

**K-12 CODE OF CONDUCT****I. Introduction**

The district is committed to providing a safe and orderly school environment, free from discrimination, harassment, bullying, taunting, or intimidation, where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior and civil treatment by everyone, for everyone, in the school community (student, parent, staff member, and visitor) is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, integrity and dignity.

The district 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 of Education adopts this Code of Conduct.

Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

**II. Definitions**

For purposes of this code, the following definitions apply.

“Disruptive Student” means an elementary, middle level 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.

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

“Employee” shall mean any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title 9-B of Article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to the district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law §11[4] and §1125[3]).

“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 (Education Law §11[1] and Vehicle and Traffic Law §142).

“School Function” means any school-sponsored extra-curricular event or activity on or off campus (Education Law §11[2]).

“School Bus” means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, or to/from school activities; or, privately owned and

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operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law §11[1] and Vehicle and Traffic Law §142).

“Disability” as defined by Education Law §11[4] and Executive Law §292[21] 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 medical accepted clinical or laboratory diagnostic techniques; or
- (b) a record of such 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.

“Bullying” is repeated actions, taken on purpose, with the intent to harm another individual.

“Harassment/Bullying” means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse, including cyberbullying as defined in Education Law §11[8], that

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

Acts of harassment/bullying that are prohibited include those based on, but are not limited to, actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity or expression), sex, physical appearance or attributes, socioeconomic status, and life circumstances.

“Threats, Intimidation or Abuse” include verbal and non-verbal actions as well as information communicated using electronic communication (Education Law §11[17]).

“Cyberbullying” means harassment/bullying through any form of electronic communication.

“Sexting” is sending or receiving of explicit content over text or chat. Content includes, but is not limited to pictures, sound bites, written words or links to explicit content. Sending or disseminating explicit content to, of, or about a minor is a crime.

“Discrimination” means discrimination against any student by a student or students and/or employees on school property, or at a school function, that creates a hostile environment by

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conduct, with or without physical contact and/or by verbal threats, intimidation or abuse of such a severe nature that

- (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; or
- (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety.

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 or sex; provided nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a person's gender that would be permissible under Education Law sections 3201-a or 2854(2)(a) and Title IX of the Education Amendments of 1972 (20 U.S.C. Sec. 1681, et seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under Section 504 of the Rehabilitation Act of 1973.

"Sexual Orientation" means actual or perceived heterosexuality, homosexuality, bisexuality (Education Law §11[5]).

"Gender" means actual or perceived sex and shall include a person's gender identity and expression (Education Law §11[6]).

"Emotional Harm" that takes place in the context of "harassment or bullying" means harm to a student's emotional wellbeing through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.

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

- a) Commits an act of violence upon a school employee, or attempts to do so.
- b) Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
- c) Possess, while on school property or at a school function, a weapon.
- d) Displays, while on school property or at a school function, what appears to be a weapon.
- e) Threatens, while on school property or at a school function, to use a weapon.
- f) Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
- g) 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, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, incendiary bomb, ammunition, imitation ammunition or exploding substances, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

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“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” means 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. Illegal drugs include but are not limited to alcohol, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, synthetic and look-alike drugs.

“Synthetic Drugs” (whether illegal or labeled for human consumption) are designed to mimic the intended effects and usages of substances which are chemically similar to those controlled by state and local law.

### **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.
4. To be protected from intimidation, 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.

#### **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, specific policies as described in student handbook(s) and 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. Take advantage of the academic opportunities offered at school.
6. Respect the rights of others, including the right to secure an education in an environment that is orderly and disciplined.

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7. Contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all.
8. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
9. Work to develop mechanisms to control their anger.
10. Ask questions when they do not understand.
11. Seek help in solving problems that might lead to discipline.
12. Dress appropriately as defined in applicable student handbooks for school and school functions.
13. Accept responsibility for their actions.
14. Respect school property.
15. 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.
16. To respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act.
17. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination.
18. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.

### **IV. Essential Partners**

#### **A. Parents & Guardians**

Parents are expected to:

1. Recognize that the education of their children is a joint responsibility of the parents and the school community.
2. Instill in their child a desire to learn. Provide a place conducive for study and ensure the completion of homework assignments.
3. Ensure that their children attend school regularly and on time. Parents will call the Attendance Office when their child will be absent and follow up with a written excuse the day their child returns to school.
4. Ensure that absences are excused in accordance with state and local guidelines
5. Insist that 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.
8. Convey to their children a supportive attitude toward education and the district.
9. Help their children deal effectively with peer pressure.
10. Inform their child's school counselor, when appropriate, of changes in the home situation that may affect student conduct or performance.
11. Provide a place for study and ensure homework assignments are completed.
12. Exemplify an enthusiastic and supportive attitude toward school and education by becoming acquainted with their child's school, its staff, curriculum and activities, and attending parent-teacher conferences and school functions.

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13. 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.

### B. Teachers

Teachers are expected to:

1. Maintain a classroom 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, personal appearance or attributes, socioeconomic status or life circumstances, with an understanding of appropriate appearance, language and behavior in a school setting, which will strengthen students' self-concept and promote confidence to learn.
2. Reflect a personal enthusiasm for teaching and learning and a genuine concern for the individual student.
3. Dress and conduct themselves in a professional manner.
4. Treat others with respect and model good character.
5. Guide learning activities so students learn to think and reason, assume responsibility for their actions and respect the rights of others.
6. Be sensitive to the attitudes of the community.
7. Participate in the development of innovative educational programs that will help to minimize problems of misconduct.
8. Be well informed on procedures and programs directly impacting the student body and work with the administration by providing support toward workable solutions.
9. Be prepared to teach: faculty members are expected to remain knowledgeable about N.Y.S. and Hoosic Valley curriculum requirements.
10. Demonstrate interest in teaching and concern for student achievement.
11. Know school policies and rules, and enforce them in a fair and consistent manner.
12. Communicate to students and parents:
  - a) Course objectives and requirements.
  - b) Marking/grading procedures.
  - c) Academic concerns
  - d) Assignment deadlines.
  - e) Expectations for students.
  - f) Classroom discipline plan.
13. Communicate regularly with students, parents and other teachers concerning growth and achievement.
14. Confront issues of discrimination and 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.
15. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
16. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator (DAC) in writing within 24 hours of the incident.

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### C. School Counselors

Guidance counselors, social workers and/or school psychologists are expected to:

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Treat others with respect and model good character.
3. Serve as “student advocates” when necessary or when deemed appropriate.
4. Initiate conferences with parents, teachers and students as necessary.
5. Regularly review with students their educational progress and career plans.
6. Conduct psycho educational assessments for individual students as needed.
7. Encourage students to benefit from the curriculum and extracurricular programs.
8. 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, sex, personal appearance and attributes, socioeconomic status, or life circumstances, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students’ self-image and promote confidence to learn.
9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the counselor’s attention to the building administrator and/or Dignity Act Coordinator (DAC) in writing within 24 hours of the incident.

### D. Principals

Building Principals are expected to:

1. Create the best teaching/learning situation possible, exercising all authority assigned by the Superintendent and School Board.
2. Treat others with respect and model good character.
3. Ensure availability for students and staff to have the opportunity to communicate with the principal.
4. Evaluate the program of instruction in the school to achieve a meaningful educational program.
5. Help the staff evaluate their own procedures and attitudes in relation to interactions within their classrooms.
6. Support student participation in appropriate extracurricular activities.
7. Assume responsibility for the dissemination and enforcement of the district’s discipline policy.
8. Utilize all appropriate auxiliary staff and outside agencies to help parents and students identify problems and seek solutions.
9. 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, sex, physical appearance and attributes, socioeconomic status, and life circumstances, with an understanding of appropriate appearance, language and behavior in a school setting, which will strengthen student’s self-image and promote confidence to learn.
10. Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal’s attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC).

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### E. Superintendent

The superintendent is expected to:

1. Promote a safe and orderly, respect and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
2. Treat others with respect and model good character.
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.
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, sex, physical appearance and attributes, socioeconomic status, and life circumstances, with an understanding of appropriate appearance, language and behavior in a school setting, which will strengthen student's self-image and promote confidence to learn.

### F. Board of Education

The Board of Education is expected to:

1. Support a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
2. Adopt a code of conduct and review it annually for effectiveness and fairness and consistency of 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 meeting in a professional, respectful manner.

### G. Dignity Act Coordinator

The Board has designated at least one staff member in every school to serve as the Dignity Act Coordinator. The Role of the Dignity Act Coordinator ("DAC") is to coordinate and enforce this policy. The DAC shall be thoroughly trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity and expression and sex. The DAC shall be responsible for coordinating employee training, supporting implementation of district policy, ensuring inclusive curriculum to reinforce and promote tolerance and a harassment free environment. The DAC shall also serve as an accessible resource to students and staff related to this policy or prevention and response strategies.



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**Elementary Building DAC**

Beth McQueeney, Guidance Counselor

**MS/HS Building DAC**

Rebecca Kellerhouse, Guidance Counselor

To promote the communication between parents, teachers, students and other educational professionals and to publicize the availability of the DAC as a resource at each school, the name, designated school and contact information for each DAC shall be available on the district's website; included in the plain language code of conduct summary provided to all parents and students before or at the beginning of each school year; included in at least one district or school mailing per school year and if the DAC changes, in at least one subsequent mailing as soon as practicable thereafter; by posting the contact information in highly visible areas of the school buildings and by making the contact information available at the District and school-level administrative offices.

The DAC shall also serve as an accessible resource to students and staff related to this policy or prevention and response strategies.

The Dignity Act Coordinator is expected to:

1. Promote a school environment that fosters respect, tolerance, civility, character and dignity.
2. Ensure availability for students and families to have the opportunity to communicate with the DAC.
3. Promptly investigate issues of discrimination and harassment.
4. Initiate conferences with parents, teachers, and students as necessary.
5. Provide reasonable and fair intervention methods and/or disciplinary consequences in a timely manner.
6. Assist students in building coping and conflict resolution skills.
7. Serve as a "student advocate" when necessary or when deemed appropriate.
8. Ensure staff training to promote a positive school environment free from discrimination and to discourage and respond to incidents of discrimination or harassment.
9. Ensure implementation and practice of anti-bullying, harassment, non-discrimination and school environment policies.

**H. Dignity Act Building Reps**

The DAC and Superintendent have designated Building Reps to accept report of, investigate and remedy reported incidents of discrimination, harassment, bullying, and cyberbullying, and work with students and families to stop future incidents from occurring. Building Reps are required to submit all reports and investigations in writing to the DAC.

**Elementary Building Reps**

Mark Foti, Principal

Beth McQueeney, Guidance Counselor

Lisa Waldron, School Psychologist

**MS/HS Building Reps**

Julie Adams, 7-12 Principal

TBA, 7-12 Assistant Principal

Becky Kellerhouse, Guidance Counselor

Building Reps are designated to conduct investigations of reported instances of bullying and harassment. Discrimination, harassment, bullying, cyberbullying and sexting can be

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reported to any faculty or staff member. Faculty and staff are required to report such incidents to a Building Rep or the DAC.

### **V. Dignity for All Students Act**

It is the policy of the State of New York, as set forth in the Dignity for All Students Act (“DASA”) as well as federal civil rights statutes, including Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 and all subsequent amendments, to afford all students in public schools an environment free from discrimination and harassment.

In order to foster an environment which promotes and supports students’ ability to learn and to meet high academic standards in the Hoosic Valley Central School District, the Board of Education is dedicated to ensuring the District promptly addresses any conduct, on or off school property, including electronic or Internet content, which negatively impacts or has the potential to negatively impact a student’s learning environment, which is inconsistent with the District’s educational mission or which detracts from a healthy and positive school climate, including discriminatory or harassing behaviors as defined by the Dignity for All Students Act or related federal civil rights statutes set forth above. The Board of Education is committed to providing all its students with an environment free from discrimination and harassment and shall take steps to prevent harassment and discriminatory behaviors through educational measures designed to promote tolerance, respect for others and to promote awareness and sensitivity to discrimination or harassment to encourage civility and a climate of mutual respect, equality and dignity for all students on school grounds and at all school sponsored activities, programs or events. Harassment against any student by any student or employee that creates a hostile environment by conduct will not be tolerated.

By combining prevention with education, the District’s goal is to decrease incidents of discrimination and harassment while simultaneously increasing awareness among students and staff to be sensitive and alert to the warning signs of bullying and harassment as well as their obligation to report or act when such acts occur. Essential components of this effort shall include:

- Instruction and strategies which identify early warning signs and precursor behaviors which, if left unaddressed, may lead to discrimination, harassment or bullying;
- Gathering information related to harassment, discrimination or bullying from students, parents, school staff and the community;
- Establishing school wide and classroom rules that clearly prohibit discrimination and harassment.
- Providing instruction to students in civility and tolerance designed to promote a climate of mutual respect and dignity for all students.
- Providing professional development and school wide training to staff to be able to identify, respond sensitively and consistently to incidents of harassment and bullying as well as to promoting tolerance and respect for all.
- Providing adequate adult supervision, particularly in less structured areas such as hallways, cafeteria and playground, as applicable.

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- Notification to Parents as to District and school-wide efforts to become involved in preventing and addressing prohibited conduct and promoting a positive and healthy school environment.

The Superintendent has established a district-wide task force to develop administrative procedures to promote the early identification of bullying and harassment; to develop training and implementation educational programs and professional development for students and staff and to develop other preventive strategies and interventions. The task force, in conjunction with the DAC shall develop procedures and forms for district-wide use for reporting, investigation, remediating, tracking and preventive actions taken to discourage reoccurrence instances of harassment or discrimination. In addition, the District will submit and report to the State on an annual basis material incidents of discrimination and harassment on school grounds or at school functions, using the VADIR reporting form developed by the State Education Department.

The Board of Education recognizes the need to clearly define expectations for acceptable conduct on school property by staff and students and to identify the possible consequences of unacceptable conduct, to ensure that discipline is administered promptly and fairly when necessary. To this end, the Board adopts this code of conduct. Unless otherwise indicated, the code of conduct applies to all students, school personnel, parents and other visitors when on school property or at school functions.

### A. Prevention and Training

The Board of Education directs training for employees, including school and district administrators, and instructional and non-instructional staff designed to promote a safe and supportive school climate while discouraging discrimination or harassment against students by students or school employees, including the use of safe and supportive school climate concepts in the curriculum and classroom.

Staff members and students will be educated to help create a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, gender (including gender identity or expression, actual or perceived) sex, physical attribute, socioeconomic status or life circumstance, which will help strengthen student's confidence and promote learning. Staff shall also be trained to recognize that under federal civil rights laws and regulations, students are protected from harassment by school employees, other students and third parties. They shall also be trained to understand that some student misconduct which violates or falls under the District's anti-discrimination or anti-harassment policies may also implicate one or more of the federal civil rights laws enforced by the Office of Civil Rights of the Education Department.

Staff members will be provided training to raise awareness and sensitivity to potential acts of discrimination or harassment directed at students that are committed by students or school employees on school property or at school functioning. Staff members will be trained to recognize and respond to incidents of discrimination and harassment and to timely report incidents of discrimination and harassment that they witness or that are brought to a staff member's attention. Through training, staff will learn to address personal biases that may prevent the equal treatment of all students in the school or classroom setting and to promote and

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maintain a climate of mutual respect and dignity for all students to strengthen student's confidence and to promote learning. Teachers and administrators will receive district-wide professional development. All staff with direct student contact will receive district-wide instruction on promoting a positive school environment free from discrimination and to discourage and respond to incidents of discrimination or harassment. The Superintendent and the Professional Development Coordinator will incorporate training to support this anti-discrimination and harassment policy into new teacher orientation and the annual professional development plan.

### **B. Instruction in Civility, Citizenship and Character Education Grades K-12**

Students shall receive instruction in patriotism and citizenship as required by Section 801 of the Education Law. In addition, students shall be instructed to raise awareness and sensitivity to discrimination or harassment and to promote civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders, gender expressions or identities and sexes. Curricular materials related to the above topics will be included in the instructional program for grades K-

12. The District will use a variety of means to set forth clear expectations for student conduct and behavior, including a bill of rights and responsibilities for students which focuses on positive student behavior and the goal of promoting a safe and supportive school climate and learning environment for all students.

### **C. Intervention**

Intervention at the earliest stage possible is key to preventing escalation of harassment and discrimination and to encourage proactive resolution to promote a positive learning environment for all students. Intervention efforts will emphasize measured, balanced and age-appropriate responses to the discrimination and harassment of students by students and/or employees focusing on education and should be designed to discourage another occurrence of the behavior.

Successful intervention may involve remedial measures. Remedial responses to bullying and harassment include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target of the act. Remediation may be targeted to the individual(s) involved in the harassing or discriminatory behavior or may include environmental approaches which are targeted to the school or district as a whole. Individual-focused remedial measures may include, but are not limited to peer support groups; corrective instruction or other learning or service experience; supportive interventions; behavioral assessment or evaluation; behavioral management plans with closely monitored benchmarks; student counseling and parent conferences. Environmental remediation strategies may include supervisory systems that empower school staff with prevention and intervention tools to address incidents of bullying and harassment; strategies for determining the conditions contributing to discriminatory behaviors; adoption of research-based, systemic harassment prevention programs; modification of schedules; adjustment in hallway traffic and other student routes of travel; targeted use of monitors; staff professional development; parent conferences; involvement of parent-teacher organizations and peer support groups.

In addition to addressing the discriminatory or harassing conduct, intervention shall also include support and assistance to the student that was the target of the harassment as well as

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identification of prompt and effective steps reasonably calculated to end the harassment; to eliminate any hostile environment and to prevent such conduct from reoccurring. When harassment has occurred, staff, in conjunction with the DAC, the parents and the student, as appropriate, shall review whether the student requires counseling support, accommodations or other services to remedy the effects of the harassment and if there is a need, shall provide such services or supports. Accommodations and on-going supports provided to a target of harassment shall be reviewed, as needed, to ensure that any safety concerns have been addressed and to determine whether accommodations or supports should be continued, adjusted or discontinued.

### **D. Reporting and Investigation**

The District recognizes its ongoing commitment to provide a safe and positive educational climate free from bullying and harassment and will publicize its policies and reporting expectations for incidents of harassment or discrimination. To ensure effective and timely redress to incidents of bullying and harassment, students who have been harassed, students or staff who have witnessed what they believe to be an incident of bullying or harassment are encouraged and expected to promptly make a written or verbal complaint to school personnel in a manner consistent with publicized school-wide practices and guidance as soon as possible after the incident.

The district can't effectively address harassment or bullying if incidents are not reported. All school personnel have a duty to report incidents of student to student or staff to student harassment which they observe to their supervisor, the building administrator or the DAC. If school personnel receive any reports of incidents of harassment against a student by staff or other student(s), they must promptly relay the report to their supervisor, the building administrator or to the DAC as set forth in the implementing procedures for this policy. If a staff member is unfamiliar with the reporting procedure, it is their obligation to inquire about the process from their supervisor and to act accordingly. An employee who fails to report an observed incident, regardless of whether the student complains, may be deemed to have permitted unlawful discrimination or harassment.

Once the school knows of an alleged incident of harassment, there must be a timely investigation to determine what occurred. Complaints shall be handled and documented in accordance with regulations and procedures developed by the district-wide task force in conjunction with the DAC. The results of the investigation shall be reported back to both the target and the individual accused of harassing or discriminatory behavior or conduct. If either of the parties disagrees with the results of the investigation, they can appeal the findings in accordance with the procedures established by the district-wide task force to implement this policy.

The District has a bullying complaint form available on its website and at the main office in each building to facilitate reporting. The district will promptly and equitably investigate all complaints, formal or informal, verbal or written, on or off school property, including incidents occurring electronically. In order to assist investigators, individuals should document the bullying as soon as it occurs and with as much detail as possible including: the nature of the incident(s); dates, times, places it has occurred; name of perpetrator(s); witnesses to the incident(s); electronic data, and the target's response to the incident.

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If, after appropriate investigation, the district finds that a student, an employee or a third party has violated this policy, prompt corrective and possibly disciplinary action will be taken in accordance with the code of conduct, applicable collective bargaining agreement, district policy and state law. If the reported behavior constitutes a civil rights violation, the complaint procedure associated with related anti-discrimination policies will be followed, as applicable. If either of the parties disagrees with the findings of the initial investigation, an appeal may be made to the Superintendent in accordance with the guidance procedures developed by the district wide task force.

To the extent possible, all complaints will be treated in a confidential manner, although limited disclosure may be necessary to complete a thorough investigation. The District will balance its legal obligation to conduct its investigation, to take necessary action to resolve the complaint and to provide procedural rights to the individual(s) accused of the harassment or discrimination through the investigation. Individuals responsible for investigating complaints will discuss any concerns or issues related to confidentiality with the individuals involved. Complainants must be informed that the District's need to respond effectively to the harassment and to prevent reoccurrence is a critical part of the investigation. All complainants shall be advised that district policy and federal law prohibit retaliation against complainants and witnesses. If the complainant, witness or reporting staff member believes that they have experienced retaliation, they need to report this issue as soon as possible to the District for appropriate responsive action to address and to prevent retaliation from recurring, if applicable.

The reporting mechanism used for identifying instances of discrimination and harassment will be used to compile relevant information which may assist in assessing the school climate and the effectiveness (or challenges) related to interventions; staff training; guidance and forms or student educational programs.

### **E. Disciplinary Consequences/Remediation**

Even with prevention and education, instances of discrimination or harassment may still occur. Should such an instance arise, the individual engaging in the harassing or discriminatory conduct must be advised that their actions and conduct will not be tolerated and that their behavior must be changed immediately. Students who engage in harassing or discriminatory conduct will receive guidance on making positive choices and support to understand how their actions have negatively impacted other student(s) and must not continue. As appropriate, disciplinary action will be taken by the building principal or other authorized administrator in accordance with the district's Code of Conduct. If the discriminatory or harassing behavior rises to the level of criminal activity, law enforcement will be contacted.

Progressive discipline consequences will be considered in response to instances of discrimination or harassment and the individual imposing consequences shall consider the nature and severity of the misconduct, the developmental age of the student, and the student's history of problem behaviors, prior interventions and the student's response and must be imposed in a manner consistent with the district's Code of Conduct.

In addition to disciplinary measures, remedial responses should be considered to discern why the discrimination or harassment occurred and should be targeted to correct the problem behavior, prevent another occurrence of the behavior and protect the target of the act. Remedial measures

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may be appropriate on an individual or school-wide basis, depending on the nature of the underlying misconduct.

Measures to support students and remedy bullying and harassment, include, but are not limited to:

1. Student involved prevention plan
2. Informing faculty and staff of the issue
3. Assignment of adult mentor
4. Peer support group
5. Mediation, conflict resolution or supportive intervention
6. Corrective instruction or reflective activities
7. Behavioral assessment, plan and/or contract
8. Parent/guarding conference
9. Collaboration with coaches or student group leaders
10. Disciplinary Measures

### **F. Non-Retaliation for Reporting or Participating In an Investigation When Acting In Good Faith.**

Any person who has reasonable cause to suspect a student has been subject to discrimination by an employee or student on school grounds or at a school function who reports such information to school officials, the Commissioner or law enforcement, who reports and acts in good faith, shall be immune from civil liability from making such a report.

In addition, all complainants; those who participate in the investigation of a complaint in conformity with state law and district policies, or who are required to testify, participate or assist in the investigation procedure shall be free from retaliation of any kind and who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

## **VI. Student Dress Code**

Hoosic Valley is preparing students for their future entrance into the world of work, and having good judgment for appropriate attire in the work setting is an important skill in that preparation. With that in mind, all students should wear clothing and accessories, which are appropriate in a formal public school setting. All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions.

The primary responsibility for the dress and appearance of students shall rest with individual students and parents. They have the right to determine how the student shall dress, provided that such attire is not destructive to District property, complies with requirements for health and safety, does not interfere with or distract from the educational process, or impinge upon the rights of others. The administration is authorized to take action in instances where individual dress does not meet these stated requirements.

While the District administration may require students participating in physical education classes to wear certain types of clothing such as sneakers, socks, shorts and tee shirts, they may not prescribe a specific brand which students must buy. Uniforms or other safety equipment/attire may be required for specific programs.

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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 educational process.
2. Recognize that extremely brief garments and see-through garments are not appropriate.
3. Ensure that underwear is completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not include the wearing of hats in the classroom except for a medical or religious purpose.
6. Not include items that are vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
7. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

This policy does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that a student shall not be prevented from attending school or a District function, or otherwise be discriminated against, so long as his/her dress and appearance meet the above requirements.

Each Building Principal or his/her 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. Additional details about dress code may be addressed in building student handbooks.

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 the acceptable item. 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.

### **VII. Prohibited Student Conduct**

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

Once allegations or reports of misconduct have been made, the district will take the necessary steps to protect the safety and wellbeing of students involved, conduct an investigation of the incident and enforce the code of conduct.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.



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The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school, when they:

### **A. Engage in conduct that is disorderly and/or disruptive.**

#### **Examples of disorderly or disruptive conduct include but are not limited to:**

1. Using language or gestures that are profane, lewd, vulgar, or abusive.
2. Engaging in any willful act which disrupts the normal operation of the school community.
3. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
4. Failing to comply with the reasonable directions of teachers, school administrators, or other school personnel in charge of students.
5. Leaving school building and/or grounds without permission – Students may not leave the building or premises without the permission of the Main Office or the Attendance Office. This permission is granted when the student has supplied a parent/guardian written note or parent/guardian oral confirmation to the staff in the Attendance Office or Main Office. Individual circumstances may require additional procedures. Such as, child will not be released via telephone, parent/guardian expected to come to school and provide written verification.
6. Computer misuse, including any unauthorized use of computers, software, or internet account; accessing inappropriate websites, or any other violation of the district's acceptable use policy. See Section XVI. Additional Information, Category A – Student Internet Use, pages 36-38.
7. Electronic devices misuse such as, but not limited to cell phones, pagers, cameras, MP3 players, CD players, radios, laser pointers lap tops, tablets, gaming devices, and video and/or voice recording devices. Taking photos or videos of anyone (staff member or students) without their permission is prohibited.

### **B. Engage in conduct that is insubordinate (willful challenge of authority).**

#### **Examples of insubordinate conduct include but are not limited to:**

1. Committing an act of refusal that endangers the health, welfare, and safety of students and staff.
2. Failing to comply with reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
3. Failure to follow through with a disciplinary consequence.
4. Lateness for, missing or leaving school without permission.

### **C. Engage in conduct that is violent.**

#### **Examples of violent conduct include but is not limited to:**

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1. Committing an act of violence upon a teacher, administrator or other school employee or attempting to do so.
2. Committing an act of violence upon another student or any other person lawfully on school property or attempting to do so.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
4. Threatening to use any weapon.
5. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
6. Intentionally damaging or destroying school district property.
7. Engaging in harassing conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical well-being.
8. 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.

**D. Engage in any conduct that endangers the safety, morals, health or welfare of one's self or others or is disruptive to the educational process.**

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

1. Stealing the property of any person lawfully on school property or attending a school function. Hoosic Valley Central Schools instills respect for the rights and property of the entire Hoosic Valley community. Therefore, it is expected that all students will be honest and will respect the property of others. Stealing is against the law; any individual who violates this law will be subject to school and/or criminal punishment.
2. 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 posting or publishing video, audio recordings or pictures (written material, cell phones, Internet, YouTube, etc.).
3. Discrimination, which includes the use of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, gender, sexual orientation, disability, personal appearance or attributes, socioeconomic status or life circumstances as a basis for treating another in a negative manner.
4. Harassment, which includes the creation of a hostile environment by conduct, intimidation, verbal threats or abuse 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; or fear for his or her physical safety.
5. Bullying and intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort.
6. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
7. Selling, using or possessing obscene material.

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8. Using vulgar or abusive language, cursing or swearing.
9. Using, possessing, selling, offering, manufacturing, distributing, soliciting, exchanging cigarettes, cigars, pipes, chewing tobacco.
10. Using, possessing, selling, offering, distributing, soliciting, exchanging e-cigarettes, vapes, vaporizers, associated vaping equipment and/or products whether or not specifically illegal.
11. Using, consuming, possessing, selling, offering, manufacturing, distributing, soliciting, exchanging or being under the influence of alcohol or other illegal substances including, but not limited to, inhalants, marijuana, cocaine, LSD, PSP, amphetamines, heroin, steroids, look-a-like drugs and any synthetic version (whether or not specifically illegal or labeled for human consumption).
12. Inappropriately using, sharing or possessing prescription and over the counter drugs.
13. Using or being in possession of drug paraphernalia.
14. Gambling.
15. Indecent exposure that is exposure to sight of the private parts of the body in a lewd or indecent manner.
16. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.

#### E. Engage in misconduct while on a school bus.

It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus drivers. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving, fighting, harassment and discrimination will not be tolerated.

#### F. Engage in any form of academic misconduct.

1. Plagiarism
2. Cheating
3. Copying
4. Altering records
5. Assisting another student in any of the aforementioned actions.

The list of offenses is by no means all-inclusive. For those situations that arise and are not listed, the administration will have the complete authority to deal with the problem as deemed necessary.

The administration also reserves the right to amend the penalties for any of the offenses based on a review of the circumstances. The code/schedule of responses outlined here are advisory only.

### CODE OF CONDUCT CATEGORIES II - IV

#### Category II

- \_Being in an Unassigned Area
- \_Cutting Class
- \_Classroom Disruption
- \_Dishonest/Disrespect
- \_Dress Code Violation

#### Category III

- \_Cheating/Forgery/Impersonation
- \_Bullying/Harassment/Discrimination
- \_Inappropriate Physical Contact
- \_Intimidation/Menacing/Threats
- \_ISS – Leaving without permission

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**Category II (continued)**

- \_Electronic Device
- \_Failure to Stay for Office Detention
- \_Failure to Stay for Tardy
- \_Failure to Stay for Teacher (behavior related)
- \_Food/Beverage in the Hallway or Class
- \_General Obscenity (spoken/written/gesture)
- \_Inappropriate or Noncompliant Behavior in Cafeteria/School Bus/Other School Area
- \_Insubordination (Failure to comply with a Reasonable Request)
- \_Internet/Technology Violation
- \_Leaving Class without Permission
- \_Public Display of Affection
- \_Parking/Traffic Violation
- \_Repeatedly Late to Class

**Category IV**

- \_Fighting
- \_Reckless Endangerment
- \_Homicide
- \_Sexual Offenses
- \_Assault
- \_Weapons Possession
- \_Material Incidents of Discrimination, Harassment and Bullying
- \_Bomb Threat
- \_False Alarm
- \_Use, Possession or Sale of Drugs
- \_Use, Possession or Sale of Alcohol

**Category III (continued)**

- \_ISS --Not reporting to ISS when requested
- \_ISS – Removal from Due to Misbehavior
- \_Leaving School Property without Permission
- \_Smoking/Tobacco Use or Possession
- \_Theft or Possession of Stolen Property
- \_Truancy
- \_Vandalism/Damage to School Property
- \_Verbal Altercation/Abuse

**VIII. Reporting Violations**

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the Building Principal or his/her designee. Any student observing a student possessing a weapon, alcohol or illegal substance, pornographic material or witnessing harassment or bullying on school property or at a school function shall report this information immediately to a teacher, the Principal, the Principal's designee or the Superintendent of Schools.

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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.

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

The Principal or his/her 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 his/her designee learns of the violation. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

### **IX. Disciplinary Penalties, Procedures, and Referrals**

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

- The student's age.
- The nature of the offense and the circumstances which led to the offense.
- The student's prior disciplinary record.
- The effectiveness of other forms of discipline.
- Information from parents, teachers and/or others, as appropriate.
- Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, 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 his/her disability.

#### **A. Consequences**

Students who are found to have violated the district's code of conduct may be subject to the following range of consequences, either alone or in combination.

- Administrative Verbal Warning

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- Referral to Building Administrator or their designee, Guidance, Psychologist or other service
- Mediation
- Conflict Resolution
- Disciplinary Assignment/Reflection
- Behavior Intervention Plan
- Administrator, Teacher, Team, Student and/or Parent Conference
- Detention
  - Office detention (2:29 pm – 3:20 pm)
  - 13<sup>th</sup> period detention (teacher assigned related to behavior)
  - Lunch Detention
- Suspension from transportation
- Suspension from athletic participation
- Suspension from social or extracurricular activities
- Suspension of other privileges
- In-School Suspension
- Removal from classroom
- Restitution
- Out of school suspension – 1 to 5 days
- Referral to probation department (PINS)
- Referral to At Risk Team, Instructional Support Team (IST) or Guidance
- Referral to Superintendent of Schools for extended suspension (more than five days) from school
- Transfer to alternative setting
  
- Transfer to law enforcement

The list of consequences is by no means all-inclusive. For those situations that arise and are not listed, the administration will have the complete authority to deal with the problem as deemed necessary.

The administration also reserves the right to amend the penalties for any of the offenses based on a review of the circumstances. The code/schedule of responses outlined here are advisory only.

### **B. Procedures**

The amount of due process a student is entitled to before a penalty is imposed will depend on the type of 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.

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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.

The following outlines procedures for implementing consequences:

### **1. Referral to Building Administrator, Guidance, Psychologist or Other Services**

Preventative and non-punitive interventions in response to student conflict and/or behavior is the best way to achieve our vision to be a community-centered school district where students develop skills, knowledge and attitudes to ensure success. Students are encouraged to be productive citizens of good character; lifelong learners; adaptable to a changing global environment; critical thinkers; and problem solvers.

A wide range of intervention measures will be utilized to positively approach discipline as a teachable moment. These interventions will help prevent or address conflicts before they escalate; build relationships and empower community members to take responsibility for the wellbeing of others; increase social skills of those who have harmed others; address underlying factors that lead youth to engage in inappropriate behavior and build resiliency; provide wrong doers with opportunities to be accountable to those they have harmed; and enable them to repair the harm to the extent possible. Restorative intervention measures utilized by the building administrator, Guidance and Psychologist include, but are not limited to, the following:

- Mediation is a process that involves working with a facilitator to help students understand a conflict and work towards reaching a mutually satisfying resolution to the problem for all parties involved.
- Conflict Resolution is a process used to help students facilitate resolution of their own conflicts.
- Disciplinary Assignments/Reflections are tools utilized to allow students to understand and reflect on problem behaviors.
- Behavior Intervention Plan is an individualized tool or agreement created to address specific repetitive behaviors. BIP's specify behaviors expectations, interventions and consequences that are to be followed by the student, teachers and administration.
- Administrator, Teacher, Team, Student and/or Parent Conference
- Restitution involves taking action to repair a harm that has been done.
- Referral to Other Services

In instances where students do not take responsibility for their actions, or behaviors are deemed to disrupt the learning environment, infringe on the district's mission to create a respectful school environment, or jeopardize the health and safety of students and/or school personnel, other more serious disciplinary measures may be taken by Building Administration or their designee.

### **2. Detention**

Detention is supervised study from 2:29 pm – 3:20 pm. Students are expected to arrive on time with books and materials to study, sit quietly and follow the directions of the detention supervisor. Students must be in detention the full amount of time to be credited with detention

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attendance. Students who skip detention or do not complete their time successfully will be subject to additional disciplinary consequences. Students who do not complete assigned detentions will not be allowed to participate in extracurricular or athletic activities. Students wishing to reschedule detention must do so, with the building administrator or their designee, prior to 1:00 pm of the scheduled detention day. Parent contact is required.

### **3. Suspension from Transportation**

If a student does not conduct himself/herself properly on a bus, the students will be referred for consequences. Students who become a serious or repetitive disciplinary problem may have their riding privileges suspended by the superintendent, building principal, or their designees. In such cases, the student's parent will become responsible for seeing that his or her 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.

### **4. Suspension from Extracurricular Activities**

(assigned by Building Administration or their designee)

### **5. Suspension of Other Privileges**

(assigned by Building Administration or their designee)

### **6. In-School Suspension**

The BOE recognizes that the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the BOE authorizes the superintendent and building principals to place student who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension." In-school suspension is the temporary removal of students from the classroom and their placement in another area of the school building designated for such a suspension where student will receive substantially equivalent, alternative education.

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's 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.

### **7. Teacher Disciplinary Removal of Disruptive Students**

The Hoosic Valley Central School has determined that certain acts of misconduct interfere with instruction and/or safety and welfare of students and staff. Although some incidents of misconduct may require removal from the classroom or suspension from school, efforts will be made to deal with misconduct without removal from the classroom or suspension from school. This is in keeping with the District goal of avoiding consequences that interrupt or interfere with learning. However, no child will be allowed to continue disrupting the instruction of the class or interfering with the safety of the school, its staff, students and visitors.



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Time honored classroom management techniques such as speaking to a student in the hallway, short term time out in a classroom, or sending a student to a counselor to give a student the opportunity to regain his/her composure 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.

A classroom teacher may remove a disruptive student from class for the remaining period or remainder of the present instructional block/period by sending the student to the office.

If the disruptive student does not pose a danger or on-going threat of disruption for the academic process, the teacher must provide the student with an explanation for why he/she is being removed and an opportunity to explain his or her 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 ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he/she was removed from the classroom and give the student a chance to present his/her version of the relevant events within 24 hours.

The teacher must contact the office to make staff aware of the student removal and complete a disciplinary referral form no later than the end of the school day and contact the parent regarding the student removal from class within 24 hours.

Within 72 hours after the student's removal, the student's parents/guardians will be notified in writing via the discipline referral that the student has been removed from class and why.

If the building administrator deems the student removal from class will be more than one instructional block the following procedures will be implemented:

- a. Parent/guardian will be notified by the building administrator via the same teacher discipline referral form which will be delivered via mail to the parent/guardian as stated previously, within 72 hours.
- b. Building Administrator will determine if parent conference is deemed necessary by either requesting counselors (guidance counselor, social worker, and/or school psychologists) to initiate parent/teacher meeting or discipline referral form will be checked by building administrator for parent to initiate contact for meeting by contacting the aforementioned counselor.

The principal or the principal's designee may overturn the removal of the student from class and therefore not act on the referral if the principal finds any one of the following:

- a. The charges against the student are not supported by substantial evidence.

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- b. The student's removal is otherwise in violation of law, including the District's code of conduct.
- c. The conduct warrants suspension from school pursuant to Education Law 3214 and a suspension will be imposed.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he/she is permitted to return to the classroom. In essence, the teacher will ensure class materials are submitted to the in-school suspension supervisor at the time of removal which will ensure continuity of the student's educational program.

### 8. Suspension from School

Out-of school suspension (O.S.S.) shall be used as a disciplinary means of correction for the most severe offenses. Out-of school suspension is a severe penalty, which may be imposed upon

Students who are insubordinate, disorderly, violent or disruptive, or who conduct otherwise endangers the safety, morals, health or welfare of others.

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

The Building Principal has the delegated authority to suspend for a period not to exceed five school days.

#### a. Suspension Procedure for Five Days or Less:

- Students will be personally notified of suspension, length of suspension, and the reason.
- The parent/guardian of a suspended student will be notified by telephone and a letter within 24 hours of the student's suspension.
- Suspended students are responsible for completing all assignments from teachers.
- Suspended students will not be permitted to attend any school function, IE: dances, athletic contests, etc. during the period of his/her suspension.

#### 1) Suspension Appeal Process

If the parents/guardian wishes to appeal the suspension, they must set up a conference with the principal. Further appeal process will involve the parent completing a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of Education with the District Clerk within 10 business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

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### **b. Suspension Procedure for Long-Term (More Than Five Days) Suspension from School:**

When the superintendent determines that a suspension for more than five days may be warranted, he/she shall give reasonable notice to the student and the student's parents/guardian of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him/her and the right to present witnesses and other evidence on his/her behalf.

The Superintendent shall hear and determine the proceeding or may designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him/her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof.

#### **1) Suspension Appeal Process for Long-Term (More Than Five Days) Suspension from School:**

An appeal of the decision of the Superintendent may be made to the Board of Education that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within 10 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decision of the Board may be appealed to the Commissioner within 30 days of the decision.

### **c. Permanent Suspension**

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel, or any other person lawful on school property or attending a school function.

#### **1) Permanent Suspension Appeal Process**

An appeal of the decision of the Superintendent may be made to the Board of Education that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within 10 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decision of the Board may be appealed to the Commissioner within 30 days of the decision.

## **C. Minimum Periods of Suspension**

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### 1. 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:

- a. The student's age
- b. The student's grade in school
- c. The student's prior disciplinary record
- d. The Superintendent's belief that other forms of discipline may be more effective
- e. Input from parents, teachers and/or others
- f. Other extenuating circumstances

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

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

Any student, other than a student with a disability, who 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 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.

### 3. 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,

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the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

### **D. Referrals**

- 1. Disciplinary** – The building administrator shall handle all referrals for students who may have violated the district’s Code of Conduct. Students may be referred for additional counseling or support services.
- 2. Academic** – Students can be referred for additional academic support by teachers, administrators and/or parents/guardians. Referrals should initially be made to the Instructional Support Team. IST will meet and review the student’s needs, behaviors, and academic habits to determine if accommodations, additional supports or referrals to CSE or other services are necessary for the student’s success.
- 3. Counseling** – the Guidance Counselors, Social Worker, and/or School Psychologist shall handle all referrals of students to counseling. Students found guilty of harassment may be referred for counseling.
- 4. PINS Petition** – the District may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he/she requires supervision and treatment by:
  - a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
  - b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
  - c. Knowingly and unlawfully possesses marijuana in violation of Penal Law 221.05. A single violation of 221.05 will be a sufficient basis for filing a PINS petition.

### **X. Alternative Instruction**

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law 3214, the District will take immediate steps to provide alternative means of instruction for the students. The teacher removal by means of sending a student to the office will provide materials to the main office or in-school-suspension supervisor for the removed student to work on for the remaining class period.

### **XI. Discipline of Students with Disabilities**

The board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The board also recognizes that students with disabilities enjoy 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.

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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.

A “suspension” means a suspension pursuant to Education Law 3214.

A “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.

An “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 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 his or her current educational placement as follows:
  - a. The board, the district (BOCES) superintendent of schools 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.

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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 his or her 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.
2. 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, alcohol, illegal or synthetic 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 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 his or her 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.

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- 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 involve 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:
    - 1) conducted an individual evaluation and determined that the student is not a student with a disability, or
    - 2) determined that an evaluation was not necessary and provided notice to the 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.

3. 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 his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.



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4. 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.
5. 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.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 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.
7. 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 his or her 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 his or her 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 decision to place the student in an IAES.
    - 1) 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.
    - 2) 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.

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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 time period, he or she must mail a written decision 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.

## **XII. Corporal Punishment**

Corporal Punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden. However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable 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.

## **XIII. Student Searches and Interrogations**

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the District code of conduct. Students are not entitled to any sort of "Miranda" type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student.

In addition, the Board authorizes the Superintendent and Building Principals to conduct searches of students' belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the District code of conduct.

### **A. Student lockers, desks, and other school storage places**

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Students have no reasonable expectation of privacy with respect to lockers, desks and other school storage places, and school officials retain complete control over them. In essence, student lockers, desks, and other school storage places are school property and may be searched at any time by school officials, without prior notice to students and without their consent. The use of these school items is a privilege afforded to students.

### **B. Child Protective Services Investigations**

Consistent with the District's commitment to keep students safe from harm and the obligation of school officials to report to child protective services (CPS) when they have reasonable cause to suspect that a student has been abused or maltreated, the District will cooperate with local CPS workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by CPS to interview a student on school property shall be made directly to the building principal or their designee. The principal or their designee shall set the time and place of the interview. The principal or designee will be present during the interview. If the nature of the allegations is such that it may be necessary for the student to remove any of their clothing in order for the CPS worker to verify the allegations, the school nurse must be present during that portion of the interview. No student may be required to remove their clothing in front of a CPS worker or school district official of the opposite sex.

A CPS worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if the child was not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent

## **XIV. Visitors to the Schools**

The Board encourages parents and other District Citizens to visit the District's schools and classrooms. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or their designees 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 attendance office upon arrival at the school. There they will be required to sign in on the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the attendance office before leaving the building and sign out on the visitor's register.
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. 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.

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5. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

### **XV. Public Conduct on School Property**

The District is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain an educational 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 and all District personnel.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. Moreover, 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 District employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the order 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. Discriminate against, intimidate, harass, menace, bully or initiate physical contact with any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
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. Use, consume, possess, sell, offer, manufacture, distribute, solicit, exchange or be under the influence of alcohol or other illegal substances including, but not limited to, inhalants, marijuana, cocaine, LSD, PSP, amphetamines, heroin, steroids, look-a-like drugs and any synthetic version (whether or not specifically illegal or labeled for human consumption) either on school property or at a school function. [Refer to Board Policy 5440.]
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. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.

#### **B. Penalties**

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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. Staff members 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 Superintendent, building principal, or their designee shall be responsible for enforcing the conduct required by this code.

When the administrator or their designee see an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, the administrator or their designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The administrator 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 administrator or their designee shall have the individual removed immediately from school property.

## **XVI. Additional Information**

### **A. Student Internet Use**

Hoosic Valley provides students with computer and Internet access for educational purposes and research consistent with the district's mission and goals. Safeguards including but not limited to, security and filtering programs, as well as consistent manual monitoring of the district's network, have been put into place to protect students and school personnel from access to questionable or obscene content.

The purpose of the Internet is to provide access to unique resources. Our goal in providing this service to students is to promote educational excellence within the Hoosic Valley Schools by facilitating resource sharing and innovation. The use of the computer network is a privilege, not a right! To remain eligible as a user, the use of your account must be in support of and consistent with the educational objectives of the District.

**Internet use on personal electronic devices is not permitted except when included as part of a lesson under the direction of a teacher.**

#### **1. Acceptable Uses:**

- a. All use of the Internet must be in support of educationally related inquiry.
- b. Network user ID's are ONLY to be used by the authorized owner of the account
- c. All use of messaging software, including e-mail, must be in support of educationally related inquiry.
- d. Only school-provided devices may be connected to the network.

#### **2. Unacceptable Uses:**

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- a. Sharing passwords or seeking passwords belonging to other individuals or making unauthorized entry into another individual's network account.
- b. Impersonation – real names **MUST** be used, pseudonyms are not allowed.
- c. Using profanity, obscenity or language that may be offensive to another user.
- d. Personal attacks upon others, including attacks that may be interpreted as “bullying” or “cyber-bullying”.
- e. Illegal installation of copyrighted software on District network. Users must respect all copyright issues regarding software, information, all media (i.e., music, video, intellectual property) and attributions of ownership. The unauthorized copying or transfer of copyrighted materials is not acceptable.
- f. Downloading or uploading pirated or illegal software.
- g. Publishing, accessing, distributing, downloading, forwarding, or sending any information which violates or infringes upon the rights of others or which would be considered abusive, profane or sexually or ethnically offensive.
- h. Using the network for financial or commercial gain.
- i. Downloading computer applications or installing software applications or computer hardware without first having the express permission from the Hoosic Valley Central School District.
- j. Using the network for illegal activities or political lobbying.
- k. Accessing or processing pornographic materials, or inappropriate text files.
- l. Accessing or processing files dangerous to the integrity of the network.
- m. Creating any inappropriate documents or other digital content.
- n. Degrading or disrupting equipment, software or system performance.
- o. Disclosing or disseminating personal information regarding minors (i.e., address, phone number, pictures, social security number and academic standing).
- p. Bypassing or attempting to bypass any security measures or software the District has in place including but not limited to, internet content filtering, desktop security and anti-virus software.
- q. Users shall not use system resources for any non-instructional purpose, including but not limited to: personal email account access (e.g. Hotmail, AOL, Yahoo, Gmail, etc.), personal instant messaging (chatting), social networking sites (e.g. Facebook, MySpace, Twitter, Snapchat, Instagram), online shopping, creating or accessing personal web pages, online gaming or personal use of streaming media such as online radio stations, music videos or video broadcasts.

### **3. EMAIL**

The Hoosic Valley Central School District reserves the right to monitor users' online activities and to access, review, copy and store or delete any electronic communication or files and disclose them to others as it deems necessary. Users should have no expectation of privacy regarding their use of District property, network and/or Internet access or files, including email.

### **4. Violations**

This agreement shall serve to protect actions and computer usage that may occur off campus, but have a nexus to the school community that substantially disrupts the work and discipline of the school and places a profound and significant impact on students within the District (i.e. an off-campus student who during non-school hours consistently emails another student's district email with offensive, demeaning and threatening content). This shall not serve to suppress

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individuality or personal viewpoints, but simply to protect the safety of students and the sound educational environment the District proudly upholds. Students using the District's computer network and equipment are required to comply with the District's policy and regulations governing the District's computer network both on and off campus. Failure to comply with the policy or regulation may result in disciplinary action as well as suspension and/or revocation of computer access privileges.

Additionally, illegal activities are strongly prohibited. Any information pertaining to or implicating illegal activity will be reported to the proper authorities. Transmission of any material in violation of any federal, state and/or local law or regulation is prohibited.

### **5. Disclaimer**

The Hoosic Valley Central School District makes no guarantee about the quality of the services provided and is not responsible for any claims, losses, damages, costs or other obligations arising from use of the network or accounts. Any additional charges a user accrues due to the use of the District's network are to be borne by the user. The District also denies any responsibility for the accuracy or quality of the information obtained through user access. Any statement, accessible on the computer network or the Internet, is understood to be the author's individual point of view and not that of the Hoosic Valley Central School District, its affiliates, or employees. Accordingly, anonymity is NOT allowed. As an educational institution, we believe that individuals must take responsibility for their actions and words.

The Hoosic Valley Central School District makes no warranties of any kind, either expressed or implied, for the internet access it is providing. The school is not responsible for:

- a. Any damages users suffer, including, but not limited to, loss of data resulting from delays or interruptions in service;
- b. The accuracy, nature or quality of information stored on school flash drives, hard drives or servers or gathered through school-provided Internet access;
- c. Personal property used to access school computers or networks or for school-provided Internet access; or
- d. Unauthorized financial obligations resulting from school-provided access to the Internet.

The individual in whose name a system account is issued will be responsible at all times for its proper use. Thus, users have full responsibility for the use of their account. All violations of this policy will be treated as the sole responsibility of the owner of the account. Any violation of this policy must be reported to school administrators.

## **XVII. Dissemination and Review**

### **A. Dissemination of Code of Conduct**

The Board of Education will work to ensure that the community is aware of this code of conduct by:

1. Making the code of conduct available to the Hoosic Valley Central School District via the School District's website
2. Publishing copies in student registration materials, student, parent and employee handbooks.

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3. Providing Hoosic Valley Central School staff members a copy of the code of conduct via the School District's electronic mail system.
4. Making hard copies of the code of conduct available in the Main Offices for students, parents, and other community members.
5. Publishing a plain language summary for student review.
6. The district will ensure that the process of reporting incidents of harassment or bullying is clearly explained both in the policy, the plain language summary and on the complaint form for incidents of discrimination and harassment.

The Board of Education will review this code of conduct every year to assess its effectiveness and continued compliance with state and federal law. If changes are needed, revisions will be recommended to the Board for its consideration.

Board Approved: August 19, 2013  
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Amended: September 3, 2019