guardian, teachers, other student service personnel, or others, as deemed appropriate for early identification and resolution of the suspected problem. The investigation shall be conducted according to the following guidelines:

- ◆ The student is given notice of the charges against him/her in enough detail to allow the student to understand the nature of the accusation. Support from special education personnel may be appropriate.
- ◆ The student is given an opportunity to admit to or deny the stated charges.
- ◆ School authorities may order a change in placement of a child with a disability in an appropriate interim alternative education setting, another setting, or suspension for not more than ten (10) days – whether or not the behavior was a manifestation of the child’s disability.
- ◆ Parents must be notified of the decision and all procedural safeguards no later than the date on which the decision to suspend.

- ◆ A manifestation meeting will take place for long-term suspensions over ten (10) days. At this meeting, the manifestation team will review the relationship between the child's disability and the behavior that is the subject of the disciplinary action. This review is conducted by the IEP team and other qualified personnel to make this determination. If the discipline review of the relevant information regarding the behavior finds no manifestation, disciplinary procedures applicable to children without disabilities may be applied. If the behavior is a manifestation of the child's disability, the IEP team may also determine that the student's IEP needs to be modified to include a behavioral management plan, additional supports, or inappropriate circumstances, a change in educational placement.

If it is determined that the misconduct is unrelated to the student's handicapping condition, the administrator can determine the appropriate disciplinary action according to the building discipline code. Any disciplinary procedure should be consistent with the student's Individual Evaluation Plan (IEP) and legal rights.

If a disabled student's behavior is determined to be dangerous to him/herself or others, then the building administrator must take immediate and appropriate action, followed by immediate notification to the Committee on Special Education. If such action includes suspension of the student, all legal procedures must be followed.

XII. CODE OF CONDUCT FOR TRANSPORTATION

Of paramount concern is the safe transport of students and the need to provide support to transportation personnel through consistent, fair and appropriate discipline whenever safety is compromised by the unsatisfactory behavior of students on the school buses. Just as the drivers have the responsibility of providing the safest possible ride for each student, the student in turn has the responsibility of ensuring the same by following the rules. All behaviors, which result in a referral, are considered distractions to the drivers.

There is an expectation that students, while riding the buses, either to or from school, extracurricular events or field trips will:

- ◆ Follow the instructions of the bus driver.
- ◆ Keep head and hands inside the bus.
- ◆ Observe crossing procedures of the driver when appropriate.
- ◆ Wait until the bus comes to a complete stop before attempting to enter or leave the bus or do not attempt to board bus once it is placed in motion.
- ◆ Remain seated on the bus, out of the aisles and facing forward, with feet on the floor.
- ◆ Enter and leave the bus in an orderly fashion.
- ◆ Keep track of personal belongings, books, lunches, et cetera.
- ◆ Respect the property of others, to include keeping the bus clean and not defacing, marking or littering on the bus.
- ◆ Behave in an orderly manner at the bus stop.
- ◆ Be on time at the bus stop.
- ◆ Ride the bus assigned unless issued a pass.
- ◆ Keep voices at a conversational level while the bus is in motion.
- ◆ Not smoke or ignite matches or lighters on the bus.

Note: Volume 17 of the New York Code, Rules and Regulations specifically states, "Baggage, freight or other property shall not be carried in the aisle or so as to interfere with passenger seating space, safety or comfort." Additionally, aisles are to be unobstructed and emergency doors are to be maintained in a free operating condition. To ensure this, students may not bring large objects, including skis and skateboards

on the bus. Large musical instruments require pre-approval and need to be secured if they cannot be held in the hands or on the laps of the passenger.

Each bus driver is responsible to prevent or stop unsafe acts of behavior, which would jeopardize the safe operation of the bus or safety of the children. Examples of methods, which may be used, include the assignment of seats or pulling the bus safely off the road until the unsafe condition is corrected. Drivers should notify the Transportation Supervisor should it become necessary for them to use extraordinary methods to control behavior on the bus.

TRANSPORTATION SUPERVISOR: Works with the driver, parents and administrators in devising and implementing effective means to curtail inappropriate and unsafe behavior on the buses.

ADMINISTRATOR: Thoroughly investigates reports of unsatisfactory behavior on the buses and takes appropriate disciplinary action in accordance with school board policy to ensure that the environment on the buses remains as safe as possible.

It is essential that all employees having responsibility for the safe transportation of our students are given a degree of authority commensurate with that responsibility and that each member of the District team works in unison toward the accomplishment of that goal.

A. Discipline Procedures for Transportation

DISCIPLINARY MATRIX

	<u>1ST OFFENSE</u>	<u>2ND OFFENSE</u>	<u>3RD OFFENSE</u>
LEVEL I (Least Severe)	Driver Warning Bus Referral * Parent Notice	Bus Referral ** Parent Notice Assigned Seats School Community Service (includes bus cleaning)	Suspension In School and/or From Bus (1 – 5 Days) School Community Service (includes bus cleaning)
LEVEL II (Moderate)	Detention (1-5 Days) Parent Conference School Community Service (includes bus cleaning)	Suspension In School and/or From Bus (1-5 Days) Service (includes bus cleaning)	Suspension In School and/or From Bus (3-5 Days) Service (includes bus cleaning)
LEVEL III (Severe)	Suspension From Bus (1-5 Days) Suspension In House (1-5 Days) Parent Conference School Community Service (includes bus cleaning)	Suspension From Bus (3-5 Days) Suspension In School (3-5 Days) School Community Service (includes bus cleaning)	Suspension From Bus Minimum 5 Days) Suspension In House (Minimum 5 Days) Suspension From School Referral To Superintendent School Community Service (includes bus cleaning)

* Referral To Transportation Supervisor For Parental Contact.
Referral Retained At Transportation Supervisor’s Office.

**Initial Referral Maintained By Transportation Supervisor and
Any Subsequent Referrals Forwarded To Building Administrator.

LEVEL I

Infractions

1. Disobeying the driver
2. Littering the bus
3. Loud or inappropriate language
4. Failure to stay seated
5. Teasing/annoying other students
6. Play electronic devices/radios/tape/CD players without headphones
7. Possession of cellular phones or beepers on bus
8. Using improper bus or bus stop
9. Not sitting in assigned seat if appropriate
10. Standing or changing seats while bus is in motion
11. Eating or drinking on bus

LEVEL II

Infractions

1. Obscene language
2. Horseplay on the bus
3. Playing in road at bus stop
4. Failure to cross properly
5. Throwing objects on the bus
6. Standing or running in the aisles
7. Vandalism
8. Shouting on the bus
9. Verbal abuse of the driver

LEVEL III

Infractions

1. Igniting matches or lighters
2. Fighting on bus
3. Opening emergency doors or windows
4. Damaging or defacing bus
5. Possession of weapons
6. Possession of drugs/alcohol
7. Arms, body or head out the window
8. Smoking or other tobacco use on the bus
9. Throwing snowballs or other objects at the bus

DEFINITION OF LEVEL INFRACTIONS

LEVEL I - Any misbehavior or violation of bus rules, which is minor in nature. The frequency of occurrence shall determine the appropriate disciplinary response and possibly reclassification to a higher level.

LEVEL II – Any misbehavior whose frequency or seriousness tends to diminish the driver’s authority or potentially poses a threat to the safe operation of the bus or safety of the students in any way.

LEVEL III – Any misbehavior whose consequences pose a threat to the health and/or safety of the student, other students or bus driver, or damage to property.

DISCIPLINARY PROCEDURES

- ◆ For all infractions, the driver asks the students to immediately stop the unacceptable behavior.
- ◆ For LEVEL I infractions, when there is repetitive misbehavior and for all LEVEL II and III infractions, the driver documents the infraction on a bus referral report and turns it in to the transportation supervisor.

- ◆ For LEVEL I infractions, the transportation supervisor notifies the parent or guardian of the student and informs them that the referral will be retained at the Transportation Dept. This affords the parent/guardian an opportunity to rectify the problem without having documentation placed in the student's file.
- ◆ For documentation of a subsequent LEVEL I referral or for both LEVEL II and LEVEL III referrals, the transportation supervisor will forward all applicable referrals to the building level administrator along with a recommendation.
- ◆ Building administrator takes action to include parent conferences, suspensions, notification of police or whatever subsequent action is deemed appropriate.

BUS DRIVER PARTICIPATION

Upon a principal's request, the bus driver will be expected to participate in parent, student and administrator conferences required to resolve a student's misbehavior.

Drivers may request to meet with administrators should they feel that discipline action taken has not been successful.

PARENT INVOLVEMENT

Every effort is to be made to involve the student's parent or guardian when misbehavior occurs. The use of phone, written and conference communication is encouraged and to be used at the principal's discretion.

B. Transportation Discipline Procedures for Students with Disabilities

When there is a report that a student with a handicapping condition has violated the rules associated with bus transportation, the transportation supervisor, principal or designee will conduct an investigation which may include a conference with the student, other students, parents, service personnel, or others deemed appropriate for early identification and resolution of the suspected problem. The investigation shall be conducted according to the following guidelines:

- The student and parent are given notice of the charges against the student in enough detail to allow the student to understand the nature of the accusation.
- The student is given the opportunity to admit or deny the stated charges.
- In determining the appropriate disciplinary action, the administrator must consider whether the misconduct is related to the handicapping condition and review the IEP and consult with the Director of Special Education as appropriate.
- If it is determined that the misconduct is unrelated to the student's handicapping condition, the administrator/supervisor can determine the appropriate disciplinary action consistent with the transportation disciplinary matrix

XIII. ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or a student of compulsory attendance is suspended from school pursuant to Education Law; 3214, the District will take immediate steps to provide alternative means of instruction for the student.

XIV. CORPORAL PUNISHMENT COMPLAINTS

The Board of Education asserts that corporal punishment is not a desirable method of enforcing decorum order or discipline. The board prohibits the use of corporal punishment by District employees and/or agents of the District.

1. As used in this section, corporal punishment is defined as the use of physical force for the purpose of punishing a pupil, except as otherwise provided in Subdivision 3.
2. No teacher, administrator, officer, employee or agent in the District shall use corporal punishment against a pupil.
3. In situations in which alternative procedures and methods not involving the use of physical force cannot reasonably be employed, nothing contained in this section shall be constructed to prohibit the use of reasonable physical force for the following purposes:
 - a. to protect oneself from physical injury;
 - b. to protect another pupil or district employee or any other person from physical injury;
 - c. to protect district property or the property of others;
 - d. to restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of district functions, powers or duties, if that pupil has refused to comply with a request to refrain from further disruptive acts.

Investigation of Complaints

Any complaint about the use of corporal punishment shall be submitted in writing to the building administrator and/or superintendent. This written complaint will be forwarded to the superintendent and/or the Board within seven (7) days. The administrator and/or Board shall investigate the complaint to determine whether an incident actually took place, and if so, to determine the identity of the person or persons who administered the punishment, the identity of the student or students punished, reasons for the action and any other relevant facts or circumstances. At a minimum, the investigation shall include a meeting with all parties involved, jointly or separately. The investigation shall be completed within ten (10) school days of the receipt of the allegation. Results of this investigation will be forwarded to the Superintendent and/or the Board.

A decision shall be rendered by the superintendent within five (5) school days of the close of the investigation with recommendations for action, if any. Copies of the decision shall be forwarded to the complainants and the board within seven (7) days.

In the event the person who has initiated the complaint believes the action taken is insufficient, he/she may file a written appeal of the recommendation and its implementation to the board. Upon receipt of a notice of appeal, the board shall schedule a hearing. That hearing shall take place within fifteen (15) school days of the receipt of notice of appeal. A decision shall be rendered within ten (10) school days of the close of the hearing and shall be made available to all parties concerned.

Report to Commissioner of Education

Reports shall be submitted to the Commissioner of Education on or before January 15th and July 15th of each year concerning complaints about the use of corporal punishment during the six-month reporting period. Such reports shall set forth the substance of each complaint, the result of the investigation and the action, if any, by the District.

Cross-ref: 5313, Penalties
5460, Suspected Child Abuse and Maltreatment

Ref: 8 NYCRR ;100.2 (1)(3)
Rules of the Board of Regents ;19.5
Effective date: November 1, 1994

XV. PUBLIC CONDUCT ON SCHOOL PROPERTY

The following set of rules and regulations have been adopted to cover the conduct of students and adults. The intention of the rules is to help ensure safety and security of students, staff, and visitors. (This is done in compliance with Section 2801 of the Education Law.)

PROHIBITED CONDUCT – No person, either singly or in concert with others, shall:

- a) Intentionally cause physical injury to any other person, or threaten to do so for the purpose of compelling or inducing any other person to perform or refrain from performing any act.
- b) Engage in threats, intimidation and/or extortion of any other person.
- c) Physically restrain or detain any other person, nor remove such person from any place where he is authorized to remain, except in such instances where the person's behavior poses potential harm to themselves or others.
- d) Willfully damage or destroy property of the school district or property under its jurisdiction nor remove or use such property without authorization.
- e) Engage in theft of or damage to or defacement of any school district property or property of any other person.
- f) Enter into and remain in any building, facility, office or room for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others.
- g) Obstruct the free movement of persons and vehicles in any place to which these rules apply.
- h) Refuse to leave any building or facility after being required to do so by any person responsible for the maintenance of order in a building or facility.
- i) Loiter in school buildings or on school grounds. Loitering is remaining in or near school buildings and grounds with no reason for being there and with no authority or written permission to remain – See Definitions
- j) Willfully set fire to school District property, tamper with or obstruct any safety measures such as fire extinguishers, alarm systems, posted fire regulations, water sprinklers, fire doors, fail to conform to fire drill procedures, or tamper with any communications, heating, lighting, or power systems.
- k) Deliberately disrupt or prevent the peaceful and orderly conduct of classes and meetings, administration, disciplinary procedures or other school district activities or deliberately interfere with the freedom of any person to express his views, including invited speakers.
- l) Use any profane or obscene language.
- m) Knowingly have in his/her possession any firearm upon any premises to which these rules and regulations apply. A firearm is any weapon (including a starter gun) which can fire a projectile (bullet) or frame of such weapon; or silencer; or any destructive device. A penalty of one-year suspension can result – See Definitions. Notwithstanding this restriction, the Superintendent shall have the authority, upon receipt of a prior written request, to grant written permission to a person seeking to bring a starter gun onto school property solely for use at District-sponsored athletic events. The request shall be received at least ten (10) calendar days prior to the date for which permission to possess and use

the starter gun on school property is being requested. Written permission, whenever granted, shall state such limitations or restrictions on possession of the starter gun as the Superintendent deems necessary. The Superintendent may revoke this permission orally or in writing at any time for any reason. Oral revocation of permission shall be reduced to writing by the superintendent as soon as practicable.

- n) Use, possess or distribute alcoholic beverages.
- o) Use or possess, without authorized medical supervision, alcohol, tobacco, and other substances. See Definitions below.
- p) Violate school District rules and regulations concerning the use of motor vehicles on school district property and school district parking regulations.
- q) Cause disruption on or interfere with the operation of school district buses.
- r) Willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so.
- s) Picket or demonstrate contrary to the concept of acceptable conduct set forth in Freedom of Expression and Assembly.
- t) Make or cause to be made bomb threats, false alarms or false reports of school closing or cancellation of school events.
- u) Fail to comply with directions of school District officials acting in the performance of their duties.
- v) Smoke in any part of Ichabod Crane Central School District buildings or school grounds – See Definitions.
- w) Sexually harass any person. Sexual harassment is all unwelcome behavior of a sexual nature which forces a person to cooperate as a condition for good grades or which creates an intimidating, hostile or offensive learning situation. This should be reported promptly – See Definitions.
- x) Engaging in sexual activity on school property.
- y) Attempting to gain unauthorized access to the district computers, software or network
- z) Conduct off school property that causes a substantial disruption of the educational process and/or the maintenance of order.

CONSEQUENCES

A **student** who violates any of the provisions of these rules and regulations shall be subject to expulsion or a lesser disciplinary action as the facts of the case may warrant including suspension, exclusion from extra-curricular activities, reprimand or warning. Suspension proceedings shall be conducted in accordance with the requirements of Section 3214 of the Education Law.

A **teacher** who violates any of the provisions of these rules and regulations may be deemed guilty of insubordination within the meaning of Section 3020-A of the Education Law and be subject to dismissal or termination of his employment or such lesser disciplinary action as the facts may warrant including but not limited to suspension without pay or reprimand.

A **staff member** of the Ichabod Crane Central School District in the classified category of Civil Service, described in Section 75 of the Civil Service Law, who violates any of the provisions of these rules and regulations may be found guilty of misconduct, and be subject to dismissal, suspension without pay or reprimand.

An **administrator** of the Ichabod Crane Central School District who violates any of the provisions of these rules and regulations may be found guilty and be subject to dismissal, suspension without pay or reprimand.

A **trespasser** without specific license or invitation or visitor who violates any of the provisions of these rules and regulations shall be subject to ejection.

DEFINITIONS

Loitering -- A person is guilty of loitering when he/she remains in or about a school building grounds, not having any reason or relationship involving custody of, or responsibility for, a student or any other specific legitimate reason for being there and not having written permission from anyone authorized to act the same. (Section 240.35 of the State Penal Law)

Firearm -- Any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of such weapon; any firearm or silencer; or any destructive device (Public Law 103-277) refer to Ichabod Crane Board of Education Policy #5312.2 Dangerous Weapons in School.

Alcohol, Tobacco, and Other Substances – The Ichabod Crane Central School District Board of Education Policy, pursuant to the Pro-Children Act of 1994, establishes that smoking and other use of tobacco or tobacco products is prohibited in any indoor facility owned, leased, or contracted for and utilized by the District. Refer to the following board policies:

- #5312.1 Drug and Alcohol Abuse
- #1525 Tobacco Policy
- #9125/9125-R Drug Free Workplace Policy and Regulation
- #9125.1 Staff Substance Abuse

Anti Harassment – All harassment should be promptly reported in order to be properly investigated and if proven guilty, penalties given in accordance with Education Law Section 3214 and Penal Law. Refer to the following Board policies:

- #5020.1 Anti Harassment of Students
- #5020.1-R Anti Harassment of Students Regulation
- #5020.1-E.1 Anti Harassment Formal Complaint Form
- #5020.1-E.2 Anti Harassment Complaint Appeal Form
- # 9010.2 Anti Harassment
- #9010.2-R Anti Harassment Regulation
- #9010.2-E.1 Anti Harassment Formal Complaint Form
- #9020.2-E.2 Anti Harassment Complaint-Appeal Form