

General Brown CSD Code of Conduct

Definitions: for the purposes of this code, the following definitions apply:

“Bullying” is a form of harassment that consists of inappropriate behavior including, but not limited to: threats of intimidation of others, treating others cruelly, terrorizing, coercing, stalking, or habitual put-downs and/or badgering of others, whether done directly, indirectly, face-to-face or remotely through electronic communication (i.e., “cyber-bullying”). Bullying, real or perceived, may be premeditated or a sudden activity. Bullying may be subtle or easy to identify, done by one person or a group. Bullying may be a single act or a series of occurrences.

There are at least three kinds of bullying: verbal, physical and social/relational.

Verbal bullying includes, but is not limited to, name-calling, insulting remarks, verbal teasing, frightening phone calls, violent threats, extortion, taunting, gossip, spreading rumors, racist slurs, threatening electronic communications (“cyberbullying”), anonymous notes, etc.

Physical bullying includes, but is not limited to, poking, slapping, hitting, tripping or causing a fall, choking, kicking, punching, biting, pinching, scratching, spitting, twisting arms or legs, damaging clothes and personal property, or threatening gestures.

Social or relational bullying includes, but is not limited to, excluding someone from a group, isolating, shunning, spreading rumors or gossiping, arranging public humiliation, undermining relationships, teasing about clothing, looks, giving dirty looks, aggressive stares, etc.

Bullying may also involve the following characteristics:

- a) Power imbalance - occurs when a bully uses his/her physical or social power over a target.
- b) Intent to harm - the bully seeks to inflict physical or emotional harm and/or takes pleasure in this activity.
- c) Threat of further aggression - the bully and the target believe the bullying will continue.
- d) Terror - when any bullying increases, it becomes a systematic violence or harassment used to intimidate and maintain dominance.

Bullying may also be based on any characteristic including but not limited to a person’s actual or perceived race, color, weight, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, or gender (including gender identity and expression).

“Cyber-bullying” is a form of bullying which occurs via electronic communication on the Internet, on cellular phones or other electronic media. Cyber-bullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or website postings (including blogs), sending mean, vulgar, or threatening messages or images; posting sensitive, private information about another person; pretending to be someone else in order to make that person look bad.

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

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

Cyber-bullying involving District students may occur both on campus and off-school grounds and may involve student use of the District Internet system or student use of personal digital devices including but not limited to: cell phones, digital cameras, personal computers, electronic tools.

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

“Disability” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment.

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

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

“Employee” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

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

“Harassment” is the creation of a hostile environment by conduct or by verbal threats, intimidation 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 well-being; or 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 safety. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- race,
- color,
- weight,
- national origin,
- ethnic group,
- religion,

religious practice,
disability,
sex,
sexual orientation, or
gender (including gender identity and expression).

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

Gender expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

Specifically, harassment can include any verbal, written or physical conduct which offends, denigrates, or belittles any individual because of any of the characteristics described above. Such conduct includes, but is not limited to derogatory remarks, jokes, demeaning comments or behaviors, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, etc.

“Hazing” is a form of harassment among students defined as any humiliating or dangerous activity expected of a student to join a group or be accepted by a formal or informal group, regardless of their willingness to participate. Hazing produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur. Hazing behaviors include, but are not limited to, the following general categories:

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

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

“Retaliation” means when any member of the school community retaliates against any person who reports alleged harassment or against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to such harassment. It is possible that an alleged harasser may be found to have retaliated even if the underlying complaint of harassment is not found to be a violation of this code of conduct. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment.

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

“School 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 or district owned vehicle or in any location or facility rented/leased or otherwise under the direction and control of school personnel.

“School function” means any school-sponsored event or activity including extracurricular events and activities.

“Sexual Orientation” means actual or perceived heterosexuality, homosexuality, or bisexuality.

All parents/guardians are expected to:

- Recognize that the education of their child(ren) is a joint responsibility of the parent(s) / guardian(s) and the school community.
- Send their child(ren) to school ready to participate and learn.
- Ensure their child(ren) attend school regularly and on time.
- Ensure absences are legal.
- Insist their child(ren) be dressed and groomed in a manner consistent with the student dress code.
- Help their child(ren) understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment
- Know school rules and help their child(ren) understand them.
- Convey to their child(ren) a supportive attitude toward education and the district.
- Help their child(ren) deal effectively with peer pressure.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Provide a place for study and ensure homework assignments are completed.

All district teachers are expected to:

- Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students’ self-concept and promote confidence to learn.
- Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher’s attention in a timely manner.
- Be prepared to teach.
- Demonstrate interest in teaching and concern for student achievement.
- Know school policies and rules, and enforce them in a fair and consistent manner.
- Communicate to students and parent(s) / guardian(s):
- Course objectives and requirements
- Marking / grading procedures
- Assignment deadlines
- Expectations for students
- Classroom discipline plan

All district administrators are expected to:

- Promote a safe, orderly and stimulating school environment, which supports active teaching and learning.
- Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal to resolve grievances.
- Evaluate all instructional programs on a regular basis.
- Support the development of and student participation in appropriate extracurricular activities.

- Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved in a fair, consistent, and timely manner.
- Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
- Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
- Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- Report incidents of discrimination and harassment that are witnessed or otherwise brought to a principal's attention in a timely manner.

The Superintendent of Schools is expected to:

- Promote a safe, orderly and stimulating school environment, which supports active teaching and learning.
- Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
- Inform the Board of Education about educational trends relating to student discipline.
- Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved in a fair, consistent, and timely manner.
- Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
- Confront issues of discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
- Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
- Report incidents of discrimination and harassment that are witnessed or otherwise brought to a principal's attention in a timely manner.

All members of the General Brown School Board are expected to:

- Collaborate with students, teachers, administrators, parent/guardian organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, district personnel, and visitors on school property and at school functions.
- Adopt and review at least once a year the District's Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation.
- Maintain a climate of mutual respect and dignity, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.

It shall be the responsibility of all district students, of any age, to:

- Be familiar with and abide by all district policies, rules, and regulations pertaining to student conduct.

- Work to the best of his/her ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible.
- Conduct him/herself, when participating in or attending school-sponsored extracurricular events, as a representative of the district and as such hold him/herself to the highest standards of conduct, demeanor, and sportsmanship, and accept responsibility for his/her actions.
- Seek help in solving problems that might lead to disciplinary procedures.
- Contribute to the maintenance of an environment that is conducive to learning and to show due respect to other persons and property.
- Make constructive contributions to the school and report fairly the circumstances of school-related issues fairly.
- Bring information regarding threats to the health and safety of others to the attention of school officials.

The Board of Education assures district students that they have all the rights afforded them by federal laws, state laws and local laws. Students are expected to comply with these same laws.

The District's aim is to provide an environment in which a student's rights and freedoms are respected and to provide opportunities which stimulate and challenge the student's interests and abilities to his or her highest potential. These opportunities will be available as long as the student pursues these interests and studies in an appropriate manner and does not infringe upon the rights of others. In order to preserve these rights, means such as video cameras will be utilized on school grounds to supervise students' activities.

It shall be the right of each district student:

- To have a safe, healthy, orderly and courteous school environment;
- To take part in all district activities on an equal basis regardless of race, color, weight, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, or gender (including gender identity and expression);
- To attend school and participate in school programs unless suspended from instruction and participation for legally sufficient cause as determined in accordance with due process of law;
- To have school rules available for review, and whenever necessary, an explanation by school personnel;
- To be suspended from instruction only after his or her rights pursuant to Education Law Section 3214 have been observed;
- In all disciplinary matters, to have the opportunity to present his or her version of the facts and circumstances leading to imposition of disciplinary sanctions to the professional staff member imposing such sanctions.
- It is the policy of the General Brown Central School District that students be free from all forms of discrimination and harassment, including but not limited to sexual harassment, by employees or students on school property or school functions. Any complaint of alleged harassment should be made through the building principal or assistant principal. If the alleged harassment involves a building administrator, the complaint should be filed with the Superintendent.

Standards of Conduct

Students' conduct shall be considered appropriate if they are in compliance with all provisions of the Code of Conduct. Students should treat teachers, school administrators, other school personnel, fellow students and visitors on school property and school vehicles and at school functions, in a civil and respectful manner at all times.

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 following conduct shall be deemed inappropriate and unacceptable on school grounds, in school vehicles, and at school functions:

1. a. Fighting and/or injuring any person by an act or use of force for the purpose of causing injury to any person;
- b. Harassment, bullying, cyberbullying, hazing, discrimination, retaliation or intimidation to any student (as such terms may defined by this Code).
2. Threatening injury to persons or property, threatening disruption of lawfully authorized activities, or any other threat (i.e. bomb threat);
3. Physically restraining or detaining any other person, and removing such person from any place where he/she is authorized to remain, except that students may be restrained as permitted under Board Policy 529, Physical Restraint and Corporal Punishment;
4. Destroying, damaging, or defacing property of the General Brown District or the property of any individual;
5. Entering designated prohibited or danger areas (unless under the direction of any staff member) including, but not limited to:
 - a. electrical switching or transmission equipment,
 - b. gasoline storage,
 - c. telephone switchboards,
 - d. computer network,
 - e. roof,
 - f. utility and storage rooms,
 - g. fuel storage;
 - h. unauthorized use or misuse of any school property;
 - i. rooms not supervised by a staff member;
6. Stealing or possession of stolen property;
7. Inappropriate public displays of affection;
8. Possessing and/or wearing obscene material;
9. Engaging in disorderly conduct (i.e. horseplay, running in halls, unreasonable and/or excessive noise including car stereos that interrupt classroom activities and/or General Brown business, etc.);
10. Deliberately disrupting or preventing the peaceful and orderly conduct of instruction and other activities authorized by General Brown;
11. Refusing any reasonable direction of any school official, faculty, or staff member in charge of a particular area or event;
12. Refusing to leave any buildings or facility after being directed to do so by an authorized administrative officer, member of the faculty, or staff member;
13. Violating traffic or parking regulations of the General Brown School District;
14. Violating the emergency procedures/regulations of the General Brown School District in case of fire, natural disaster, civil disturbance, or any training for dealing with such emergencies;
15. Entering into any private office of an administrative officer, member of the faculty, or staff member, without permission;
16. Entering upon or remaining upon school property unless engaged in an activity authorized by the school official in charge of an area or event;
17. Willfully inciting others to commit any acts herein prohibited with specific intent to incite them to do so;

18. Smoking, possessing, the distribution of, or using chewing tobacco or similar tobacco products on school property is prohibited. (Board Policy 103);
19. Possessing, under the influence and/or distributing contraband which is defined to include drugs, alcohol, knives, rifles, shotguns, pistols, revolvers and other firearms or weapons of any sort, or any other object of substance deemed illegal by the penal law;
20. Possessing, under the influence of and/or distributing any look-a-like firearm or dangerous weapon and/or any look-a-like drugs (including but not limited to synthetic cannabinoids);
21. The distribution of any medication (prescription or non-prescription) by any student or faculty member (other than the school nurse or authorized school official) to a student;
22. The possession of any medication (prescription or non-prescription) by a student without the written permission of the parent(s)/guardian(s) and written order by the prescribing physician;
23. Use, possess, manufacture, sell, distribute or be under the influence of alcohol or other substances, or use or possess drug paraphernalia on school property or during a school event (see Alcohol, Tobacco, and Substance Policy 527);
24. Falsely reporting an incident;
25. Cheating on class work or exams to include using unauthorized electronic devices during State and local assessments; plagiarism
26. Gambling;
27. Vandalism; skateboarding;
28. Truancy;
29. School vehicle misbehavior
 - a. Not staying seated;
 - b. Throwing things;
 - c. Distracting the driver;
 - d. Disembarking without permission;
 - e. Causing distraction with electronic devices; and
 - f. Smoking;
30. Other insubordinate or disorderly behavior;
31. Gang activity to include but not limited to the wearing of gang colors, use of gang signs, display of gang drawings and acts of intimidation against others;
32. Computer/electronic communications misuse, including but not limited to any unauthorized use of computers, electronic devices, electronic notebooks/pads, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy; and
33. Any other conduct which would constitute a violation of the law.

Student Dress Code

Students must comply with all provisions of this Code of Conduct governing dress. Students are expected to be dressed (including footwear) and groomed in a manner appropriate to the particular educational setting.

The following clothing shall be deemed inappropriate and unacceptable on school grounds, in school vehicles and at school functions:

General Guidelines:

A student's dress, grooming and appearance, make-up and accessories shall:

- Be safe, appropriate and not disrupt or interfere with the educational process.
- Recognize that extremely brief garments such as tube tops, net tops, halter tops, see-through garments (including those which show bare midriffs or plunging necklines (front

or back), and/or shorts, mini dresses and skirts which expose undergarments, are not appropriate school attire.

- Ensure that any area typically covered by undergarments should not be exposed. (No underwear as outerwear.)
- Footwear shall be worn at all times. Flip Flops will not be allowed when students are actively engaged in physical activities (PE Class; on the playground; playing kickball, during
- Science Labs, Home & Careers, and Technology classes.) Cleated shoes will be allowed when exiting and returning to the locker room only.
- Dress Down Days/Special Events/Spirit Days: Scheduling and dress for these days will be under the direction and discretion of individual principals.

Please Note: Administration has the right to determine if attire or appearance is appropriate for school.

Prohibited Attire:

- Coats, Hats and/or Sunglasses may not be worn during the school day except for medical or religious purposes. Head coverings depicting or signifying gang affiliation, do-rags, masks, chains (other than cosmetic) are not to be worn.
- Clothing/accessories may not include language or images that are vulgar, obscene, or offensive to others on account of race, color, religion, creed, national origin, gender, gender identity, sexual orientation, innuendo, or disability. Likewise, clothing/accessories shall not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

Examples of Prohibited Attire/Accessories include but are not limited to:

- Hoodies may not be worn with the hood pulled up.
- Chains (other than ornamental) hanging from the neck, belt, pocket or attached to a wallet
- Jewelry that contains any type of sharp objects
- Slippers (as regular everyday footwear)

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item, and if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

Language

Students' language shall be considered appropriate if it is in compliance with all applicable provisions of this Code of Conduct. Students should, at all times, use language that is civil and respectful toward teachers, school administrators, other school personnel, fellow students and visitors on school property and school vehicles, and at school functions.

The following language shall be deemed inappropriate and unacceptable on school grounds, school vehicles and at school functions:

- Verbally abusive language;
- Profanity; cursing;
- Racial slurs and other discriminatory slurs or hate speech, i.e., speech which demeans or harasses another individual because of his/her race, sex, disability status, age, religion or other protected status;

- Loud, disruptive speech;
- Sexually suggestive or indecent or vulgar language;
- Threats of violence;
- Excessive arguing with a teacher or other supervisor.

Civil and Respectful Treatment of Teachers, Administrators, and Others

Students shall treat teachers, school administrators, other school personnel, fellow students and visitors on school property and school vehicles, and at all school functions in a civil and respectful manner at all times.

Due to Covid-19, social distancing and masks will be utilized for the safety of our students, teachers, and staff. General Brown will follow all NYSED, DOH, and Executive Orders in accordance with the publications.

Determination of Violation

1. Case of Clear Danger to Persons or Property

If a violation of the prohibitions of this policy and regulations constitutes a clear threat of injury to a person or probable harm to school property which might reasonably result in damage:

- A staff member shall order the offender to immediately stop the prohibited action and refer the offender to an administrator.
- If the offender does not stop immediately and continues the prohibited act, the person in charge shall take immediate steps to maintain order on the campus.
- If necessary, the person in charge (faculty member, staff, or any school official) shall request the assistance of police and civil authorities.
- Nothing contained above shall be construed as directing or authorizing the use of physical force by school employees against an offender unless there is no other way to protect from physical danger all persons lawfully upon school property.
- The person ordering the ejection of any offender shall make an immediate report to the principal or his/her designee by the fastest available means.

2. Other Cases

If the offense is of such a nature as to not be within the definition of a clear danger as set forth above, but would otherwise disrupt, inconvenience or harass those taking part in authorized activities, the following authorized procedures shall apply:

- Anyone affected by such prohibited action may file a written complaint to the principal or his/her designee hereafter called “responsible official” (i.e. building administrator).
- Such responsible official will conduct an investigation immediately and decide whether a violation has occurred and if the violation requires immediate action.
- If immediate action is required to preserve the normal functioning of the school, the responsible official will then order the prohibited activity to cease.
- If the prohibited activity stops, further action as set forth below will then be taken.
- If the activity does not stop upon the direction of the responsible official, then that official shall order the ejection of the offender.

Notwithstanding any action set forth above, it shall be the affirmative duty of any student or employee observing any prohibited act to promptly report such violation to the administrator in charge of the building. Upon receipt of such a report, the administrator in charge of the building

shall promptly investigate and make a report to the superintendent and shall take appropriate disciplinary action if required.

Reporting Discrimination, Harassment and Bullying

The District will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment and bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment and bullying.

It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to the Dignity Act Coordinator (“DAC”) (as defined below) or any staff member or administrator. The staff member/administrator to whom the report is made (or the staff member/administrator who witnesses or suspects bullying/cyber-bullying behavior) shall notify the DAC and investigate the complaint, document and take appropriate action to include, as necessary, referral to a supervisory authority and/or other official designated by the District to investigate allegations of harassment and bullying within a reasonable amount of time. Referrals may be made to ANY higher level of supervisory authority. All complaints of alleged harassing, bullying and/or retaliatory conduct will be promptly investigated in accordance with the terms of District policy and shall be treated as confidential and private to the extent possible within legal constraints.

The Board of Education shall designate and approve at least (1) staff member at every school building to be thoroughly trained to handle human relations in the area of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, gender expression and other characteristics protected by applicable federal, state and local laws (the **Dignity Act Coordinator(s)** or DAC). The name(s) and contact information for the Dignity Act Coordinator(s) shall be as follows:

NAME	SCHOOL	CONTACT INFORMATION
David Ramie	Jr./Sr. High School	315-779-2300, Option 1
Melissa Nabinger	BGP Elementary	315-779-2300, Option 2
Laurie Nohle	Dexter Elementary	315-779-2300, Option 3

Range of Disciplinary Measures

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that is viewed as fair and impartial by the student. Therefore, before seeking outside assistance, teachers will first use all their resources to create a change of behavior in the classroom. Teachers may issue verbal warnings and impose brief time-out periods to students in the classroom.

When the teacher has made every effort to bring about positive behavioral change and has been unsuccessful, the teacher will bring the matter to the attention of the administration. Once done, the teacher and the administrator will develop a strategy for dealing with the problem.

Disciplinary action, when necessary, will be firm, fair, and consistent in order to be most effective in changing behavior. All penalties imposed for violations of the student disciplinary code should be reasonable and appropriate. Penalties should be in proportion to the gravity of the offense and made relevant to the misconduct so as to deter future violations. When determining the appropriate action to be taken, the administrator shall consider the seriousness of the offense, the student's disciplinary record, the circumstances which led to the improper behavior, the age and maturity of the student, the probability of reoccurrence, and all alternatives.

Depending upon the nature of the violation, student discipline should be progressive. Thus, for example, a student's first violation should merit a lighter penalty than subsequent violations. However, for more serious misconduct a more severe penalty may be appropriate. The following range of penalties can be imposed individually or in combination for violations of the student disciplinary code:

- Verbal warning
- Written warning
- Written notification to parent(s)/guardian(s)
- Behavior modification through training/retraining
- Time out
- Probation
- Reprimand
- Revocation of automobile privileges
- Suspension from social or extracurricular activities
- Suspension of other privileges
- Exclusion from a particular class
- Alternative instruction
- Involuntary transfer
- Building principal conference
- Suspension
- Superintendent Hearing
- Permanent suspension
- Law enforcement referrals will be made when a possible violation of the law has occurred.

The incident referral form shall be used to document Code of Conduct violations. When appropriate, this form will be forwarded to an administrator. The student may voluntarily fill out the student summary of the incident form.

The General Brown School District will offer in-service training in discipline, behavior modification, and other related areas.

Provision for Removal of Students from the Classroom and from School Property

A disruptive student can affect a teacher's ability to teach and can make it difficult for other students in the class to learn. Before a teacher removes a "disruptive" student from the classroom, the teacher must first attempt to deal with student's misbehavior through less drastic means, such as warnings, parent(s)/guardian(s) conferences, time-outs, detentions, and other similar means. Teachers are encouraged to consider less drastic penalties other than removal in any case.

However, it may, on occasion, be necessary for the teacher to remove a “disruptive” student from the classroom. In no case may a teacher remove a student from his/her classroom for more than two days.

A teacher may not remove a disabled student from his/her class until he/she has verified with the administration or the chairperson of the Committee on Special Education that the removal will not violate the student’s rights under federal or state law or regulations. The procedure for removing a disruptive student from a classroom is set forth in the following section.

Procedures for Imposing Detention, Suspension and Removal from the Classroom

Procedures for Removals

Removal of Disruptive Pupils.

Any teacher shall have the authority to remove a disruptive pupil, as defined herein and in Education Law §3214(2-a), from such teacher’s classroom, consistent with discipline measures contained in this Code of Conduct. No pupil shall return to the said teacher’s classroom until the Principal or program administrator makes a final determination of the case, or the period of removal expires, whichever happens first. At the teacher’s discretion, he/she may rescind the removal prior to the expiration of the full period of removal.

Each teacher must keep a complete log for all cases of removal of students for his/her class. The Principal and program administrators must keep a log of all removals of students from class.

Nothing in this Code of Conduct abridges the customary right or responsibility of a Superintendent or the Administrator to suspend a student. In addition, nothing in this code abridges the customary right or responsibility of a teacher to manage student behavior in the classroom with short-term management techniques. The removal process should not be a substitute for good classroom management.

Fair Notice of Reasons for Removal; Opportunity to be Heard.

If the teacher finds that the disruptive pupil’s continued presence in the classroom does not pose a continuing danger to persons or property and does not present an ongoing threat of disruption to the academic process, the teacher shall, prior to removing the student from the classroom, provide the student with an explanation of the basis for the removal and allow the pupil to informally present the pupil’s version of relevant events.

If the teacher finds that the disruptive pupil’s continued presence in the classroom does pose a continuing danger to persons or property or does present an ongoing threat of disruption to the academic process, the teacher may direct the pupil’s immediate removal, but must provide the pupil with an explanation of the basis for the removal and an informal opportunity to be heard within twenty-four hours after the pupil’s removal.

Immediate Notice to Principal.

In any case where a disruptive pupil is removed from a teacher’s classroom, the teacher shall, as soon as possible, but no later than the end of the day, provide the Principal or program administrator or his/her designee with a full written explanation of the basis for the removal (on the incident referral form), giving the date, time, place, and details of all disruptive incidents, as well as the pupil’s version of the relevant events, if any. If the Principal or program administrator is not available by the end of the same school day, the teacher must leave the form with his/her secretary and meet with him/her prior to the beginning of classes on the next school day.

Notice to Parent(s)/Guardian(s); Opportunity to be Heard.

The Principal or program administrator shall inform the parent(s)/guardian(s) to such pupil of the removal and the reasons for the removal within twenty-four hours of the pupil's removal. Where possible, notice should be provided by telephone if the school has been provided with a telephone number for the purpose of contacting the parent(s)/guardian(s). Notice must be provided to the parent(s)/guardian(s) for any removal, regardless of whether the Principal or program administrator decides to set aside the teacher's decision to remove the pupil from the classroom

The pupil and the parent(s)/guardian(s) shall, upon request, be given an opportunity for an informal conference with the Principal or program administrator to discuss the reasons for the removal. The informal conference must be held within two school days of the student's removal. The timing of the informal conference may be extended by mutual agreement of the parent(s)/guardian(s), teacher, and principal or program administrator.

If the pupil denies the charges during the informal conference, the principal or program administrator shall provide an explanation of the basis for the removal and allow the pupil and/or parent(s)/guardian(s) an opportunity to present the pupil's version of relevant events. This conference shall be held within forty-eight hours of the pupil's removal. The Principal may direct the teacher to attend any such conference.

Review of the Removal Decision.

The Principal or program administrator shall review the teacher's decision to remove the pupil. They may not set aside the teacher's decision unless they find that the charges against the pupil are not supported by "substantial evidence" or that the pupil's removal is otherwise in violation of law or that the conduct warrants suspension from school pursuant to this section, and a suspension will be imposed.

The phrase "substantial evidence" shall mean a rational basis in the documents presented and other statements made to the Principal or program administrator such that a reasonable mind would accept as adequate proof that the pupil was, in fact, "disruptive," as defined above. The final determination must be made by the close of business on the day succeeding the forty-eight hour period for an informal hearing.

Alternative Instruction.

A teacher who directs the removal of a student from his/her classroom shall provide assignments. Administrators shall make other provisions for the continued educational programming and activities for such student.

Consistency with Other Laws.

Nothing contained in this Code of Conduct shall authorize the removal of a pupil in violation of any state or federal law or regulation.

Procedures for Suspension of Students**Short-term Suspensions.**

When suspension of the student from attendance for a period of five days or less pursuant to Section 3214 (3) of the Education Law is proposed, the Superintendent or Principal shall immediately notify the student orally and the parent(s)/guardian(s), in writing, that the student may be suspended from school. Written notice shall be provided by personal delivery, express mail delivery, or equivalent means reasonably calculated to assure receipt of such notice within

24 hours of the decision to propose suspension, at the last known address or addresses of the parent(s)/guardian(s). Where possible, notification shall also be provided by telephone, if the school has been provided with a telephone number for the purpose of contacting the parent(s)/guardian(s). The written notice shall provide a description of the incident(s) for which suspension is proposed and shall inform the parent(s)/guardian(s) of their right to request an immediate informal conference with the superintendent or principal and the right to question complaining witnesses in accordance with the provisions of Education Law §3214(3)(b).

The notice and opportunity for an informal conference shall be given prior to the suspension of the student, unless the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

Long-term Suspensions.

When suspension of the student from attendance for a period in excess of five days is proposed, school officials shall follow the formal hearing procedures set forth in Section 3214 of the Education Law. The District Superintendent or his/her designee shall immediately notify the parent(s)/guardian(s), in writing the student may be suspended from school and shall provide the reasons therefore, giving dates and other descriptive details for the incidents in question. The Superintendent shall either personally hear and determine the proceeding, or may, at his/her discretion, make a written designation of a hearing officer to do so. A record of the hearing shall be maintained by tape recording the proceedings. If a hearing officer is used he/she shall make written findings of fact and recommendations as to the appropriate measure of discipline, which shall be advisory.

After the hearing, the Superintendent or his/her designee shall make a final determination of the student's guilt or innocence of the charges, including findings of fact and imposition of an appropriate sanction. The District Superintendent or his/her designee shall promptly advise the parent(s)/guardian(s) in writing of his/her decision.

Appeal to the Board of Education.

The parent(s)/guardian(s) may appeal the decision of the Superintendent to the Board of Education. Any appeal to the Board must be in writing and must be submitted to the District Clerk within ten (10) business days after the date of the Superintendent's decision, unless the parent(s)/guardian(s) can show extraordinary circumstances that preclude them from doing so. The Board's decision on the appeal shall be based solely upon the record of the hearing. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

Alternative Instruction.

When a pupil has been suspended from school pursuant to this Code of Conduct, and said pupil is of compulsory attendance age, immediate steps shall be taken for his or her attendance upon instruction elsewhere, and/or for supervision or detention of said pupil pursuant to the PINS provisions of Article 7 of the Family Court Act.

Permanent Suspensions

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

Compliance with Laws for the Disabled

The General Brown Central School District recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The District also recognizes that students with disabilities have certain procedural protections whenever school authorities intend to impose discipline upon them. The Board of Education 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, including, but not limited to, NYS Education Law §3214 (g).

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 laws and regulations.

Administrators shall refer a student whose behavior is repeatedly substantially disruptive of the educational process or “substantially interferes with the teacher’s authority over the classroom” to the Committee of Special Education for functional behavioral assessment and the development of a behavioral intervention plan or, if such plan already exists, for review of same.

Remedial Responses to Violations of the Code of Conduct

Students, employees and visitors who violate this Code may also be subject to remedial action as the facts may warrant, including but not limited to any of the measures listed below:

- a. peer support groups; corrective instruction or other relevant learning or service experience;
- b. supportive intervention;
- c. behavioral assessment or evaluation;
- d. behavioral management plans, with benchmarks that are closely monitored; and/or
- e. student counseling and parent conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation may also be utilized. These strategies may include:

- a. school and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- b. adoption of research-based prevention programs;
- c. modification of schedules;
- d. adjustment in hallway traffic and other student routes of travel;
- f. targeted use of monitors;
- g. staff professional development;
- h. parent conferences;
- i. involvement of parent-teacher organizations; and/or
- j. peer support groups.

The Board will provide in-service education programs for all District staff members to ensure the effective implementation of this Code, to promote a safe and supportive school climate while discouraging, among other things, discrimination and harassment against students by students and/or school employees and to include safe and supportive school climate concepts in the curriculum and classroom management. The superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students.

The following are suggested programs that may be utilized for in-service education for all staff members to ensure effective implementation of this Code: (1) School-oriented programs

developed at the district and building level; (2) Superintendent's workshop days; and (3) faculty meetings.