

# STUDENT CODE OF CONDUCT

The Sullivan West Central School District (hereinafter also referred to as the "District") maintains high standards of academic excellence and behavior for students in the schools. A safe and orderly atmosphere, essential to achieving educational success, requires that everyone in the school community contribute to the establishment of a positive learning environment. Development and implementation of a code of acceptable conduct, that clearly defines individual responsibilities, describes unacceptable behavior and provides for the administration of appropriate disciplinary consequences, is necessary.

The District believes that order and discipline must be a shared responsibility between school, home and community. The Sullivan West Code of Conduct was developed in collaboration with students, teachers, administrators, parents and school safety personnel. It has been determined that an effective code must:

- identify, recognize and emphasize acceptable behavior;
- identify, recognize and prevent unacceptable behavior;
- promote self- discipline;
- consider the welfare of the individual as well as that of the school community as a whole;
- promote a close working relationship between parents/guardians and the school staff,
- distinguish between minor and serious offenses, as well as between first time and repeated offenses;
- provide appropriate disciplinary responses;
- outline procedures to ensure reasonable and consistent administration of discipline;
- maintain every person's right to reasonable hearing procedures and due process when accused of misconduct;
- comply with the provisions of federal, state and local laws, as well as the guidelines and directions of the New York State Department of Education and the Board of Regents.

A school's primary concern in establishing a code of discipline is to enable young people to become responsible, respectful and caring citizens. The Board of Education is responsible for ensuring that essential regulations are established and adequate discipline is maintained in the operation of the schools to effectively promote safety, as well as the social and educational growth of the students. Administrative regulations are developed and enforced by the school administration and staff.

The parent/guardian is expected to assume primary responsibility for control of his or her child. The parent/guardian may be called upon to actively cooperate with the school in providing the necessary structure to promote his or her child's social and educational growth. To this end, a high degree of parent-school communication will be fostered between the school and the parent.

Disciplinary measures available to the administration of each school building include conferences, detention, in-school suspension, out-of-school suspension and administrative

hearings with the designated hearing officer. Administrative hearings can result in out-of-school suspensions of more than five days and, in particularly serious cases, a student may be permanently suspended from school.

This Code applies to all students, and as specified to school personnel, parents and other visitors when on school property or attending any school function. Additionally, the District has the legal authority and reserves the right to discipline students for “off-campus conduct” (i.e., conduct that occurs off school property and not at school function) which endangers the safety, morals, health or welfare of others within the educational system or which adversely affects the educative process. The District also has the legal authority and reserves the right to discipline students for off-campus speech that actually causes, or is reasonably forecast as being likely to cause a material and substantial disruption to the work and/or discipline of the school. Nothing in this Code shall limit the authority of school officials to implement this Code with students from other schools, within or outside the District.

## **I. DEFINITIONS**

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

**School Property:** In or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus as defined in §142 of the New York State Vehicle and Traffic Law.

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

**School Function:** Any school-sponsored or school authorized, extracurricular event or activity, no matter where such event or activity occurs, including any such event or activity that takes place in another state.

### **Disability:**

- 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
- A record of such an impairment; or
- A condition regarded by others as such an impairment, provided, however, that in all provisions of Article 15 of the New York Executive Law dealing with employment, the term is 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.

**Employee:** Any person receiving compensation from a District or employee of a contracted services provider or worker placed within the school under a public assistance employment

program, pursuant to title nine-B of article five of the Social Services Law, and consistent with the provision of such title for the provision of services to such District, its students or employees directly or through contract, whereby such services performed by such person involve direct student contact.

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

**Gender:** Actual or perceived sex and includes a person's gender identity or expression.

**Harassment:** 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, 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; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender.

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

**Hazing:** Committing an act against a student or coercing a student (typically although not necessarily as part of an induction or initiation process), into committing an act, that humiliates, degrades, abuses or endangers the student, physically or emotionally, regardless of the student's willingness to participate.

**Disruptive Student:** Any student under the age of 21 who is substantially disrupting the educational process or substantially interfering with the teacher's authority over the classroom.

**Repeatedly and Substantially Disruptive of the Educational Process or Substantially Interferes with the Teacher's Authority Over the Classroom:** Engaging in conduct which results in the student's "removal" from the classroom by a teacher or teachers on four or more occasions during a semester.

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

**Removal:** The act of a teacher in discontinuing the presence of the student in his/her classroom.

**Suspension:** The act of a Building Principal (or acting principal), Superintendent of Schools, District Superintendent or Board of Education in discontinuing the presence of a student from his/her regular classes and/or extra-curricular activities.

**Violent Student: A student under the age of 21 who:**

- commits an act of violence upon a school employee or attempts to do so.

- 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.
- possesses, while on school property or at a school function, a weapon.
- displays, while on school property or at a school function, what appears to be a weapon.
- threatens, while on school property or at a school function, to use a weapon or to inflict bodily harm.
- 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, or knowingly and intentionally damages or destroys school District property.

**Weapon:** "Weapon" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, BB gun, pellet gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb or other "device, instrument, material or substance, animate or inanimate that is used for, or is readily capable of, causing death or serious bodily injury." In cases with associated criminal charges, the definition will be extended to include the parameters specified in New York Penal Code.

**Controlled Substance:** A drug or other substance identified by the federal Controlled Substances Act (defined by Section 812, Schedules I-V, of Title 21, United States Code, Section 801) and NYS penal codes. These include but are not limited to marijuana, any narcotic drug, any hallucinogen, any stimulant, or any depressant; including analogues, designer drugs and counterfeits similar to or represented as similar to a controlled substance, whether legal or illegal.

**Drug-related Paraphernalia:** Includes any device or instrument that on its face is used for the production, packaging, distribution, or ingesting of a controlled substance, illegal substance or prohibited substance. This includes but is not limited to hash pipes, water pipes, clips, rolling papers, or any other items related to drug use or drug distribution.

**Dignity Act Coordinators (DACs):** Refers to one or more staff members in each school, appointed by the Board of Education, who are thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex. The following are the names and contact information for the District's Dignity Act Coordinators:

**Sullivan West Secondary School**  
 Margaret Tenbus, Principal  
 P.O. Box 309, 6604 State Route 52  
 Lake Huntington, NY 12752  
 (845) 932 - 8401 Fax: (845) 932 - 8425

**Sullivan West Elementary School**  
 Rod McLaughlin, Principal  
 33 Schoolhouse Road  
 Jeffersonville, NY 12748  
 (845) 482-4610 Fax:(845) 482-9883

## **Sullivan West Central School District**

Dr. Joanne Lane, Assistant Superintendent for Student Services  
33 Schoolhouse Road  
Jeffersonville, NY 12748  
(845) 482-4610 Fax: (845) 482-4620

### **II. REPORTING**

All violations of this Code will be reported to the Assistant Principal or Dean of Students. Any violations that are related to the Dignity for all Students Act (DASA) related will be forwarded to the applicable Dignity Act Coordinator(s).

### **III. STUDENT BILL OF RIGHTS AND RESPONSIBILITIES**

In accordance with the requirements of the New York Education Law, the Sullivan West Central School District respects the right of each child, between the ages of five and 21 years or until the child receives a high school diploma, whichever comes first, to receive a free and appropriate education. All students in this state who turn six on or before December 1st are required by law to regularly attend school until the end of the school year during which they turn 16, either in the public schools, non-public schools that are approved for equivalency of instruction by the appropriate school authorities, or in the home in accordance with the Regulations of the Commissioner of Education.

The right to a free public school education extends to all students, including those with disabilities. However, this right is not unconditional. Students may be removed from the classroom, suspended temporarily or suspended permanently from school in accordance with this Code and applicable law.

Only students within the compulsory education ages (i.e., from age 6 until the end of the "school year" during which a student turns age 16) are entitled to alternative, equivalent instruction during suspension. For purposes of the compulsory education law, the "school year" is defined as July 1<sup>st</sup> through June 30<sup>th</sup>.

#### **A. Rights of Students**

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. Attend a safe, healthy, orderly, respectful, and civil school environment, including the right to be protected from harassment and discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender;
2. Access school rules and, when necessary, receive an explanation of those rules from school personnel;
4. Be guided by a discipline policy, which is fairly and consistently implemented and have an opportunity to present their version of the relevant events to school personnel authorized to impose disciplinary penalties.

5. Participate in school-sponsored and school –authorized student activities, subject to and conditioned upon appropriate conduct as established by this Code of Conduct and by any additional rules promulgated specifically for participation in extra-curricular and/or co-curricular activities.

### **B. Responsibilities of Students**

Students attend school so that they may develop to their fullest potential. With this in mind, each student is expected:

1. To accept responsibility for his/her actions;
2. To respect the rights of others, including their right to secure an education in an environment that is orderly and disciplined;
3. To attend school on a regular and punctual basis;
4. To complete class assignments and other school responsibilities by established deadlines;
5. To show evidence of appropriate progress toward meeting course and/or diploma requirements;
6. To respect school property, e.g. lockers, and help to keep it free from damage;
7. To obey school regulations and rules made by school authorities and by the student governing body;
8. To recognize that teachers assume the role of a surrogate parent in matters of behavior and discipline when at school, as well as during any school-sponsored activities;
9. To contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all;
10. To become familiar with this code and seek interpretation of parts not understood;
11. To actively discourage inappropriate behavior of other students and report such incidents to the administration.
12. To refrain from engaging in harassment and/or discrimination and to report and encourage others to report incidents of harassment and/or discrimination.

## **IV. ESSENTIAL PARTNERS**

The Dignity Act emphasizes the importance of tolerance and respect for others by students and staff alike. Therefore, all members of the school community, including essential partners such as superintendents, school board members, parents, students, teachers, guidance counselors, principals/administrators, support staff and other school personnel have particularly important roles to play in its implementation.

### **A. Responsibilities of Parents**

A cooperative relationship between home and school is essential to each student's successful development and achievements. To achieve this wholesome relationship, parents are urged:

1. To show an enthusiastic and supportive attitude toward school and education;
2. To build a good working relationship with their child;
3. To teach their child self-respect, respect for the law, respect for school property and respect for other students regardless of actual or perceived race, color,

- weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender;
4. To insist on prompt and regular attendance;
  5. To listen to the views and observations of all parties concerned;
  6. To recognize that teachers merit the same consideration and respect that parents expect from their child;
  7. To encourage their child to take pride in his/her appearance;
  8. To insist that their child promptly bring home all communications from school;
  9. To cooperate with the school in jointly resolving any school related problem;
  10. To set realistic standards of behavior for their child and resolve to remain firm and consistent;
  11. To help their child learn to deal effectively with negative peer pressure;
  12. To provide a place conducive for study and completion of homework assignments;
  13. To demonstrate desirable standards of behavior through personal example;
  14. To foster a feeling of pride in their child for their school;
  15. To provide support and positive reinforcement to their child.

Parents should be aware that they are responsible for any financial obligations incurred by their child in school. This includes lost books, damage to property, etc.

## **B. The Responsibilities of School Personnel**

All teachers know that they work every day with this nation's most precious commodity - the future generation. In view of this responsibility, teachers must:

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, so as to strengthen each student's positive self-image and promote learning;
2. Plan and conduct instruction that will make learning challenging and stimulating;
3. Recognize that some disciplinary problems are caused by a student's personal and academic frustrations;
4. Utilize classroom routines which contribute to the total instructional program and to the student's development of civic responsibility;
5. Seek to develop close cooperative relationships with parents for the educational benefit of the student;
6. Distinguish between minor student misconduct best handled by the teacher and major problems requiring the assistance of the administrator;
7. Teach the common courtesies by precept and example;
8. Handle individual infractions privately and avoid punishing the group for the misbehavior of one or two;
9. Help students cope with negative peer pressure;
10. Identify changing student behavior patterns and notify appropriate personnel;
11. Enable students to discuss their problems with them;
12. Send communications home promptly;
13. Report to the Principal any student who jeopardizes his/her own safety, the safety of others or of the teacher, or who seriously interferes with the instructional program of the classroom;
14. Treat students ethically and responsibly;

15. Help students to reach their maximum potential;
16. Appropriately supervise students and administer discipline in accordance with this Code, District policies, and applicable law;
17. Explain and interpret the Code of Conduct to students;
18. Enforce the code in all areas of the school;
19. Demonstrate desirable standards of behavior through personal example;
20. Know the support services available to students and refer students who are in need of such services;
21. Comply with state educational law regarding corporal punishment and mandated reporting of suspected parental child abuse and/or child abuse in an educational setting;
22. In the event of removal from class, inform the student and the Principal of the reason for the removal;
23. Immediately report and refer violent students to the Principal or Superintendent of Schools.
24. Confront issues of discrimination and harassment or any situation that threatens the emotional, physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
26. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
27. Promptly report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the appropriate Dignity Act Coordinator.

### **C. The Responsibilities of Building Administrators**

As the educational leaders of the school, the Principal and his/her assistant(s) set the disciplinary climate for the school, not only for students, but for staff as well. Therefore, they must:

1. Seek to develop a sound and healthful atmosphere of mutual respect;
2. Evaluate the program of instruction in their school to achieve a meaningful educational program;
3. Help their staff self-evaluate their procedures and attitudes in relation to the interaction within their classrooms;
4. Develop procedures which reduce the likelihood of student misconduct;
5. Provide the opportunity for students and staff to approach the Principal directly for redress of grievances;
6. Work with students and staff to formulate school regulations;
7. Assist staff members to resolve problems which may occur;
8. Work closely with parents to establish a wholesome relationship between home and school;
9. Utilize all appropriate support staff and community agencies to help parents and students identify problems and seek solutions;
10. Establish necessary building security;
11. Assume responsibility for the dissemination and enforcement of the "Code of Conduct" and ensure that all discipline cases referred are resolved promptly;

12. Insure that students are provided with fair, reasonable, and consistent discipline;
13. Comply with pertinent state laws governing hearings, suspensions, and student rights;
14. Develop behavior guidelines and appeals procedures specific to each assigned school in harmony with this "Code of Conduct";
15. Demonstrate desirable standards of behavior through personal example.
16. 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, sex, sexual orientation, or gender.
17. Report and/or investigate (as applicable) incidents of harassment and/or discrimination that are witnessed or otherwise brought to the administrator's attention, in accordance with this Code.

#### **D. The Responsibilities of District Administrators**

As the educational leaders of the school system, the Superintendent of Schools and Central Administrators must:

1. Reinforce and extend the indicated responsibilities of the Principals and make them applicable to the school system for grades K-12;
2. Recommend to the Board of Education appropriate policies, regulations and actions to achieve optimum conditions for positive learning;
3. Develop and implement an effective "Code of Conduct" supportable by students, parents, staff and community;
4. Demonstrate desirable standards of behavior through personal example;
5. Provide each teacher with a copy of the "Code of Conduct."
6. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender.
7. Report and/or investigate (as applicable) incidents of harassment and/or discrimination that are witnessed or otherwise brought to the administrator's attention, in accordance with this Code.

#### **E. The Responsibilities of the Board of Education**

As the elected officials in charge of our schools, the Board of Education will:

1. Adopt the policies governing the District, including this "Code of Conduct";
2. Ensure that the "Code of Conduct" contains clear behavioral expectations and disciplinary consequences for students, staff and visitors;
3. Ensure that the "Code of Conduct" is clearly communicated to students, parents, staff and the school community;
4. Ensure that the "Code of Conduct" is implemented and enforced in a consistent, reasonable, fair and equitable manner;
5. Annually review the "Code of Conduct" and adopt revisions to the Code as needed;
6. Appoint at least one Dignity Act Coordinator in each school building who shall be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, and gender.

#### **F. The Responsibilities of the Dignity Act Coordinators (DACs)**

1. Lead or supervise a thorough investigation into all reports of harassment and discrimination, in accordance with this Code and other applicable District policies;
2. Take or cause prompt actions to be taken that are reasonably calculated to end the harassment and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such harassment and/or discrimination was directed in accordance with this Code and District policies; and
3. Promptly notify the appropriate local law enforcement agency when the DAC believes that any harassment and/or discrimination constitutes criminal conduct.

#### **V. PREVENTING HARASSMENT AND DISCRIMINATION AGAINST STUDENTS**

The Board of Education is committed to providing an educational and working environment that promotes respect, dignity, and equality. The Board recognizes that harassment and discrimination are detrimental to student learning and achievement. These behaviors interfere with the mission of the District. Such behaviors not only affect the students who are its targets but also affect those individuals who are participants or who witness such acts. To this end, the Board condemns and strictly prohibits discrimination and harassment.

No student shall be subjected to discrimination or harassment by employees or students; nor shall any student be subjected to discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender by school employees or students. However, nothing in this Code 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 Section 3201-a or Section of the New York Education Law and title IX of the Education Amendments of 1972 (20 U.S.C. section 1681, et. seq.). Nor shall anything in this Code be construed to prohibit, as discrimination based on disability, actions that would be permissible under section 504 of the Rehabilitation Act of 1973.

##### **A. Reporting Known and/or Suspected Harassment and Discrimination**

Any student who believes that he or she is being subjected to harassment or discrimination or who witnesses harassment or discrimination, as well as any other person who has knowledge of or witnesses any possible occurrence of harassment or discrimination, shall report the harassment or discrimination, orally or in writing, to any school employee or to the designated Dignity Act Coordinator for the student's school building. School employees at all levels are responsible for reporting harassment and discrimination of which they are aware. Any employee who is assigned to and regularly works within a particular school building who witnesses harassment or discrimination or who receives an oral or written report of harassment or discrimination shall promptly, orally notify the designated Dignity Act Coordinator for his or her school building and thereafter shall promptly file a written report with the designated Dignity Act Coordinator. All other school employees who witness harassment or discrimination or receive an oral or written report of harassment or discrimination shall promptly, orally notify either their immediate supervisor, who in turn shall notify the designated Dignity

Act Coordinator for the supervisor's school building (if applicable), or shall promptly notify the Superintendent of Schools and thereafter shall file a written report with the same person to whom the oral report was made.

**B. Investigating and Responding to Complaints of Harassment and Discrimination**

The Dignity Act Coordinator to whom a report is made, or the Superintendent (if the report is made directly to the Superintendent by school employees who are not assigned to a particular school building) shall promptly investigate or cause an investigation to be made into the complaint, regardless of whether the complaint is made orally or in writing.

The parents of the student who is alleged to be the target of the alleged harassment or discrimination shall be notified immediately of the fact that a complaint has been made and that an investigation is being conducted. If the complaint alleges that other students engaged in acts of harassment or discrimination, the parents of those students shall also be notified.

All complaints will be handled confidentially, except for disclosure necessary to thoroughly investigate and resolve the complaint.

The parents of the student who is alleged to be the target of the alleged harassment or discrimination, and the parents of any accused students, will be informed of the outcome of the investigation. The Superintendent of Schools will also be informed of the outcome of the investigation. If any students or parents are not satisfied with any procedural aspect of the District's investigation of a complaint, they may appeal such procedural issues to the Board of Education. The appeal must identify the specific action being appealed, explain the basis of the appeal, and must be delivered to the Superintendent of Schools within ten (10) days of the date the student or parent is informed of the outcome of the investigation.

When an investigation verifies that the alleged harassment or discrimination occurred, the Dignity Act Coordinator or Superintendent (as applicable) shall take prompt action, or cause prompt action to be taken, that is reasonably calculated to end the harassment or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such harassment or discrimination was directed. Such actions shall be consistent with District guidelines developed in accordance with this Policy.

In addition, whenever a Dignity Act Coordinator or the Superintendent (as applicable) believes that any harassment or discrimination constitutes criminal conduct, he or she shall promptly notify the appropriate local law enforcement agency.

**C. Retaliation Strictly Prohibited/ Immunity from Liability**

The Board prohibits retaliatory behavior directed at any such person having reasonable cause to suspect that a student has been subjected to harassment or discrimination by an employee or student on school property or at a school function (or off school

property, as set forth in this Policy), who acting reasonably and in good faith, either: 1) reports such harassment or discrimination to: a) school officials, b) the Commissioner of Education, or c) law enforcement authorities; or 2) initiates, testifies, participates or assists in any formal or informal proceedings with respect to such harassment or discrimination.

In addition, all such persons shall have immunity from any civil liability that may arise from the making of such a report or from initiating, testifying, participating or assisting in such formal or informal proceedings.

Follow-up inquiries and/or appropriate monitoring of the alleged wrongdoer and victim shall be made to ensure that the harassment or discrimination has not continued or resumed and that those involved in the investigation of allegations of harassment or discrimination have not suffered retaliation.

## **V. CODE VIOLATIONS AND DISCIPLINARY INFRACTIONS, WITH POSSIBLE PENALTY REFERENCES**

The District imposes disciplinary consequences upon students who engage in conduct on school property or at a school function that: 1) is disorderly and/or disruptive; 2) is insubordinate; 3) is violent; and/or 4) endangers the safety, morals, health or welfare of others. This includes but is not limited to discipline for the following specific types of misconduct (Note: Potential disciplinary measures for each type of misconduct are cross-referenced by number in the parenthesis that follow each example):

1. Disturbances which disrupt instruction. (1-8)
2. Repeatedly disruptive and/or substantially interferes with the teacher's authority in class, giving rise to removal on four or more occasions per semester. (7, 8)
3. Abusive language and/or indecent gestures directed at staff, students or visitors on school grounds or at school functions (1-8)
4. Carelessness in failing to follow school rules and staff directions. (1-5)
5. Dress or grooming which is inappropriate as described in this code. (1-6)
6. Possession or dissemination of obscene materials (1-8)
7. Smoking or tobacco possession and/or use on campus or at school functions. (1-8)
8. Cheating in any academic, extra-curricular or co-curricular activity. (1-6)
9. Abusive and/or indecent language and/or gestures directed at school employees or students on school property or at school functions which provoke a fight. (4-8)
10. Willful failure to obey the reasonable directives of school staff (insubordination), including directives not to engage in conduct otherwise referenced as an infraction in this Code and for failing to notify a parent of assignment to detention. (1-8)
11. Fighting between students where no dangerous instruments are involved and no person is injured in the altercation. (4-8)
12. Fighting between students where harm is caused to one or more of the combatants. (5-11)
13. A fight involving the use or threatened use of a dangerous or deadly

- weapon. (5-12)
14. Any violent act against a teacher or other staff member, as described in this code. (7-12)
  15. Any violent act against another student or person on school property or at a school function, as described in this code. (7-12)
  16. Possession of what appears to be a weapon on school property.<sup>1</sup> (8-12)
  17. Coming to school and/or school functions under the influence of alcohol or drugs. (6-12)
  18. Possession of illegal drugs, drug paraphernalia, alcohol and/or other illegal or unauthorized substances, including but not limited to inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, unauthorized prescription drugs and/or over-the-counter medications, or any counterfeit drug or substance which the individual believes or represents to be such drugs, alcohol or unauthorized substances, on school property or at a school functions. (6-10)
  19. Use/consumption of illegal drugs, alcohol and/or other illegal or unauthorized substances, including but not limited to inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, unauthorized prescription drugs and/or over-the-counter medications, or any counterfeit drug or substance which the individual believes or represents to be such drugs or alcohol or unauthorized substance, on school property or at a school function. (6-12)
  20. Sale or other distribution of illegal drugs, alcohol and/or other illegal or unauthorized substances, including but not limited to inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, unauthorized prescription drugs and/or over-the-counter medications, or any counterfeit drug or substance which the individual believes or represents to be such drugs or alcohol or unauthorized substance. (6-12)
  21. Possession of fireworks on school property or at school functions (6-12)
  22. Use of fireworks while on school property or at school functions (6-12)
  23. Gambling (5-12)
  24. Hazing. (5-12)

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<sup>1</sup> Any student 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.

The Superintendent is required to refer the following students to the County Attorney (or the county presentment agency if

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

The Superintendent shall refer any pupil 16 years of age or older or a student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law, who has been determined to have brought a weapon to school, to the appropriate law enforcement officials.

25. Lewd behavior and/or sexual misconduct. (5-12)
26. Extortion. (6-13)
27. Plagiarism. (5-8)
28. Arson. (5-13)
29. Intentional destruction of school property. (5-13)
30. Theft of school property. (5-13)
31. Use or possession of beepers, cellular phones, lighters, light or laser pointers or electronic devices during the school day. (Confiscation, 4-6)
32. Violation of computer use policy. (1-7 Suspension of Computer Privileges)
33. Cutting class, study hall, homeroom, teacher detention or administrative detention. (4-6)
34. Eating or drinking outside of lunch periods or where prohibited. (1-5)
35. Driving recklessly, speeding, failing to follow school crossing guard's directives on school grounds. (Suspension of driving privileges) (5-8) (SEE: Student Driver Privileges)
36. Activation of a false alarm, bomb threat and/or any other threat/behavior that creates an unsafe and/or hostile climate for any members of the school community. (5-12)
37. Forgery or fraud used to gain unfair or dishonest advantage to disturb/attack another persistently or repeatedly (5-13)
38. Harassment and/or discrimination. (4-10)
39. Intimidation or coercion to compel by force or fear. (5-12)
40. Leaving the building without authorization (5-8)
41. Public displays of affection (1-6)
42. Theft of personal property (4-8)
43. Being present on school grounds or at school related functions while suspended from school (6-12)
44. Participating in:
  - a. Conduct which endangers the health, safety and welfare of others.
  - b. Conduct which disrupts the educational environment.

In addition, as is also set forth in the Introduction to this Code, the District has the legal authority and reserves the right to discipline students for "off-campus conduct" (i.e., conduct that occurs off school property and not at school function) which endangers the safety, morals, health or welfare of others within the educational system or which adversely affects the educative process. The District also has the legal authority and reserves the right to discipline students for off-campus speech that actually causes, or is reasonably forecast as being likely to cause a material and substantial disruption to the work and/or discipline of the school. Nothing in this Code shall limit the authority of school officials to implement this Code with students from other schools, within or outside the District.

### **A. Disciplinary Measures**

The following disciplinary measures may be imposed as consequences in the violation of the Student Code of Conduct. The consequence chosen will be based on the severity of the infraction, not in the order in which they are listed.

1. Warnings (oral or written)
2. Written notification of student's misbehavior to the parent
3. Parent Conference
4. Detention (Lunch; After-school)

5. In-school suspension
6. Saturday School
7. Suspension from school for up to five (5) school days
8. Suspension from school in excess of (5) school days
9. Suspension from school for at least one (1) year for possession of weapon pursuant to the Gun-Free Schools Act of 1994 (subject to the right of the Superintendent to modify such penalty) or, in the case of a student with a disability whose possession of a weapon is determined to be related to his/her disability, placement in an interim alternative educational setting for a period of up to forty-five (45) days.
10. Placement in an interim alternative educational setting for a period of up to forty-five (45) days, in the case of a student with a disability whose knowing possession or use of illegal drugs, or sale or solicitation of the sale of a controlled substance at a school or a school function is determined not to be related to his/her disability.
11. Permanent suspension. (Expulsion).
12. Financial restitution.

**B. Additional Options for Disciplinary Infractions:**

- Peer support groups or other relevant learning or service experiences
- Supportive interventions
- Behavioral assessment or evaluations
- Behavioral management plans with benchmarks that are closely monitored,

**VI. STUDENT SUSPENSION PROCESS**

The Board of Education, District Superintendent, Superintendent of Schools, a Building Principal or in his/her absence, an acting Building Principal, may suspend a student from school for violations of this Code.

**A. Pre-Suspension Process**

Prior to being suspended from school, the student shall be confronted by a school official empowered to suspend, as referenced above, at which time the evidence upon which the decision to suspend is based shall be stated to the student and the student shall be given the opportunity to explain his/her version of the facts. The student shall also be afforded the right to present other persons to the suspending authority in support of his/her version of the facts. If 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, such confrontation shall occur following suspension, as soon thereafter as is reasonably practicable. In all other cases, there shall be no suspension until after the informal Principal's conference, unless the rights described in paragraph "B", below are waived by the student's parent or guardian.

**B. Short-Term Suspension Process**

Prior to a proposed suspension from school for between one and five school days by a Building Principal or an acting Principal in the absence of the Building Principal, the

student and his/her parent shall be notified, in writing, by personal delivery, express mail or overnight service, and by telephone, if possible, within 24 hours of the decision to propose suspension.

Such written notice shall include a description of the incident(s) resulting in the proposed suspension and shall inform the parents of their right to request an immediate informal conference with the Principal at which the student and/or his/her parents may present the student's version of the event and ask questions of complaining witnesses. Upon such request, an informal conference with the Principal and other parties involved shall be convened as soon as possible, at which time the witness(es) relied upon by the Principal in making the suspension determination, may be questioned by the parent or guardian. The right to an informal conference with the Principal shall also extend to a student if 18 years of age or older. The notice and informal conference shall be in the dominant language or mode of communication used by the student's parent. If 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, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable. Any appeal brought by the parent or student over the age of 18 of a Principal's suspension must be presented to the Board of Education within 30 days, and is a prerequisite to filing any further appeal.

**C. The Long-Term Suspension Process: Suspension for More than Five Days**

Any suspension from school in excess of five school days shall be considered a long-term suspension. Unless there is an agreement between the person requesting the suspension and the parent, a long-term suspension may be imposed only after the Superintendent of Schools or the Board of Education has conducted a hearing. The Superintendent of School or Board of Education may designate a Hearing Officer to make findings of fact with respect to the charges of infractions under this code of conduct, and Section 3214 of the New York State Education Law as well as penalty recommendation pursuant to the penalty parameters described herein.

**D. Hearing Procedures - Notice of Hearing**

In the event of the suspension of a student under the age of 18 years, the notice of suspension will be mailed or delivered to the parent, who shall be given reasonable notice of the time and place of the hearing, as well as the nature of the charge(s) and the facts, sufficiently stated so that a proper defense (if applicable) may be placed upon the record on behalf of the student. In the event of the suspension of a student over the age of 18, the notice, as described above, shall be delivered or mailed to the student, as well as to the student's parent(s), if any. Emancipated minors shall be entitled to the same notice rights as a student beyond the age of 18 years. All notices of long-term suspension hearings shall contain provisions indicating that the student has the right to be represented by an attorney or lay counsel, that a transcript of the hearing will be prepared (tape recording or stenographic record) and that the student has the right: to subpoena witnesses or otherwise present witnesses in his/her defense, to cross examine witnesses called by the District, to refuse to testify pursuant to the 5th Amendment privilege against self-incrimination, (but only to the extent that

the student is in criminal jeopardy in a pending criminal proceeding regarding the same alleged misconduct that is the subject of the student disciplinary proceeding), to testify on his/her own behalf but subject to cross examination. The time, date and location of the hearing shall also be prominently set forth in the notice.

#### **E. The Long-Term Suspension Hearing**

The hearing shall be conducted by the Superintendent or a designated Hearing Officer or the hearing shall be conducted by the Board or its designated Hearing Officer in the event that the suspension originated by Board action. At the beginning of the hearing, the Hearing Officer shall inform the student and the student's representative(s):

- that the District's and the student's representatives shall have the right to examine and cross-examine witnesses;
- that if the student does testify, he/she shall be subject to cross-examination;
- that the District has the burden of proving the charges by competent and substantial evidence;
- that a transcript of the proceedings shall be maintained and made available to the student's representative upon request; and

The person conducting the hearing shall not have intimate knowledge of the details of the charges to assure an impartial, unbiased hearing of the case.

The Hearing Officer shall inform the parties:

- that the case will proceed by having the District present its evidence through witnesses and other evidence first;
- that the District's witnesses shall be subject to cross-examination by the student's representative; and
- that the student will then have the opportunity to present witnesses on his/her behalf, subject to cross-examination by the District's representative.

Following the conclusion of the testimony and the introduction of other evidence matters, the parties shall be afforded the opportunity to present brief oral arguments to the Hearing Officer indicating the reasons why the charges should be sustained or dismissed. The Hearing Officer shall then reach findings of fact upon the charges. In the event that one or more of the charges is sustained, the Hearing Officer shall then entertain statements from the parties regarding the appropriate penalty outcome. The parent and/or the student, in an appropriate case, shall then (if not sooner) be provided a copy of the student's past disciplinary anecdotal record and given the opportunity at that time to review this record before moving forward with the penalty phase. Such record may be considered by the Hearing Officer in determining an appropriate penalty. The Hearing Officer, upon the conclusion of the portion of the proceedings dealing with penalty determinations, shall make findings of fact and penalty recommendations, if any, to the person or body which designated him/her immediately upon the conclusion of the long-term suspension hearing. The Superintendent or Board, whichever designated the Hearing Officer, shall review the findings of fact and penalty recommended by the designated Hearing Officer, and shall adopt in whole or in part, the Hearing Officer's finding of fact and penalty determinations. This process shall be concluded within the five school day period from the time of the initial

suspension if the student is to be continuously suspended. The decision may be communicated to the student's representative and/or student (where over the age of 18) beyond the five school day period in cases where the student has been reinstated to attendance in school pending the final determination on the charges and penalty by the Superintendent or the Board, in cases to be decided by them, respectively.

**F. Suspension from Transportation Service**

Students may be suspended from transportation services for an infraction of District rules and/or polices, including but not limited to the infractions listed herein, following the opportunity for an informal conference by the student and his or her parents with the Superintendent of Schools or his/her designee.

**G. Suspension from Extra-Curricular and Co-Curricular Activities, and School Functions**

A student may be suspended from participating in extra-curricular or co-curricular activities (including a sports team) for an infraction of District rules and/or policies, including but not limited to any of the provisions herein, and/or (see AIM) for violating a code of conduct issued to participants in the activity by the activity supervisor or for fighting at games. Upon the request of the student's parent/guardian, the Building Principal or other school personnel authorized to suspend students from participation in such activities shall first allow the parent/guardian or other representative of the student the right to appear before him/her informally, to discuss the conduct which serves as the basis for the proposed suspension from the activity. If a student is suspended from school pursuant to §3214 of the Education Law, he/she shall not be permitted to participate in any extra-curricular or co-curricular activities, or any other school events or activities which take place on the days of suspension (including intervening weekends).

**H. Dress and Grooming**

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

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

- Be safe, appropriate and not disrupt or interfere with the educational process. Pants, jeans, shorts, etc., must be worn appropriately. Waists should not be rolled down on hips. Undergarments must be covered.
- Be modest. Recognize that extremely brief garments such as tube tops, tank tops, net tops; halter tops, spaghetti straps, plunging necklines (front or back) and see-through garments are not acceptable. Tops must fully cover the chest and midriff area.

- Include footwear at all times. Footwear that is a safety hazard will not be allowed.
- Not include the wearing of hats, visors, sunglasses or bandanas in the building except for a medical reason or religious purposes.
- Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, age, gender, sexual orientation or disability.
- Not promote the use and/or advertise alcohol, tobacco or illegal drugs or encourage other illegal or violent activities.
- Skirts, shorts and other such apparel must be of appropriate length.
- Jackets will not be permitted in classrooms. Students should dress for academic environment.

Each building principal or his or 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. 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.

#### **I. Electronic Devices**

IPods, headsets, pagers, cellular phones, electronic games or other such similar devices are prohibited in school except that students may possess cell phones or pagers with written permission of the building principal in rare cases based on proof of necessity for communication in a medical emergency or other compelling circumstances. All such equipment will be confiscated when visible and released only to a parent or guardian. Please review, sign, and return the "Bring Your Own Device" form located in the back of the Student Handbook.

### **BRING YOUR OWN DEVICE**

As technology becomes increasingly useful as an educational tool, districts wrestle with monitoring the appropriate use during the school day. In order to serve the needs of our students, the Sullivan West High School has created the conditions under which students

may utilize electronic devices in an academic setting. To "Bring Your Own Device" students must comply with the following:

1. Electronic devices may be used ONLY for academic purposes.
2. Areas designated as "**GREEN Zones**" are the only areas where devices can be used.
3. Devices may not be used for texting, accessing social media, photography, emailing or any other purposes unrelated to academics.
4. Students may not use devices in "**RED Zones**" regardless of academic purposes.
5. Any questions regarding the appropriate use of an electronic device not specifically addressed will be decided by the building principal.

Students who violate the terms and conditions of the appropriate use of technology will be subject to the following:

1. First offense: Student receives a verbal warning. A referral will serve as written notice to the parent. The teacher will confiscate the device and the student can retrieve it at the end of the school day.
2. Second offense: The device is confiscated by the teacher and delivered to the main office. A referral will serve as written notice to the parent, who will be expected to pick up the device at the end of the day.
3. Third offense: The device is confiscated and will not be returned for one week. The parent must pick up the device at the end of one week.
4. Fourth offense: The device is confiscated and not returned for the remainder of the semester. (First semester: January 30, 2015 or Second semester: June 26, 2015)

**DUE TO THE SEVERITY AND NATURE OF THE INFRACTION**  
**Any student who uses a device for any illegal activity or to photograph another student will have the device confiscated immediately. It will not be returned until June 26, 2015 and the student will face the disciplinary consequences contained in the Student Code of Conduct.**

#### **J. Backpacks and Skateboards**

Backpacks should be used to transport school materials to and from school. They should be stored in student lockers during the school day. Change purses/bags are not permitted in classrooms. Students have access to lockers throughout the school day and can retrieve classroom materials whenever necessary in accordance with school rules. Backpacks and oversized purses that are brought by students into classrooms have created safety issues by blocking escape routes, hindering the swift evacuation from the building during unforeseen emergency evacuations. Skateboards are not allowed in school or on school grounds. Please leave them home. Skateboards will be confiscated and released only to a parent or guardian.

## **VII. 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 are entitled to certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. This Code of Conduct affords students with disabilities who are subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations, notwithstanding anything in this Code to the contrary.

### **Authorized Suspensions Or Removals Of Students With Disabilities**

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

**“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 pursuant to §201.8 of CR.

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

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

The Board, the District Superintendent of Schools, or a Building Principal delegated the authority to suspend students, 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.

1. The Superintendent may order the placement of a student with a disability into an IAES (interim alternative educational setting), 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 the paragraph 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.

2. 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.
3. 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 school days, if the student carries or possesses weapons, uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function, or has inflicted serious bodily injury upon another person while at school or on school premises (20 USC §1415).
4. 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**

A disciplinary change in placement means a suspension or removal from a student's current education placement that is either:

1. more than 10 consecutive school days; or
2. a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.

School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

However, the District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the student has inflicted serious bodily injury upon another person while at school or on school premises.

**C. Special Rules Regarding The Suspension Or Removal Of Students With Disabilities**

The District's Committee on Special Education shall conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the District is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances.

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from 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.

The District's CSE shall conduct a Manifestation Determination Review of the relationship between the student's disability and 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. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than ten consecutive days or for a period that would result in a disciplinary change in placement unless the CSE has determined that the behavior is not a manifestation of the student's disability.

The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the 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.

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.

A student will not be presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the District had knowledge the student was a student with a disability, the District either:

- conducted an individual evaluation and determined that the student is not a student with a disability, or
- determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

If there is no basis for knowledge that the student has 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.

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 of Education shall accompany the notice of disciplinary removal.

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

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

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

1. 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.
2. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
3. 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.
4. If the school personnel propose to change the student's placement after the expiration of a 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.

5. An expedited due process hearing shall be completed within 15 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 which a crime is reported only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (34 CFR §300.535).

#### **F. Persons In Need Of Supervision (Pins) Petitions**

Where a student with a disability is not attending school or is ungovernable/incorrigible, the Department of Probation requires that the District conduct a manifestation determination review to determine whether the student's behavior is intentional and ongoing and not related to the student's disability before referring the matter for petition (9 NYCRR Part 357).

### **VIII. 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 be reasonably 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 act.

### **IX. STUDENT SEARCHES AND INTERROGATIONS**

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

required to contact a student's parent(s) before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes school officials (the Superintendent, building administrators, school nurses and building security aides) to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law, the District Code of Conduct or other school rules. An authorized school official may conduct a search of a student's belongings, including but not limited to book bags, vehicles parked on school property, etc., as long as the school official has a reasonable suspicion for the search.

Ordinarily, there must be reasonable suspicion to believe that the search of a particular student will turn up evidence that the **particular** student is violating the law or school rules. However, "individualized" suspicion is not required in every case before school officials can search students and/or their possessions. The need to search a student or student's possessions is determined by balancing the District's legitimate justification to conduct the search against the student's or students' *expectation of privacy* in the area to be searched. Every search must be:

- 1) **"Justified at its Inception"** – meaning that there must be reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school; **and**
- 2) **"Permissible in Scope"** – meaning that the search measures used must be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

An authorized school official may search a student or the student's belongings based upon information received from a reliable source. Individuals other than District employees will be considered reliable informants if they have previously supplied information that was found to be accurate, if they make an admission against self-interest, if they provide the same information that is received independently from other sources, or if they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the District Code of Conduct, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

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

#### **A. Student Lockers, Desks And Other School Storage Places**

Students have no reasonable expectation of privacy with respect to the above locations; school officials retain complete control over them. This means that student

lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

### **B. Strip Searches**

A strip search is a search that requires a student to remove any or all of his or her clothing, other than a jacket or other similar "outer" clothing. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the Superintendent or the school attorney. The only exception to this rule requiring advance authorization is when the school official reasonably believes there is an emergency situation that could threaten the safety of the student or others.

Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another District professional employee who is also of the same sex as the student.

In every case, the school official conducting a strip search must have reasonable suspicion to believe the student is concealing evidence in intimate places of a violation of law or the District Code of Conduct or school rules that poses an immediate or imminent risk of danger in terms of its power or quantity. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student's age, the student's record and the need for such a search.

School officials will attempt to notify the student's parent by telephone before conducting a strip search or in writing after the fact if the parent could not be reached by telephone.

### **C. Documentation Of Searches**

The building administrator shall be responsible for promptly recording the following information about each search:

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

The building administrator shall be responsible for the custody, control, and disposition of any illegal or dangerous item(s) taken from a student. The building administrator shall retain control of the item(s), unless the items are turned over to the police. The building administrator shall be responsible for personally delivering dangerous or illegal item(s) to police authorities.

### **D. Police Involvement In Searches And Interrogations Of Students**

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

1. a search or an arrest warrant.
2. probable cause to believe a crime has been committed on school property or at a school function, or
3. been invited by school officials.

#### **X. VISITORS TO THE SCHOOLS**

The Board encourages parents and other District citizens to visit the District's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building administrator 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 reception desk, sign in to the visitors' register, and present appropriate identification to security staff. A visitor's identification badge will be issued and must be worn at all times while in the school or on school grounds. Visitors reporting to building destinations other than school offices will be escorted by school personnel. Upon leaving the building, visitors need to sign out in the visitors' register and return the identification badge.
3. Visitors attending after-school, evening, or weekend school functions that are open to the public, such as concerts or public gatherings, are not required to register.
4. Teachers are expected not to take class time to discuss individual matters with visitors.
5. Any unauthorized person on school property will be reported to the building administrator. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
6. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.
7. Nothing in this Article or this Code shall be deemed to give parents or other visitors to the District's school a legal right to visit classrooms during instructional time.

#### **XI. PUBLIC CONDUCT ON SCHOOL PROPERTY**

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

The restrictions on public conduct on school property and at school functions contained in this Code are not intended to limit freedom of speech or peaceful assembly. The District recognizes that free inquiry and free expression are indispensable to the objectives of the District. The purpose of this Code is to maintain public order and prevent abuse of the rights of others.

**A. Prohibited Conduct**

No person, either alone or with others, shall:

1. intentionally injure any person or threaten to do so.
2. damage or remove District property.
3. disrupt the orderly conduct of classes, school programs or other school activities.
4. distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, libelous, obstruct the rights of others, or are disruptive to the school program.
5. intimidate, harass, or discriminate against any person on the basis of race, color, nationality, religion, age, sex, sexual orientation, disability or other legally protected classification or characteristic.
6. enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. obstruct the free movement of any person in any place to which this Code applies.
8. violate the traffic laws, parking regulations or other restrictions on vehicles.
9. possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, tobacco products, or be under the influence of such substances on school property or at a school function.
10. possess or use firearms or other weapons including but not limited to air guns, pistols, rifles, shotguns, ammunition, explosives, box cutters, knives, gas canisters, pepper spray or other noxious spray while 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 District.
11. loiter on or about school property.
12. gamble on school property or at school functions, except as authorized by law and in accordance with District policy ( e.g. authorized raffles and/or games of chance conducted by charitable organizations during non-school hours) .
13. refuse to comply with any lawful order of identifiable District officials performing their duties.
14. willfully incite others to commit any of the acts prohibited by this Code.
15. violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

## **B. Penalties**

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

1. Visitors' authorization, if any, to enter or 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 comply, they shall be subject to ejection and arrest.
2. Students shall be subject to immediate ejection and to disciplinary action as the facts may warrant, including any of the penalties listed in the "Penalties" section of this Code, in accordance with the due process of law requirements.
3. Tenured faculty members shall be subject to disciplinary action as the facts may warrant in accordance with Education Law Section 3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the Civil Service entitled to the protection of Civil Service Law section 75 shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law section 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and 4 shall be subject to immediate ejection and to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

## **C. Enforcement**

The building administrator or designee shall be responsible for enforcing the conduct required by this Code. The Superintendent may designate other authorized District staff to take action consistent with the Code.

When the Superintendent or his/her designee observes or is informed of an individual engaging in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the designated school official shall tell the individual that the conduct is prohibited and direct the individual to stop. The school official 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 designated school official shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The District shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the District reserves its right to pursue a civil or criminal legal action against any person violating the Code.

## **XII. DISSEMINATION AND REVIEW OF THE CODE OF CONDUCT**

### **A. Dissemination Of The Code Of Conduct**

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

1. providing copies of a summary of the Code to all students, in an age-appropriate version, written in plain language at a school assembly to be held at the beginning of each school year.

2. providing a summary of the Code written in plain language to all parents of District students before the beginning of the school year and making this document available later upon request.
3. providing all current teachers and other staff members a copy of the complete Code and a copy of any amendments to the Code as soon as practicable after adoption.
4. providing all new employees a copy of the complete Code when they are first hired.
5. making copies of the complete Code available via hard copy or on the District website for students, parents and other community members.
6. posting the complete Code of Conduct on the District's internet website, including any annual updates and/or amendments to the Code, plus current versions of related District policies pertaining to harassment and discrimination

The District will provide in-service education for District staff members to ensure effective implementation of the Code. 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.

#### **B. Review Of The Code Of Conduct**

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

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

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

### **STUDENT ACCEPTABLE USE POLICY/COMPUTER USE POLICY**

The Sullivan West Central School District offers Internet access for student use. This document contains the Acceptable Use Policy for your use of the District Information Technology Resources (known as District IT Resources) and information of which you should be aware.

#### **A. Program Development**

In order to match electronic District IT Resources as closely as possible to the approved district curriculum, district personnel will review and evaluate District IT Resources in order to offer "home pages" and menus of materials that comply with district guidelines governing the selection of instructional materials. In this manner, staff will provide developmentally appropriate guidance to students as they make use of telecommunications and District IT Resources to conduct research and other studies related to the district curriculum. All students will be informed by staff of their rights

and responsibilities as users of the District IT Resources prior to gaining access to that network, either as an independent user or as a member of a class or group.

As much as possible, access to district information District IT Resources will be designed in ways that point students to those locations that have been reviewed and evaluated prior to use. While students may be able to move beyond those District IT Resources to others that have not been evaluated by staff, they shall be provided with guidelines and lists of District IT Resources particularly suited to the learning objectives. Students may pursue electronic research independent of staff supervision only if they have been granted parental permission and have submitted all required forms. Permission is not transferable and may not be shared.

## **B. Educational Purpose**

1. The District IT Resources have been established for a limited educational purpose. The term "educational purpose" includes classroom activities, career development, and limited high-quality self-discovery activities.
2. The District IT Resources have not been established as a public access service or a public forum. The Sullivan West Central School District has the right to place reasonable restrictions on the material you access or post through the system. You are expected to follow the rules set forth in the Acceptable Use Policy and the Student Handbook.
3. Individual E-mail Accounts for Students will not be provided. Students will only be allowed supervised e-mail access through a teacher account.
4. Students may not use the District IT Resources for commercial purposes. This means you may not offer, provide, or purchase products or services through District IT Resources.
5. Students may not use the District IT Resources for political lobbying.

## **C. Student Internet Access**

1. All students will have supervised access to the Internet through their classroom, library, or school computer lab, unless the parents request (in writing) that this access be denied.
2. You and your parent must sign an Account Agreement to be granted **independent** Internet use on the District IT Resources. This option is only available for students in grades 8 - 12. Your parent can withdraw their approval at any time.
3. If approved by your building principal, you may create a personal Web page on District IT Resources. All material placed on your Web page must be pre-approved in a manner specified by the school. Material placed on your Web page must relate to your school and career preparation activities.

## **D. Electronic Communication**

It is District policy that students and others in the public schools should not be subject to video or audio capture, recording, or transmission of their words or images, by any student at a school, without express prior notice and explicit consent for the capture, recording, or transmission of such words or images. There are certain situations where the possession or use of electronic communication devices and cameras is absolutely prohibited within the public school.

1. In addition to those circumstances where possession or use of electronic communication devices and cameras is absolutely prohibited by this policy, school administrators and classroom teachers may prohibit the possession or use of such devices at specific times and in specific circumstances.
2. During any time when a student is scheduled to be in class or involved in a regular school activity, it is a violation of policy for the student to have in his or her possession an electronic communication device or camera which is in the "on position and ready to receive, send, capture, or record any communication, visual image, sound, text message, or other information.
3. Electronic communication devices and cameras may not be possessed, activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include but are not limited to locker rooms, shower rooms, restrooms and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes.
4. The principal or director of the school is hereby given authority to make determinations as to other specific locations and situations where possession of electronic communication devices and cameras is absolutely prohibited.
5. At no time may any electronic communication device or camera be utilized by any student in a way which might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.
6. This Policy is not intended to prohibit appropriate use of electronic devices for authorized or official school-related educational purposes, e.g., yearbook photographs, teacher-directed activities, classroom presentations, etc.

#### **E. Student Responsibilities**

1. Access to the District IT Resources is a privilege, not a right. Access entails responsibility.
2. You are responsible for good behavior on school computer networks just as you are in a classroom or a school hallway. General school rules for behavior apply.
3. Independent access to network services is provided to students in grades 8 - 12 who agree to act in a considerate and responsible manner. Parent permission is required.
4. You will immediately notify a teacher or the system administrator if you have identified a possible security problem. You must not go looking for or share security problems, because this may be construed as an illegal attempt to gain access.
5. You are responsible for your individual account and should take all reasonable precautions to prevent others from being able to use your account. Under no conditions should you provide your password to another person. You have full responsibility for the use of your account and can be held responsible for any policy violations that are traced to your account.
6. If you mistakenly access inappropriate information, you should immediately tell your teacher or another District employee. This will protect you against a claim that you have intentionally violated the Student Acceptable Use Policy.

7. Parents should instruct their child(ren) if there is additional material that they think would be inappropriate for their child(ren) to access. The district fully expects that you will follow your parents' instructions in this matter.

## **F. Unacceptable Uses**

It is not the intention of this regulation to define all inappropriate usage. However, in addition to the general requirements of acceptable student behavior, activities which shall be prohibited when using the District IT Resources include, but are not limited to, the following:

- 1) Displaying offensive messages or pictures
- 2) Using obscene, profane, lewd, vulgar, rude, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
- 3) Harassing, insulting, or attacking others
- 4) Using the District IT Resources for any type of communication including, but not limited to e-mail, instant messenger, network broadcasting, chat rooms, etc.
- 5) "Surfing" the Internet without an educational purpose
- 6) Damaging computers, computer systems, or computer networks
- 7) Attempting to override system security
- 8) Attempting to gain unauthorized access to the District IT Resources or to any other computer system through District IT Resources, or go beyond authorized access.
- 9) Engaging in practices that threaten the District IT Resources (e.g., loading files that may introduce a virus)
- 10) Violating regulation prescribed by the network provider
- 11) Violating copyright laws
- 12) Using others' passwords
- 13) Trespassing in others' folders, work, or files
- 14) Intentionally wasting limited District IT Resources
- 15) Employing the network for commercial purposes
- 16) Downloading large files
- 17) Engaging in any illegal act

Users will not use the District IT Resources to access material that is profane or obscene (pornography), that advocates illegal acts, or that advocates violence or discrimination towards other people (hate literature). A special exception may be made for hate literature if the purpose of such access is to conduct research and access is approved by both the teacher and the parent.

## **G. Sanctions**

1. Violations may result in a loss of access, duration to be determined by the appropriate administrator.
2. Additional disciplinary action may be determined at the building level in line with existing practice regarding inappropriate language or behavior.
3. When applicable, law enforcement agencies may be involved.

## H. Personal Responsibility

When you are using the District IT Resources, it may feel like you can more easily break a rule and not get caught. This is not really true because whenever you do something on a network you leave little "electronic footprints," so the odds of getting caught are really about same as they are in the real world.

**But the fact that you can do something or think you can do something without being caught does not make it right to do so.** Even if you don't get caught, there is always one person who will know whether you have done wrong -- and that person is you. Your use of the Internet can be a mirror that will show you what kind of a person you are.

### Disciplinary Guidelines for the District Acceptable Use Policy

**(Final decision to be made by administration and approved by BOE)**

<b>Occurrence</b>	<b>1st</b>	<b>2nd</b>	<b>3d</b>	<b>4th</b>	<b>5th</b>
<b>Infraction</b>	<b>Suggested Steps (below)</b>				
Engaging in an illegal act	4-5	4-5	4-5	4-5	4-5
Violating copyright laws	Follow district policy				
Damaging computer, computer systems, or networks	3-5	3-5	3-5	3-5	3-5
	Monetary recompense				
Attempting to override system security	3-5	3-5	3-5	3-5	3-5
Attempting to gain unauthorized access to District IT Resources or any other computer system or go beyond authorized access	3-5	3-5	3-5	3-5	3-5
Engage in practices that threaten the District IT Resources (e.g. load files that may introduce a virus	3-5	3-5	3-5	3-5	3-5
Violating regulations prescribed by the AUP	1-5	2-5	3-5	4-5	4-5
Sending or displaying offensive messages or pictures	3-5	3-5	3-5	3-5	3-5

Using obscene, profane, lewd, rude, inflammatory, threatening, or disrespectful language	3-5	3-5	3-5	4-5	4-5
Harassing, insulting, or attacking others	3-5	3-5	3-5	4-5	4-5
Using the computer system for non-educational purposes (e.g. playing purely recreational games)	1-2	2-3	3-4	4-5	4-5
Bringing games or other files to school from home and using them on the District IT Resources for non-academic purposes.	1-2	2-3	3-4	4-5	4-5
Giving your ID and password for others to use	1-2	2-3	3-4	4-5	4-5
Trespassing in others' folders, work, or files	2-3	2-3	3-4	4-5	4-5
Using others' passwords	1-2	2-3	3-4	4-5	4-5
Communicating electronically with others	1-2	2-3	3-4	4-5	4-5
<b>Disciplinary Options</b>					
<b>Step 1</b>	Administrator conference with student, warning issued, parents notified				
<b>Step 2</b>	Administrator conference with student, 10 days restricted network access*, detention, parents notified				
<b>Step 3</b>	Administrator conference with student, 20 days restricted network access*, ISS, parents notified				
<b>Step 4</b>	Administrator conference with student, network privileges revoked for 20 days**, out of school suspension, parents notified				
<b>Step 5</b>	Superintendent's hearing, network privileges** revoked permanently				
*	Permits access to data and applications on a restricted basis for classes that require them				
**	When access is revoked students are responsible for work completion by other means.				

## **POLICE – INTERVIEWS OF STUDENTS BY POLICE**

Police authorities may interview students on school property or use school facilities in connection with police work. If a warrant is issued for the arrest of a student on school property, the administration will grant the release or the interview of the student. If a crime is committed on school property, school officials will notify the appropriate police authorities regarding the event and give full cooperation in any investigation. All interviews with students will be conducted in the presence of a school administrator.