



# CODE OF CONDUCT

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2014-2015

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In compliance with the New York State SAVE legislation and the Commissioner's regulations, the Cortland Enlarged City School District involved students, parents, staff and members of the Board of Education in developing the comprehensive Code of Conduct. The document shall be reviewed and updated at least annually by a special committee comprised of representatives from students, parents and district staff. All involved in the implementation of this Code of Conduct are encouraged to provide input to the appropriate school office if they have recommendations for improving the Code. The committee will review the suggestions for improvement of the Code of Conduct and present the changes to the Board of Education.

The intent of this document is to establish standards of conduct that will enable students, parents, visitors and staff to know what acceptable behavior is and how deviations from these standards will be addressed. These standards and procedures have been developed for system-wide use and will be in effect during school and non-school hours and actively enforced the entire calendar year (twelve months).

Every student and staff member has the right to expect an atmosphere that is orderly, safe and conducive to the educational process. In order to assure an orderly environment in which each person may live and learn to his/her full capabilities in harmony with others, the school community, parents and community-at-large must share responsibility for helping students develop self-discipline.

Educators know that although steps to stop unacceptable behavior are necessary, recognition for responsible student behavior does more to encourage positive traits than anything else. Staff in the Cortland Enlarged City School District are encouraged to practice professionally appropriate classroom management techniques.

When self-discipline fails or self-control falters, disciplinary action will be imposed to protect the rights of others. Discipline must emphasize the humanitarian principles and ideals such as justice and equality. It must recognize the inherent dignity and rights of every human being and must include self-direction and self-discipline. In the Cortland Enlarged City School District, as in the community-at-large, certain rules and procedures are established to guide students through constructive growth into mature adulthood. Students, parents, visitors, district staff and the Board of Education need to cooperate to interpret and enforce these rules.

## Code of Conduct

### I. INTRODUCTION

The Cortland Enlarged City School District Board of Education ("Board") is committed to providing an educational and working environment that promotes respect, dignity and equality where students may receive, and Cortland Enlarged City School District personnel may deliver, quality educational services and experiences without disruption or interference.

Cortland Enlarged City School District has a long-standing set of expectations for conduct on school property and at all school-sponsored functions. Cortland Enlarged City School District also expects that its students and staff will conduct themselves in an appropriate and positive manner in their off campus conduct. These expectations are based on the principles of civility, mutual respect, citizenship, character, acceptance, honesty, integrity and the belief in the educational goals of the organization. Responsible behavior by students, Cortland Enlarged City School District staff, parents and other visitors is essential to achieving this goal.

The Board recognizes the need to clearly define these expectations for acceptable conduct on Cortland Enlarged City School District property, identify the possible consequences of unacceptable behavior and to ensure that penalties, when necessary, are administered promptly and fairly.

Discrimination, and harassment such as hazing and bullying, are detrimental to student learning and achievement and are not condoned by the District. These behaviors interfere with the mission of the District to educate its students and disrupts the operation of the schools. Such behaviors affect not only the students who are its targets but also those individuals who participate and witness such acts.

To this end, the Board condemns and strictly prohibits all forms of discrimination and harassment inclusive of electronic, such as hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events, or out of school events that have an adverse affect on students within the school environment.

Unless otherwise indicated, this code applies to all students, school district staff, parents and other visitors when on Cortland Enlarged City School District property or attending a school district function.

## II. DEFINITIONS

For purposes of this code, the following definitions apply.

**“Abusive”** means improper use or treatment of property or people.

**“Act of Violence”** means an infliction of evil, injury or damage to self, others or property.

**“Assault”** means intentional or reckless act resulting in injury or causing impairment of physical condition or substantial pain.

**“CECSD”** means Cortland Enlarged City School District.

**“CECSD Property”** means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus (Education Law §11[1]).

**“Criminal Harassment”** means striking, shoving, or kicking another person or subjecting another person to unwanted physical contact with the intent to, annoy, alarm, or injure another person.

**“Custodial Interview”** means an investigation by police authorities, as a suspect in the commission of a crime, after he/she has been detained by them, regarding the facts and circumstances of the crime, for the purposes of prosecution.

**“Cyber-Bullying”** means harassment as defined by this code through the use of electronic devices/technology.

**“Disability”** means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law §292[21]).

**“Discrimination”** means unfair treatment against any student(s)/staff by a student or students and/or employee or employees on school property or at a school function including but not limited to unfair treatment based on a person’s actual or perceived: race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).

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

**“Due Process”** means notice and opportunity to be heard; fairness. The level of due process owed is dependent upon specific facts of the matter.

**“Emotional Harm”** that takes place in the context of harassment or bullying shall be defined as harm to a student’s emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student’s education. Such conduct shall include, but is not limited to, acts based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

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

**“Extenuating Circumstances”** means situations such as, but not limited to, legal, family, medical obligations.

**“Gender”** means actual or perceived sex and shall include a person’s gender identity or expression.

**“Gang”** means any ongoing organization, association or group of three or more persons, whether formal or informal, having one of its primary activities the commission of criminal acts and having a common name or common identifying sign, colors or symbols.

**“Harassment and bullying”** mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyber-bullying, that:

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

Acts of harassment and bullying shall include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions.

**“Hazing”** is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

**“Indecent”** means grossly inappropriate or offensive to manners or morals.

**“Insubordination”** means not following directive of an adult; being disobedient.

**“Investigatory Interview”** an information seeking activity.

**“Loitering”** means to stand idly about; linger aimlessly.

**“Parent”** means the biological, adoptive or foster parent, guardian or person in parental relation to a student.

**“Physical Harassment”** means physical conduct that creates a hostile, intimidating or offensive environment and/or interferes with another’s ability to learn, such as, but not limited to; threatening or intimidating actions, blocking a person’s path with intent to threaten or intimidate, pushing, shoving, or purposely bumping into a person.

**“Racial Harassment”** means intimidation through use of epithets or slurs involving race, ethnicity or national origin.

**“Removal”** means relocating, other than suspension and change in placement, for disciplinary reasons from the student’s current educational placement to an interim alternative educational setting (IAES).

**“School Bus”** means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law §11[1] and Vehicle and Traffic Law §142).

**“School District Function”** means any CECS D-sponsored extracurricular event or activity.

**“School Resource Officer (SRO)”** a law enforcement officer, with sworn authority, assigned by the employing police department to work at a school in collaboration with a school and community-based organizations.

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

**“Sexual Harassment”** means harassment based on sex or sexual orientation, which consists of unwelcome sexual advances, request for sexual favors, sexually motivated physical conduct or other verbal or physical conduct of sexual nature.

“**Suspension**” means a suspension pursuant to Education Law § 3214.

“**Stealing**” means unlawfully taking personal property of another.

“**Threat of Violence**” means an expression of intention to inflict emotional or physical injury or damage.

“**Tardy**” means late; not on time.

“**Truancy**” means absent from school without permission.

“**Vandalism**” means deliberate mischievous or malicious destruction or damage of property.

“**Violence**” means an unwarranted exertion of force or power.

“**Violent Student**” means a student who may be described by any of the clauses below:

1. Commits an act of violence upon a CECSO employee.
2. Commits, while on CECSO property or at a CECSO function, an act of violence upon another student or any other person lawfully on CECSO property or at a CECSO function.
3. Possesses a weapon while on CECSO property or at a CECSO function.
4. Displays, while on CECSO property or at a CECSO function, what appears to be a weapon.
5. While on CECSO property or at a CECSO function threatens to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any CECSO employee or of any person lawfully on CECSO property or at a CECSO function.
7. Knowingly and intentionally damages or destroys CECSO property.

“**Weapon**” means a firearm as defined in 18 USC § 921 for purposes of the Gun Free Schools Act. It also means, but is not limited to any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor blade, stiletto, knife, switchblade knife, gravity knife, pocketknife, brass knuckles, sling shot, metal knuckle knife, box cutters, can sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used as a weapon.

### III. DIGNITY FOR ALL STUDENTS ACT

#### A. Prevention

The school setting provides an opportunity to teach children, and emphasize among staff, that cooperation with and respect for others is a key district value. Staff members and students will be proactive in the prevention of bullying. Our increased awareness, which will include identification of bullying warning signs, as part of district instruction and professional development, will be designed to not only decrease incidents of bullying, but to help students build more supportive relationships with one another.

Curricular material that raises awareness and sensitivity to discrimination or harassment and civility in the relationships of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, sexes or gender expression or identities are included in the district’s instructional program K-12.

In order to implement this program the Board will designate at its annual organizational meeting a *Dignity Act Coordinator*. The role of the DAC is to coordinate and enforce implementation of the Act. Dignity Act Coordinators are building principals and the Assistant Superintendent for Pupil and Personnel Services.

DAC Contact Information:

|                                  |                |          |
|----------------------------------|----------------|----------|
| Barry Elementary School          | Peter Reyes    | 758-4150 |
| Parker Elementary School         | Kevin Yard     | 758-4160 |
| Randall Elementary School        | Cliff Kostuk   | 758-4170 |
| Smith Elementary School          | Angela Wanish  | 758-4180 |
| Virgil Elementary School         | Lisa Kaup      | 758-4130 |
| Jr./Sr. High School grades 7-8   | Kevin Cafararo | 758-4110 |
| Jr./Sr. High School grade 9      | Abe Brafman    | 758-4110 |
| Jr./Sr. High School grades 10-12 | Joseph Mack    | 758-4110 |
| District Office                  | Judi Riley     | 758-4100 |

## **B. Intervention**

Intervention by adults and bystanders is an important step in preventing escalation and resolving issues at the earliest stages. Intervention will emphasize education and skill-building.

Successful intervention may involve remediation. Remedial responses to bullying and harassment include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target. Remediation may be focused on the individual(s) involved in the bullying behavior or environmental approaches which pertain to the school or district as a whole.

In addition, intervention will focus upon the safety of the target. Staff is expected and required, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene where appropriate.

## **C. Provisions for students who do not feel safe at school**

The Board acknowledges that, notwithstanding actions taken by district staff, intervention may require a specific coordinated approach if the child does not feel safe at school. Students who do not feel safe at school are limited in their capacity to learn and reach their academic potential. Staff, when aware of harassment including, but not limited to bullying, should bring this to the attention of the building principal, the DAC Coordinator, or Title IX Compliance Officer. The building principal, DAC Coordinator, or Title IX Compliance Officer will work together to define and implement any needed action with other appropriate staff, the student and the student's parent.

The district recognizes the need to handle each case individually in order to create a safer environment for all students especially those that are targets of harassment or discrimination including but not limited to bullying. The student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

## **D. Training**

The Board recognizes that in order to implement an effective harassment and discrimination, including bullying, prevention and intervention program, professional development is needed. The Superintendent, the DAC and the District Professional Development Committee will incorporate training to support this program in new teacher orientation and the annual professional development plan, as needed. Training opportunities will be provided for all staff, including, but not limited to bus drivers, cafeteria and hall monitors and all staff who have contact with students. The DAC will be trained in accordance with State requirements and will continue their professional development so as to successfully support this policy and program. The DAC may be reached at 607-758-4100.

## **E. Reporting and Investigation**

Although it can be difficult to step forward, the district can't effectively address harassment, discrimination or bullying if incidents are not reported. Students, who have been harassed, discriminated against or bullied, parents whose children have been harassed, discriminated against or bullied, or other students or staff who observe harassing, discriminating or bullying behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided. At all times, complaints will be documented, tracked and handled in accordance with the regulations and procedures accompanying this policy and/or the district's Code of Conduct. Information regarding targets of harassment, discrimination or bullying incidents will be documented, tracked and handled in accordance with pertinent laws and regulations. If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with their supervisor. Incidents will be included in the Violent and Disruptive Incident Reporting (VADIR) system when applicable.

It is a responsibility for all school personnel to report any incidents of student-to-student, staff-to-student, and student-to-staff harassment, discrimination or bullying that they observe to their building principal or other administrator who supervises their employment. In addition, it is also the responsibility of all parents, staff, and/or non-members of CECS school personnel to report any incidents of student-to-student, staff-to-student, and student-to-staff harassing, discriminating or bullying of which they are made aware by students et al to their building principals or other administrator who supervises their employment.

#### **IV. STUDENT RIGHTS AND RESPONSIBILITIES**

##### **A. Student Rights**

Cortland Enlarged City School District is committed to safeguarding the rights given to all students under state and federal law. In addition to those rights, all Cortland Enlarged City School District students have the right to:

1. A safe, healthy, orderly, clean and civil learning environment free of harassment, which includes harassment between students and between faculty and students. Refer to page 4 for definition of harassment.
2. Take part in all school district activities on an equal basis regardless of age, actual or perceived race, weight, religion, religious practice, color, national origin, ethnic group, gender (identity or expression included), sexual orientation, disability or socioeconomic status.
3. Due process in the event of disciplinary action brought against them as outlined in the Code of Conduct. Refer to section VIII.
4. Access to school district rules and, when necessary, to receive an explanation of those rules from Cortland Enlarged City School District personnel.
5. Respectfully express their opinions verbally or in writing and dress in such a way to express their personality, in accordance with the Code of Conduct. Refer to section V on page 7.
6. Have access to objective information concerning drug and alcohol use, misuse and abuse as well as access to individuals or agencies capable of providing direct assistance to students with personal problems.
7. Be free from retaliation when, in good faith, the student reports or assists in the investigation of harassment, bullying and/or discrimination.

##### **B. Student Responsibilities**

All Cortland Enlarged City School District students have the responsibility to:

1. Contribute to maintaining a safe, clean and orderly environment that is conducive to learning and shows respect to other persons and to property.
2. Report suspicion of potentially dangerous activities to any school personnel (i.e. suicide, violent acts, use of a substance, use of weapons) and volunteer information in disciplinary cases.
3. Follow directions given by all school district employees and any adult in a supervisory capacity in a respectful and positive manner.
4. Be familiar with and abide by all school district policies, rules and regulations dealing with student conduct.
5. Accept responsibility for their actions.
6. Demonstrate appropriate behavior in controlling anger.
7. Ask questions when they do not understand their responsibilities.
8. Seek help in solving problems in order to prevent inappropriate actions.
9. Attend classes every scheduled day (unless excused); be on time, ready to learn and have expected materials.
10. Be conscientiously involved in all academic and co-curricular pursuits, and strive toward the highest level of achievement possible.
11. Conduct themselves as representatives of Cortland Enlarged City School District when participating in or attending school sponsored co-curricular events by holding themselves to the highest standards of conduct.
12. Dress so as not to endanger physical health and/or safety, limit participation in class and/or school functions or be unduly disruptive.
13. Express opinions and ideas in a respectful and non-discriminatory manner so as not to offend, slander or restrict the rights and privileges of others.

#### **V. STUDENT DRESS CODE**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for Cortland Enlarged City School District programs. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other school district staff should exemplify and reinforce acceptable attire and help students develop an understanding of appropriate appearance in the educational setting.

A student's dress, grooming and appearance, including but not limited to attire, clothing, hairstyle/color, jewelry, make-up, tattoos and nails:

1. Should be safe, appropriate and not disrupt or interfere with the educational process.
2. Should recognize that revealing garments are prohibited - examples may include: sheer clothing, short skirts and shorts, halter tops, strapless shirts, shirts with spaghetti straps, muscle tanks and cut-off tee shirts.
3. Should ensure all undergarments are completely covered and not visible with clothing, and that abdominal and back areas are completely covered.



4. Students must wear their pants, shorts, skirts at appropriate level at the waistline.
5. Clothing and footwear should be seasonally appropriate.
6. Shall not include outerwear, coats, capes and similar apparel while inside school buildings.
7. Shall not include footwear and garments that are a safety hazard such as flip flops on a playground. Footwear shall be worn at all times.
8. Shall include not wearing head coverings of any kind or sweatbands in the school except for a medical or religious purpose, or where it is as part of a uniform or school sponsored activities.
9. Shall not include items that are vulgar, lewd, obscene, suggestive, libelous or that denigrate others on account of perceived or actual race, color, religion, religious practice, ethnic group, national origin, gender (including expression and identity), sexual orientation, weight or disability.
10. Shall not promote and/or endorse unhealthy behaviors such as, but not limited to, the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
11. Shall not include disruptive or dangerous accessories, including but not limited to: spiked bracelets, wallet chains, snap bracelets, facemasks and sunglasses.

Students who violate the Student Dress Code shall be required to modify their appearance by covering or removing the offending item, by replacing it with an acceptable item or by being sent home to change. Any student who refuses to do so shall be subject to discipline, up to and including out of school suspension for the day.

## VI. PROHIBITED STUDENT CONDUCT

The Board of Education expects students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, Cortland Enlarged City School District personnel, guests and other members of the educational community, and for the care of school district facilities and equipment.

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

The Board recognizes the need to make specific and clear expectations for student conduct while on Cortland Enlarged City School District property, engaged in a school district-sponsored function, or engaged in off campus activities that adversely affects the educational process. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these rules will be required to accept the penalties for their conduct.

Students may be subject to disciplinary action, up to and including suspension from Cortland Enlarged City School District programs when they:

- A. Engage in conduct that is disorderly.** Examples of disorderly conduct include but are not limited to:
  1. Running in hallways.
  2. Making unreasonable noise.
  3. Using language or gestures that are profane, lewd, vulgar, abusive or harassing.
  4. Obstructing vehicular or pedestrian traffic.
  5. Engaging in any willful act which disrupts the normal operation of the Cortland Enlarged City School District community.
  6. Trespassing. Students are not permitted in any Cortland Enlarged City School District building and grounds, other than the one they regularly attend beyond school hours, without permission from the administration in charge of the building.
- B. Engage in conduct that is insubordinate.** Examples of insubordinate conduct include but are not limited to:
  1. Failing to comply with the directions of teachers, school district administrators or other school district personnel in charge of students, or otherwise demonstrating disrespect.
  2. Lateness for or missing/leaving class or school district property without permission.
  3. Skipping detention.
  4. Loitering.
- C. Engage in conduct that is disruptive.** Examples of disruptive conduct include but are not limited to:
  1. Failing to comply with the directions of teachers, school district administrators or other school district personnel in charge of students.
  2. Communications such as note passing, excessive talking or inappropriate use of technology.

3. Being unprepared for class.
4. Unauthorized use of electronics during regular school hours.
5. Engaging in argumentative behavior.

**D. Engage in conduct that is violent.** Examples of violent conduct include but are not limited to:

1. Acts of discrimination or harassment, as defined by this code, of students, staff or visitors.
2. Committing an act of violence (such as hitting, kicking, punching, biting, spitting and scratching) upon any school district staff, students or visitors.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school district property or at a school district function.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. Intentionally damaging or destroying the personal property of any school district employee or any person lawfully on school property (including graffiti or arson).
7. Intentionally damaging or destroying school district property.
8. Intimidating or threatening to commit an act of violence.

**E. Engage in behavior perceived to be membership or affiliation in any gang such as but not limited to:**

1. Wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblems, badges, symbols, signs or other items which may be evidence of membership or affiliation in any gang.
2. Communicating either verbally or non-verbally (gestures, handshakes, slogans, drawings, etc.), to convey membership or affiliation in a gang;
3. Tagging, or otherwise defacing school or personal property with gang or gang-related symbols or slogans.
4. Requiring payment of protection, insurance, or otherwise intimidating or threatening any person related to gang activity.
5. Inciting other students to intimidate or to act with physical violence upon any other person related to gang activity.
6. Soliciting others for gang membership.
7. Committing any other illegal act or other violation of school district policies that relates to gang activities.

**F. Engage in any conduct that endangers the safety, morals, health or welfare of others.** Examples of such conduct include but are not limited to:

1. Lying to school district personnel.
2. Stealing property of the district, students, staff or any other person lawfully on school property or attending a school function.
3. Intentionally damaging or removing district or personal property, or inappropriate use of district property while attending a school function.
4. Acts of harassment as defined in the school district sexual harassment policy.
5. Acts of harassment or bullying as defined by this code.
6. Selling, using, distributing, manufacturing or possessing obscene material.
7. Public displays of affection on school property or at any school district functions.
8. Gambling.
9. Possession or use of electronic cigarettes or any tobacco products.
10. Possession of paraphernalia related to use of tobacco, alcohol or other illegal substances.
11. Possessing, consuming, selling, manufacturing, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include but are not limited to: inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
12. Possession of, sharing, use, or distribution of over-the-counter and/or prescription drugs or harmful substances.
13. Use of prescription or non-prescription medication or drugs not dispensed by the school nurse.
14. Creating an unsafe or unhealthy environment.
15. Falsely reporting an incident.
16. Personal use of recording devices (i.e. cell phones) for unauthorized purposes.
17. Acts of discrimination as defined by this code.
18. Acts of cyber-bullying as defined by this code.

**G. Engage in misconduct while on a school vehicle.** It is crucial for students to behave appropriately while riding on school district school vehicles, to ensure their safety and that of other passengers. School vehicle drivers are authorized to assign seats. All students are to stay in their seats while riding. Students are to conduct themselves on the school vehicle in a manner consistent with established standards for classroom behavior. Excessive noise,

profane language, pushing, shoving, fighting, vandalism, littering, eating, drinking, smoking and other behaviors prohibited by this code or deemed to be distracting by the school vehicle operator are prohibited. Students are to keep all body parts and all objects inside the school vehicle. Students waiting for school vehicles when not on school property are expected to conduct themselves in accordance with the school district Code of Conduct.

**H. Engage in any form of academic misconduct.** Examples of academic misconduct include but are not limited to:

1. Plagiarism.
2. Cheating.
3. Altering a grade or another student’s record on paper or in electronic form.
4. Copying other’s work.
5. Forgery of any kind.

**I. Engage in conduct that is a violation of New York State Law.** Examples of such conduct include, but are not limited to:

1. Riding a bicycle, skateboard, scooter or rollerblades without a required helmet if under 14 years of age.

**J. Engagement in off-campus misconduct that endangers the health and safety of students or staff within the school or adversely affects the educational process.** Examples of such misconduct include but are not limited to:

1. Cyber-Bullying.
2. Threatening, hazing, harassing students or school personnel over the phone or the internet.
3. Using message boards to convey threats, derogatory comments or post inappropriate pictures of students or school personnel.
4. Drug and/or alcohol use; including non-prescribed prescription medications.

**VII. REPORTING VIOLATIONS OF THE CODE OF CONDUCT**

Any student observing a violation to the code of conduct, including but not limited to knowledge of a student possessing a weapon, alcohol, illegal substance or suspicion of a potentially dangerous situation on Cortland Enlarged City School District property or at a school sponsored function shall report this information immediately to school staff. All complainants and those who participate in the investigation of a complaint in conformity with State law and district policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind. Failure to report the above mentioned violation could result in disciplinary action. Any weapons, alcohol or illegal substances found shall be confiscated immediately, followed by notification of the parent/guardian and the student involved. Appropriate disciplinary action up to and including permanent suspension and referral for prosecution will be imposed. (The Building Principal or designee shall investigate any reports of potentially dangerous situations).

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction. All District staff must also report any instances of misconduct or alleged misconduct believed to be in violation with the Dignity for All Students Act to the appropriate administrator.

For purposes of this code, the Building Principal shall receive such reports believed to be in violation of the Dignity for All Students Act. The contact information for the Building Principal is as follows:

|  |                |          |
|--|----------------|----------|
| Barry Elementary Principal                           | Peter Reyes    | 758-4150 |
| Parker Elementary Principal                          | Kevin Yard     | 758-4160 |
| Randall Elementary Principal                         | Cliff Kostuk   | 758-4170 |
| Smith Elementary Principal                           | Angela Wanish  | 758-4180 |
| Virgil Elementary Principal                          | Lisa Kaup      | 758-4130 |
| Jr./Sr. High School grades 7-8 Principal             | Kevin Cafararo | 758-4110 |
| Jr./Sr. High School grade 9 Principal                | Abe Brafman    | 758-4110 |
| Jr./Sr. High School grades 10-12 Principal           | Joseph Mack    | 758-4110 |
| Jr./Sr. High School grades 10-12 Assistant Principal | John Zarcone   | 758-4110 |

In further compliance with the Dignity for All Students Act (DASA), complaints of bullying, harassment, discrimination and/or cyber-bullying must be made to the DASA Coordinator. The contact information is as follows:

|                 |            |          |
|-----------------|------------|----------|
| District Office | Judi Riley | 758-4100 |
|-----------------|------------|----------|

The Building Principal or program supervisor must notify the appropriate local law enforcement agency of those code violations that may constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of school business the day the Principal learns of the violation. Parent/guardian notification will be attempted by telephone, followed by a letter expressing the intent to suspend on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

## **VIII. DISCIPLINARY PROCEDURES AND PENALTIES**

While the focus of CECSO is on prevention of problem behaviors, discrimination and harassment, including bullying, prohibited acts may still occur. In these cases, offenders will be given the clear message that their actions are wrong and the behavior must improve. Student offenders will be provided in-school guidance pertaining to positive choices in their relationships with others.

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

1. The student's age.
2. The nature of the offense and the circumstances which led to the offense.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers, students and/or others, as appropriate.
6. Other extenuating circumstances.
7. Consequences outlined in District Code of Conduct and Board Policies.
8. The effect/impact that the offense had upon the individual.

If a student with a disability or suspected disability violates the Code of Conduct, see Section IX for discipline related to Students with Disabilities.

### **A. Range of Penalties**

Students who are found to have violated the Cortland Enlarged City School District Code of Conduct may be subject to the following penalties, either alone or in combination with one another:

1. Verbal warning.
2. Temporary removal from class/activity.
3. Written referral.
4. Written notification to parent.
5. Detention (examples: lunch, recess, after school, Saturday).
6. Suspension from school vehicle transportation.
7. Suspension from social or co-curricular activities.
8. Suspension of other privileges.
9. In-school suspension.
10. Removal from classroom.
11. Short-term (five day or less) suspension from school.
12. Long-term (more than 5 days) suspension from school.
13. Permanent suspension from school.

As a general rule, discipline will be progressive. This means that a student's subsequent violations will usually merit a stiffer penalty than the first violation. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

### **B. Procedures**

The amount of due process a student is entitled to before a penalty is imposed will depend on the type of penalty. In all cases, regardless of the penalty imposed, the Cortland Enlarged City School District personnel authorized to impose the penalty must let the student know what misconduct the student is alleged to have committed, and must investigate the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the Cortland Enlarged City School District personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

Students who are to be given penalties other than a verbal warning, written referral or written notification to their parents are entitled to additional rights before the penalty is imposed. Penalties and associated rights are explained as follows:

### **Detention**

Teachers, Principals and the Superintendent may use detention as a penalty for student misconduct in situations when removal from the classroom or suspension would be inappropriate. After-school detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

### **Suspension from transportation**

If a student does not conduct himself/herself properly on a school vehicle, the school vehicle driver is expected to bring such misconduct to the Building Principal's attention through a written referral. Students who become a serious disciplinary problem may have their riding privileges suspended by the Building Principal or the Superintendent. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, Cortland Enlarged City School District will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law § 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the Building Principal or Program Supervisor to discuss the conduct and the penalty involved.

### **Suspension from co-curricular, athletic and other privileges**

A student subjected to a suspension from co-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law § 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the Building Principal or Program Supervisor imposing the suspension to discuss the conduct and the penalty involved.

### **In-school suspension**

The Board recognizes that the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes Building Principals, Program Supervisors, and the Superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension." "In-school suspension" is the temporary removal of students from the classroom and their placement in another area of the school building designated for such a suspension, where students will receive instruction from certified personnel.

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law § 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

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

Nothing in this section of the Code of Conduct abridges the customary right or responsibility of a Principal to suspend a student. Further, nothing in this code abridges the customary right and responsibility of a teacher to manage student behavior in the classroom. The removal process should not become a substitute for good classroom management.

A disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

A disruptive student can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In many instances the classroom teacher can control disruptive student behavior by using good management techniques. Occasionally, however, it may be necessary for a teacher to remove a disruptive student from the classroom to ensure that the other students continue to learn.

A classroom teacher may remove a student from class for up to two days if the teacher determines that the student is disruptive. The removal from class applies to the class of the removing teacher only.

If the student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student, before the student is removed, with an explanation for why he or she is being

removed. The student must also be given the opportunity to present his or her version of the relevant events to the teacher. Only after this informal discussion may a teacher remove a student from class.

If the student does pose a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within one full school day.

The teacher must complete a Cortland Enlarged City School District-established referral form and meet with the Principal as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the referral forms. If the Principal or supervisor is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the Principal prior to the beginning of classes on the next school day.

Within one school day after the student's removal, the Principal, or another Cortland Enlarged City School District administrator designated by the Principal must notify the student's parent, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the Principal, Supervisor, or the designated administrator to discuss the reasons for the removal and behavior modification(s) to remedy the cause of removal. Teacher's attendance is expected. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice by the day after the student's removal at the last known address for the parent. Where possible, notice should also be provided by telephone if Cortland Enlarged City School District has been provided with a telephone number(s) for the purpose of contacting parents.

If at the informal meeting the student denies the charges, the Principal or the designated administrator must explain why the student was removed and give the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent, teacher and Principal.

The Principal or designee may overturn the removal of the student from class if the Principal, supervisor, or designee finds any one of the following:

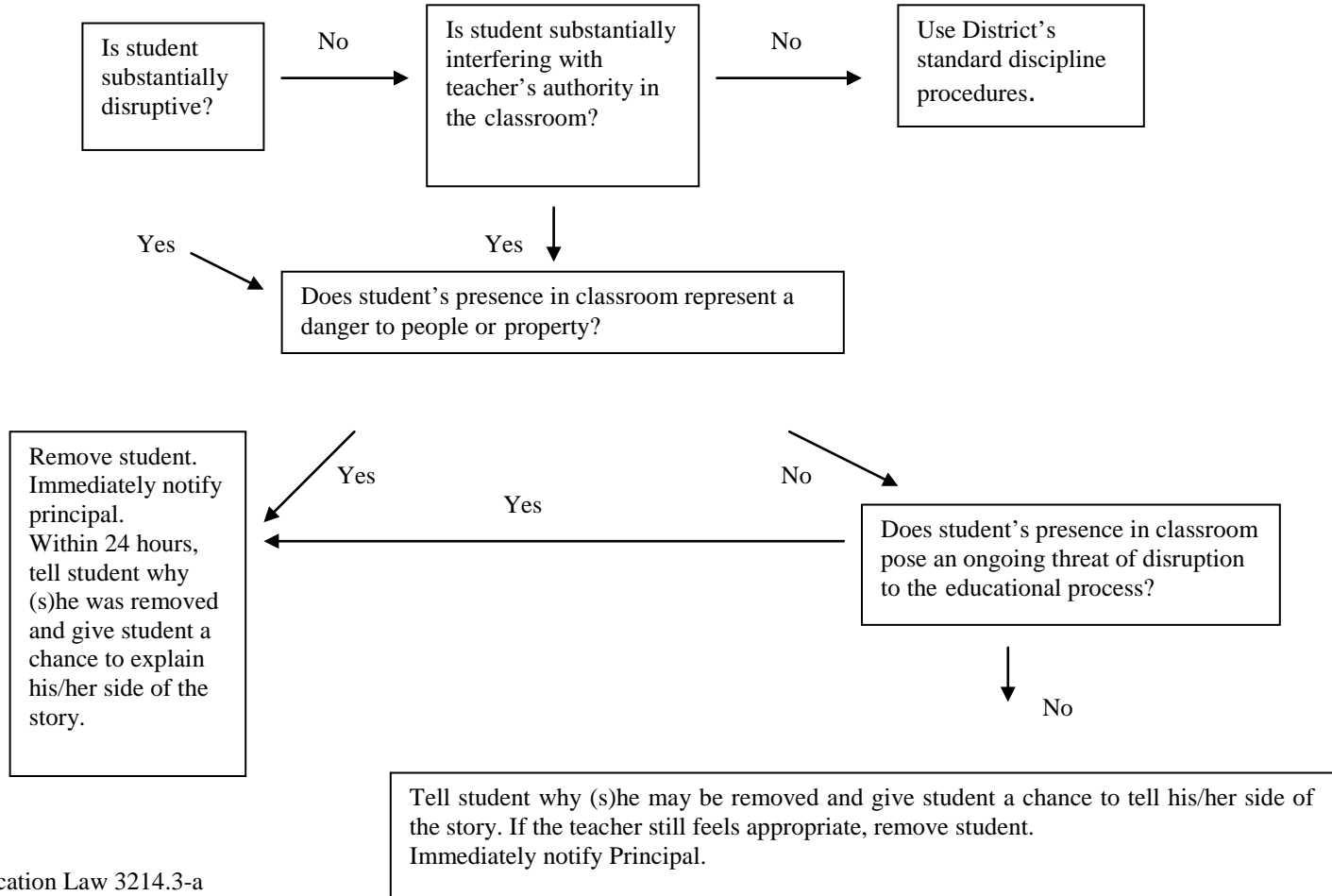
1. The charges against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law.
3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The Principal or his or her designee must make a determination as to whether to overturn the removal before the close of business on the day after the day of the informal hearing. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the Principal, Supervisor, or designee makes a final determination, or the period of removal expires, whichever is less. At the teacher's discretion, he or she may rescind the removal prior to the expiration of the full period of removal.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom. All educational materials and lesson plans will be provided by the classroom teacher.

Each teacher must keep a complete log (on a Cortland Enlarged City School District provided form) for all cases of removal of students from his/her class. The Principal, or Supervisor must keep a log of all removals of students from class. Removal of a student with a disability may, under certain circumstances, constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the Principal, Supervisor or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under State or Federal law or regulation.

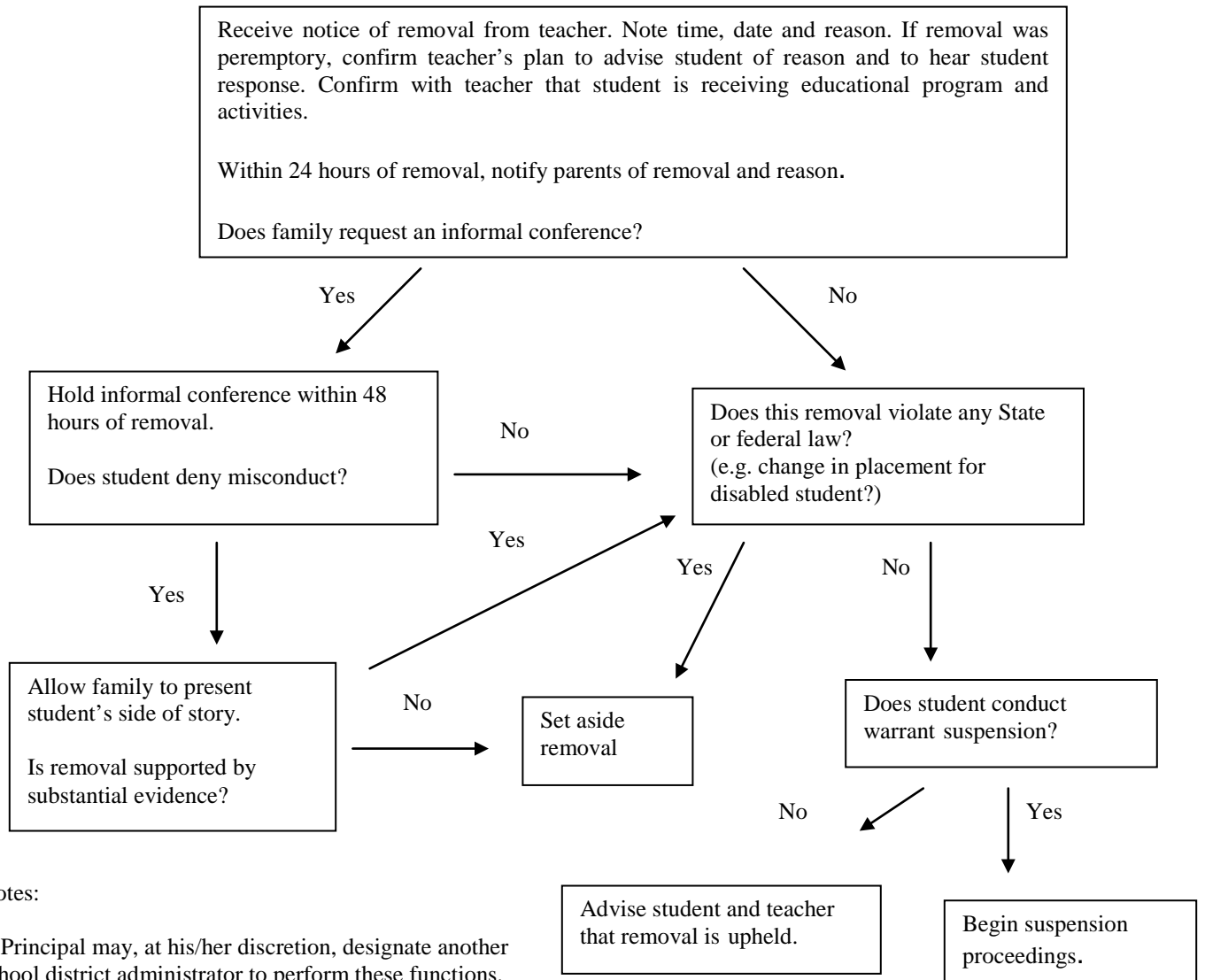
**Removal of Disruptive Students from Classroom**  
**Role of Teacher**



Education Law 3214.3-a

**Removal of Disruptive Students from Classroom**

**Role of Principal**



Notes:

A Principal may, at his/her discretion, designate another school district administrator to perform these functions.

Determinations of suspension proceedings, or whether removal is upheld must be made by the end of the business day following a 48-hour period after the informal conference.

Education Law 3214.3-a



### **Suspension from school**

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the Building Principals.

Any staff member may recommend to the Superintendent or the Principal that a student be suspended. All staff members must immediately report and refer a violent student to the Principal or the Superintendent for a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The Superintendent or Principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

#### **a. Short term (five days or less) suspension from school**

When the Superintendent or Principal (referred to as the “suspending authority”) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law § 3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student’s parent or legal guardian in writing at the last known address of the parents that the student will be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours if the decision is to propose suspension. Where possible, notice should also be provided by telephone if Cortland Enlarged City School District has been provided with a telephone number(s) for the purpose of contacting the parent or legal guardian.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parent or legal guardian of the right to request an immediate informal conference with the Principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parent or legal guardian. At the conference, the parent or legal guardian shall be permitted to ask questions of complaining witnesses under such procedures as the Principal may establish.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student’s presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student’s presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practical.

After the conference, the Principal shall promptly advise the parent or legal guardian in writing of his or her decision. The Principal shall advise the parent or legal guardian that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within 5 business days. If not satisfied then they must provide a written appeal to the Board of Education with the District Clerk within 10 business days of the date of the decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education. These appeals must be filed within 30 days of the decision.

#### **b. Long Term (more than five days) suspension from school**

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

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

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

**c. Permanent suspension**

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

**C. Minimum Periods of Suspension**

**Students who bring a weapon to Cortland Enlarged City School District property or functions:**

Any student, other than a student with a disability, found guilty of bringing a weapon onto Cortland Enlarged City School District property or event will be subject to suspension from Cortland Enlarged City School District programs 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 minimum suspension period on a case-by-case basis. The Superintendent may consider the following:

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

**Students who commit violent acts other than bringing a weapon to school:**

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension. The student and the student's parent will be given notice and opportunity for a hearing given to all students subject to a short term suspension. If proposed penalty exceeds a five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify a suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension of possessing a weapon.

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

Any student, other than a student with a disability, who engages in conduct which results in the student being removed from the classroom by teacher(s) on four or more occasions during a semester shall be subject to suspension from school. The student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds a five-day suspension, the student and the student's parent will be given the same notice and opportunity to a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify a suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension of possessing a weapon.

## **D. Referrals**

### **1. PINS Petitions**

The District may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond lawful control of the school.
- c. Knowingly and unlawfully possessing marijuana in violation of Penal Law § 221.05 will be a sufficient basis for filing a PINS petition

### **2. Juvenile offenders**

The Superintendent will refer the following students to the County Attorney and local law enforcement when required for a juvenile delinquency proceeding before the Family Court.

- a. Any student under the age of 16 who is found to have brought a weapon to school, or
- b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law § 1.20 (42).

In addition, school personnel may refer students to outside counseling or community resource agencies for additional support.

## **IX. ALTERNATE INSTRUCTION**

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

## **X. DISCIPLINE OF STUDENTS WITH DISABILITIES**

The Board of Education 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 extended certain procedural protections whenever Cortland Enlarged City School District authorities intend to impose discipline on 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 the students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable Federal and State laws and regulations.

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

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

A **“suspension”** means a temporary removal pursuant to Education Law § 3214.

A **“removal”** means relocating for disciplinary reasons from the student’s current education placement other than a suspension and change in placement to an Interim Alternative Education Setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself/herself or others.

An **“IAES”** means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred. This 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 on the student current individualized education plan (IEP), that will enable the student to meet the goals set out in such IEP, and also include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from occurring.

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
  - a. The Board, Superintendent of Schools or a Building Principal delegated the authority to suspend students may order the placement of a student with a disability into IAES or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
  - b. The Superintendent may order the placement of a student with a disability into an IAES or suspension for up to 10 consecutive school days, inclusive of any period in which the student has

been suspended or removed under subparagraph (a) above for the same behavior, if Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.

- c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
  - d. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon at school, at a school function, or on school grounds, inflicts serious bodily injury upon another person at school, at a school function, or on school grounds, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, at a school function, or on school grounds.
    - (1) **“Weapon”** means the same as “dangerous weapon” under 18 U.S.C.: §930(g)(w) which includes “a weapon, device or instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury.”
    - (2) **“Controlled substance”** means a drug or other substance identified in certain provisions of the Federal Controlled Substances Act specified in both Federal and State law and regulations applicable to this policy.
    - (3) **“Illegal drugs”** means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other Federal law.
3. Subject to specified conditions required by both Federal and State law and regulation, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

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

1. A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either:
  - a. for more than 10 consecutive school days; or
  - b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspensions or removal.

However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student’s disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

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

1. The District’s Committee of Special Education shall:
  - a. conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral 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.

- b. conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in Federal and State law and regulations if, in accordance with Federal and State statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
  - a. The Superintendent, Building Principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
  - b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information that supports a claim that the district had knowledge the student was a student with a disability, the district either:
    - (1) conducted an individual evaluation and determined that the student is not a student with a disability, or
    - (2) determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made while such non-disabled student is subjected to disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable Federal and State law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

3. Cortland Enlarged City School 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.

4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be divided into a guilt phase and a penalty phase in accordance with the procedures set forth in the Regulations of the Commissioner of Education incorporated into this policy.

6. The removal of a student with disabilities other than a suspension or placement in an IAES, shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the 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.

- a. Cortland Enlarged City School District requests such a hearing to obtain an order from an impartial hearing officer placing a student with a disability in an Interim Alternative Education Setting (IAES) where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or pending due process hearings where Cortland Enlarged City School District personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
- b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
  - (1) Pending 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 Cortland Enlarged City School District agree otherwise.
  - (2) If Cortland Enlarged City School District personnel propose to change the student's placement after expiration of an IAES placement pending any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed an IAES.
- c. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and not later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

**E. Referral to Law Enforcement and Judicial Authorities**

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

1. The district may report a crime committed by a child with a disability to appropriate authorities and such action will not constitute a change of the student's placement.
2. The Superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

**XI. CORPORAL PUNISHMENT**

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of Cortland Enlarged City School District or others.
3. Restrain or remove a student whose behavior interferes with orderly exercise and performance of Cortland Enlarged City School District functions, powers and duties, if that student has refused to refrain from further disruptive acts.

The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with commissioner's regulations.

## **XII. STUDENT SEARCHES AND INTERROGATIONS**

The Board of Education is committed to ensuring an atmosphere on Cortland Enlarged City School District property and at Cortland Enlarged City School District 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 Cortland Enlarged City School District officials, nor are Cortland Enlarged City School District officials required to contact a student's parent before questioning the student. However, Cortland Enlarged City School District officials will tell all students why they are being questioned.

In addition, the Board authorizes Cortland Enlarged City School District staff, Principals, district administrators, social workers, teachers and the Superintendent to conduct searches of students and their belongings if the authorized Cortland Enlarged City School District official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district Code of Conduct. An authorized Cortland Enlarged City School District official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the Cortland Enlarged City School District official has a legitimate reason for the very limited search.

An authorized Cortland Enlarged City School District official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the Cortland Enlarged City School District employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, they make an admission against their own interest, they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. Cortland Enlarged City School 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 Cortland Enlarged City School District official should attempt to get the student to admit that he or she possess physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, 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**

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and Cortland Enlarged City School District officials retain complete control over them. This means that student lockers, desks and other Cortland Enlarged City School District places may be subject to search at any time by Cortland Enlarged City School District officials, without prior notice to the students and without their consent. Additionally, it should be understood that random locker searches may be justified for the purpose of school safety, to ensure the safety of students, faculty and staff members, and to prevent disruptions to the learning environment.

### **B. Documentation of Searches**

The official performing the search shall be responsible for promptly recording the following information about each search using the Student Search Documentation Form found at the end of this policy. Such form shall be maintained in each administrative office and a copy forwarded to the Assistant Superintendent for Pupil and Personnel Services.

1. Name, age and grade of student searched.
2. Reason 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. Student response to search.
12. Time, manner and result of parental notification.

The principal shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The Principal or supervisor shall retain control of the items, unless the items are turned over to the police.

### **C. Police Involvement in Searches and Interrogations of Students**

Cortland Enlarged City School 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 Cortland Enlarged City School District buildings or at Cortland Enlarged City School District functions, or to use Cortland Enlarged City School District facilities in connection with police work. Police officials may enter Cortland Enlarged City School District property or a Cortland Enlarged City School District function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or arrest warrant.
2. Probable cause to believe a crime has been committed on Cortland Enlarged City School District property or at a school function, or
3. Been invited by Cortland Enlarged City School District officials.

Before police officials are permitted to question or search any student, the building principal or program supervisor shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the parent shall be informed of the questioning or search, in writing, by the principal or supervisor as soon thereafter as possible. The principal or supervisor will also be present during any police questioning or search of a student on Cortland Enlarged City School District property or at a Cortland Enlarged City School District function.

The above information regarding police involvement in searches and interrogations of students generally pertains to the School Resource Officer, SRO. The School Resource Officer program was created for prevention purposes and the individual SRO will generally conduct investigatory interviews only. In the event of an emergency or observed violation of the law, the SRO however, has a responsibility to fulfill his/her duties as a police officer abiding by all governing laws.

Students who are questioned by police officials on Cortland Enlarged City School District property or at a Cortland Enlarged City School District function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

### **D. Child Protective Service Investigations**

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

All requests by child protective services to interview a student on school property shall be made directly to the Principal or PPS staff, who shall set the time and place of the interview. A Cortland Enlarged City School District official may be present during the entire interview. Whenever possible no student may be required to remove his or her clothing in front of a child protective services worker or district official of the opposite sex.

A child protective services worker may not remove a student from Cortland Enlarged City School District property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from Cortland Enlarged City School District property before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.



### XIII. CO-CURRICULAR ACTIVITIES CODE OF CONDUCT

Participation in co-curricular activities including all extra-curricular activities and athletics is a privilege that commands responsibility. The purpose of the co-curricular program is to promote educational attitudes and behaviors that will help students find success in life beyond school. Participants have a responsibility to model behaviors that display high academic standards, leadership, sportsmanship, cooperation and service in both the school and community.

#### **What is an extra-curricular activity?**

An official school sponsored activity that is outside the prescribed curriculum.\*

\* Extra-curricular activities are defined as an activity that isn't required or is not a normal part of a course of study or work.

#### **What are examples of extra-curricular activities?**

Joining a club (examples include: ski club, jazz band, Student Council, etc).

Joining a sports team (any sport—fall, winter, spring, and at any level—modified, JV, and varsity).

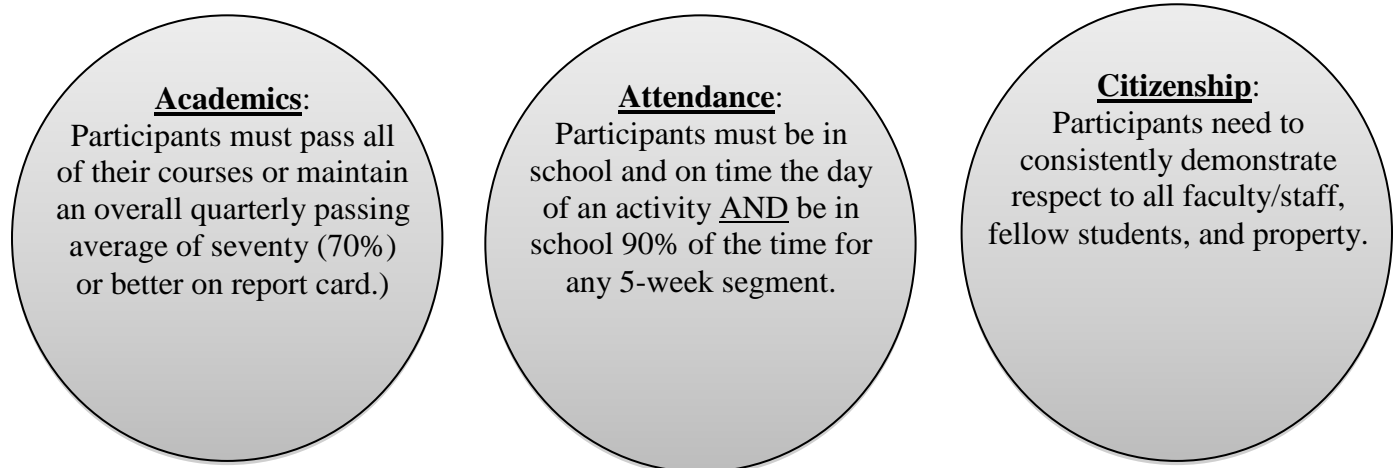
Attending a school related function afterhours (examples include: sporting events, concerts, plays, talent shows, etc).

Attending a school dance (examples include: regular school dances and formal dances).

#### **What are the requirements of the code?**

The code has three (3) components.

All three components weigh equally, and all three components must be achieved in order to earn eligibility for any extra-curricular activity.



#### **What if one (or more) of the components to the code is not achieved?**

A student will become ineligible if they are failing one or more courses and are below a seventy (70%) average for a marking period

**In the event a student becomes ineligible to participate in extra-curricular activities due to falling below a seventy (70%) overall average on a Report Card (if they are failing one or more courses), the student will become eligible to participate when he/she is:**

- Passing all classes at the five week Progress Report  
or
- Has passed all classes on Report Card  
or
- Has an overall marking period average of seventy (70%) or better (if failing one or more courses) on the next Report Card

#### **Guiding Questions:**

***What if I pass all my courses, yet I fall below a seventy overall average?*** In the event a student passes all of his or her courses yet still falls below an overall quarterly average of seventy (70%), he or she will have the opportunity to participate in extra-curricular activities.

***What academic avenues will be available to assist with improving my overall average?*** A student may take advantage of academic assistance in the Academic Center or meet with his or her teachers when their schedule permits

***What if I fail the second quarter or fourth quarter but pass the course for the year?***

As a transition between eligibility policies from this school year to the start of the 2014-2015 school year, students that fail the fourth marking period, but pass the class for the year, will be eligible to participate in extra-curricular activities. This includes summer school results.

For 2014-2015 and subsequent school years, marking period grades / averages will be the only determining factor for academic eligibility – not the final grades for a course or summer school results.

**\*\*A student can only become ineligible at a ten week Report Card.** A student may be removed from the ineligible list at the five week Progress Report if he or she is passing all courses or has a seventy (70%) overall average on his or her next Report Card.

Administration will be in charge of notifying all students, parents, and advisers / coaches of code infractions, ineligibility, and eligibility for students.

Activity Advisors and Coaches will be responsible for submitting accurate student rosters.

**A. Academic Standards:**

1. A student must pass all of their courses or maintain an overall quarterly passing average of seventy (70%) or better on Report Card to remain eligible to participate in extra-curricular activities.

**B. Attendance Standards:**

1. All educational research concludes that success in the classroom is linked with attendance; therefore students will be held accountable for all *unexcused* absences.
2. To ensure that unexcused absences do not occur, please be certain that for every tardy to school or absence that a parent / guardian provides a signed written note providing the reason for the tardy or absence to the attendance office.
3. In order to be eligible to participate the day of an extra-curricular activity, a student must be on time and in school for the entire day. If extenuating circumstances apply, please explain the situation to an administrator ASAP.
4. Additionally, a student must maintain an attendance rate of at least 90% in order to maintain eligibility.
5. If the attendance rate drops below the 90% mark during any 5-week segment, a student will be placed on probation for the next 5-week segment and an attendance success plan will be arranged with an administrator to help encourage improved attendance rates.
6. Attendance rates from the end of the school year and summer school (when applicable) will carry over into the fall.
7. If a student is on probation, he/she remains eligible to participate in all extra-curricular activities as long as he/she is working towards improving attendance.
8. If at the end of the 5-week probation segment attendance rates meet the code's standards, the student will be removed from the probation list.
9. If at the end of that 5-week probation segment attendance rates do not meet the code's standards, the student will become ineligible for all extracurricular activities for the next 5-week segment.
10. If by the end of the 5-week ineligible segment, the student improves his/her attendance to meet the code's standards, then he/she will be placed on probation for the next five-week segment. At the conclusion of the 5-week probation segment a student may be removed from this list or added to the ineligible list.

**C. Citizenship Standards:**

1. Participation in any extra-curricular activity is a privilege earned by being a respectful citizen at CJSHS. Participants are expected to be honest, to be lawful and to maintain high standards of conduct year round, both in school and out.
2. Students demonstrating disrespectful behavior during any 5-week segment will be considered for probation for the next 5-week segment and a citizenship success plan may be arranged with an administrator to help encourage strong citizenship.
3. Common infractions may include - but are not limited to - referrals, sent to the office, insubordination, late to class without a pass, skipping class, fighting, not following school rules (such as dress code, appropriate language, and electronic device policies), etc.

4. Citizenship from the end of the school year and summer school (when applicable) will carry over into the fall.
5. If a student is on probation, he/she remains eligible to participate in all extra-curricular activities as long as he/she is working to demonstrate improved citizenship.
6. If at the end of the 5-week probation segment a student has demonstrated improved citizenship, then he/she will be removed from the probation list.
7. If at the end of the 5-week probation segment a student has not demonstrated improved citizenship, then he/she will become ineligible to participate in any extra-curricular activities for the next 5-week segment.
8. If by the end of the 5-week ineligible segment the student has demonstrated improved citizenship to meet the code's standards, then he/she will be placed on probation for the next 5-week segment. At the conclusion of the 5-week probation segment a student may become removed from this list or added to the ineligible list.

**Additional Expectations:**

**D. Membership Standards:**

1. Participants will report on time for all practices and activities unless excused by the advisor/coach in advance.
2. Participants will travel to and from events under the supervision of personnel assigned by school administration. The advisor/coach may authorize return transportation by the student's own parent by signing the travel release form. An administrator with written parental permission may authorize alternate transportation to an event, or return transportation by an adult other than the student's parent.
3. Participants will take care of school equipment and return it personally in a timely manner upon leaving a team/group or at the conclusion of the season. School issued equipment shall only be used for school sanctioned events.
4. It is the responsibility of participants to report to their advisor/coach any injury or change in physical condition that affects their ability to safely participate.
5. A participant must be a full-time student (i.e. a junior/senior high school student must be enrolled in at least 5 classes plus physical education).
6. Participant must be in school all day, the day of the event, unless excused by a school official.
7. Any participant who leaves a team without both the knowledge and consent of the coach and the Director of Athletics will not be allowed to participate in the first 25% of his/her contests in the next sport season in which he/she participates. This penalty is the maximum to be administered. A lesser penalty may be deemed appropriate if mitigating circumstances are found.

**E. Substance Use and Abuse Standard: Participants shall show that respect for one's health and physical development is an integral part of daily living.** Participation in co-curricular activities demands a commitment, which involves sacrifice and dedication.

1. A participant's possession, use, manufacturing, distribution or sale of alcohol, tobacco in any form, marijuana, prescription medications or other controlled substances or look-alike or designer drugs is prohibited.
2. Participants are expected to avoid or leave an establishment or location where minors are involved with alcohol, illegal drugs or illegal activities.
3. Participants and/or parent/guardians are encouraged to confidentially approach an advisor/coach or school officials for help with substance use problem and will be given appropriate confidential help.

**Penalties (Subsection E):**

Participants will be held accountable for choosing behaviors that adhere to the standards set forth in the Co-Curricular Code of Conduct. In instances where the Co-Curricular Code of Conduct has not been met, consequences will be imposed by the principal based on the participant's entire school record and in accordance with Section VI of the District Code of Conduct.

If infractions take place during school hours or at school activities or otherwise occur in a manner that provides a basis for additional discipline, the penalties outlined below will be applied concurrently with and/or in addition to any school or district penalties.

It is the responsibility of coaches, club advisors, the student body, athletes, and parents to ensure these code rules are observed. Any violation of the district's drug and alcohol policy should be reported immediately to the principal and/or athletic director. If a violation of the co-curricular activities code of conduct occurs in

relation to use, possession, consumption, distribution of alcohol, illegal drugs and prescription or nonprescription drugs, the following consequences will occur:

The periods of suspension from athletics and/or extra-curricular activities listed below are inclusive of any suspension from school associated with the offense(s), including long-term suspensions (Superintendent Hearing).

#### First Offense

Initial consequence:

Use/Under the Influence – 15 school days or 10% of the remaining contests, whichever is longer.

Possession – 20 school days or 15% of the remaining contests, whichever is longer.

Distribution – 30 school days or 25% of the remaining contests, whichever is longer.

#### Second Offense

Initial consequence:

Use/Under the Influence- 30 school days or 25% of the remaining contests, whichever is longer.

Possession – 40 school days or 30% of the remaining contests, whichever is longer.

Distribution - 60 school days or 50% of the remaining contests, whichever is longer.

#### Third Offense:

Use/Under the Influence – Possession and/or Distribution – One calendar year. This penalty may be reduced by entering into a behavior contract.

All behavior contracts must be approved by the Superintendent and be signed by the student and parent/guardian.

Under no circumstances will a behavior contract result in a lesser period of suspension than six months.

#### **Due Process:**

Any student who violates a provision of the Co-Curricular Code of Conduct is entitled to due process including an informal hearing with the advisor, the principal and the student's parents, if desired. A decision will be made within two school days following the hearing.

A student has the right to appeal the informal hearing decision to the Superintendent of Schools, then to the School Board and then to the Commissioner of Education.

## **XIV. RESPONSIBILITIES OF THE ESSENTIAL PARTNERS IN EDUCATION**

We recognize that the education of children is a joint responsibility of the parents and the educational community.

### **A. Parents**

All district parents are expected to:

1. Send their children healthy, well rested and ready to learn and participate in educational programs.
2. Ensure their children attend school on time.
3. Ensure absences are excused (i.e. sickness, funeral, religious activity). Family vacations are not excused.
4. Insist their children be dressed and groomed in a manner consistent with the student dress code.
5. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
6. Know Cortland Enlarged City School rules including the District Code of Conduct and help their children understand them.
7. Convey to their children a supportive attitude toward education and Cortland Enlarged City School District.
8. Promote good relationships with school employees, other parents and their children's friends.
9. Model and support student use of technology in a positive and appropriate manner.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home or health situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.
13. Read notices from the school and communicate with teachers or others regarding questions about school programs or student's progress.
14. Participate in parent-teacher-student conferences and other school events.
15. Inform school officials of changes in residency in a timely manner.

## **B. Teachers**

All district teachers are expected to:

1. Promote a safe, orderly, stimulating and positive school environment that supports active teaching and learning.
2. Establish and maintain a climate of mutual respect, civility and dignity, which will strengthen students' self-concept and promote confidence to learn.
3. Communicate with students, parents and other teachers concerning student growth and achievement.
4. Be prompt and prepared to teach.
5. Know Cortland Enlarged City School District and NYS policies and rules, including the District Code of Conduct, and enforce them in a fair and consistent manner.
6. Model and support student use of technology in a positive and appropriate manner.
7. Communicate the following to students and parents:
  - a. Course objectives and requirements
  - b. Marking/grading procedures
  - c. Assignment deadlines
  - d. Expectations for students
  - e. Classroom discipline plan
8. Be free from retaliation when, in good faith, the teacher reports or assists in the investigation of harassment, bullying and/or discrimination.

## **C. Counselors, School Psychologists, Social Workers**

All counselors are expected to:

1. Promote a safe orderly, stimulating and positive school environment that supports active teaching and learning.
2. Know Cortland Enlarged City School District and NYS policies and rules, including the District Code of Conduct, and enforce them in a fair and consistent manner.
3. Model and support student use of technology in a positive and appropriate manner.
4. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
5. Initiate teacher/student/counselor conferences and parent-teacher/student/counselor conferences, as necessary, as a way to resolve problems.
6. Regularly review with students their educational progress and career plans.
7. Provide information in a timely manner to assist student with career planning.
8. Encourage students to benefit from the curriculum and co-curricular programs.
9. Communicate with students, parents and other teachers concerning student growth and achievement.
10. Be free from retaliation when, in good faith, the employee reports or assists in the investigation of harassment, bullying and/or discrimination.

## **D. Non-Instructional/Support Staff**

All Non-Instructional/Support Staff are expected to:

1. Promote a safe, orderly, stimulating and positive school environment that supports active teaching and learning.
2. Know Cortland Enlarged City School District and NYS policies and rules, including the District Code of Conduct, and enforce them in a fair and consistent manner.
3. Model and support student use of technology in a positive and appropriate manner.
4. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
5. Be prompt and prepared to execute assigned duties.
6. Be free from retaliation when, in good faith, the employee reports or assists in the investigation of harassment, bullying and/or discrimination.

## **E. Administrators**

All Administrators are expected to:

1. Promote a safe, orderly, stimulating and positive school environment that supports active teaching and learning.
2. Know Cortland Enlarged City School District and NYS policies and rules, including the District Code of Conduct, and enforce them in a fair and consistent manner.
3. Model and support student use of technology in a positive and appropriate manner.
4. Ensure that students, staff and parents have the opportunity to communicate regularly with the Administrator and approach the Administrator for redress of grievances.

5. Evaluate on a regular basis all instructional programs.
6. Support the development of and student participation in appropriate co-curricular activities.
7. Be responsible for implementing and enforcing all Board policies and the Code of Conduct and for ensuring that all cases are resolved promptly and fairly.
8. Maintain a climate of mutual respect and professionalism.
9. Be free from retaliation when, in good faith, the administrator reports or assists in the investigation of harassment, bullying and/or discrimination.

**F. Superintendent**

The Superintendent is expected to:

1. Promote a safe, orderly, stimulating and positive school environment that supports active teaching and learning.
2. Know Cortland Enlarged City School District and NYS policies and rules, including the District Code of Conduct, and enforce them in a fair and consistent manner.
3. Model and support student use of technology in a positive and appropriate manner.
4. Review with district administrators the policies of the Board of Education and State and Federal laws relating to school operations and management.
5. Inform the Cortland Enlarged City School District Board about educational trends relating to student discipline.
6. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
7. Work with district administrators to implement and enforce the Board Policies and the Code of Conduct and to ensure that all cases are resolved promptly and fairly.
8. Ensure a reporting form will be available in this code and on all CECSO schools' websites. The district will ensure that the process of reporting discrimination or harassment including bullying is clearly explained.
9. Be free from retaliation when, in good faith, the Superintendent reports or assists in the investigation of harassment, bullying and/or discrimination.

**G. Board of Education**

The Board of Education is expected to:

1. Collaborate with student, teacher, administrator and parent organizations, CECSO safety personnel and other school district personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, school district personnel and visitors on school property and at school district functions.
2. Know Cortland Enlarged City School District and NYS policies and rules, including the District Code of Conduct, and enforce them in a fair and consistent manner and review and adopt at least once each year.
3. Model and support student use of technology in a positive and appropriate manner.
4. Ensure publication of Code of Conduct in student registration materials, student, parent and employee handbooks, and posted on the district's website.
5. Ensure a reporting form will be available in this code and on all CECSO schools' websites. The district will ensure that the process of reporting discrimination or harassment including bullying is clearly explained.
6. The Board may receive an annual report regarding incidents related to and reported regarding harassment, including bullying.

**XV. SCHOOL EMPLOYEE DRESS CODE**

All school employees are expected to give proper attention to personal cleanliness and to dress appropriately for work and school sponsored functions. School employees should exemplify and reinforce acceptable attire, and help students develop an understanding of appropriate appearance in the educational setting. It is expected that CECSO staff set a professional tone by modeling appropriate dress.

All school employee's dress, grooming and appearance, shall:

1. Not consist of inappropriate garments that disrupt the educational process, such as brief or revealing clothing.
2. Not include items that are vulgar, obscene, libelous, or that denigrate others on account of actual or perceived race, color, religion, ethnic group, national origin, gender (including gender identity and expression), weight, sexual orientation, religious practice or disability.
3. Not promote and/or endorse the use of alcohol, tobacco, or illegal drugs and/or encourage other illegal or violent activities.

School employees who violate the school employee's dress code shall be required to modify their appearance by covering or changing the offending item. Any school employee who refuses to do so shall be subject to disciplinary measures in accordance with the contract.

#### **XVI. SCHOOL EMPLOYEES LANGUAGE CODE**

School employees are expected to use appropriate and acceptable language at all times. This language should exemplify and reinforce professional standards.

School employees shall not engage in language that is:

1. Considered a threat of violence: An expression of intention to inflict emotional or physical injury or damage.
2. Considered abusive or humiliating.
3. Considered indecent: Language that is grossly, unseemly or offensive to manners or morals.
4. Considered obscene.

#### **XVII. SCHOOL EMPLOYEE HARASSMENT CODE**

School employees shall not engage in harassment of any kind. All school employees shall conduct themselves in accordance with Board Policies 6190, 6191 and 7511 (Sex Discrimination and Sexual Harassment, Sex Discrimination and Sexual Harassment of Students and Harassment & Discrimination).

#### **XVIII. VISITORS TO THE SCHOOL**

The Board encourages parents and other district citizens to visit the district's school and classrooms to observe the work of students, teachers and other staff. However, schools are a place of work and learning; therefore, certain limits must be set for such visits. The Building Principal is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to Cortland Enlarged City School District property:

1. Anyone who is not a regular staff member or student of the school or program will be considered a visitor.
2. All visitors to the Cortland Enlarged City School District facility must report to the main office upon arrival at the school. There they will be required to provide appropriate identification which will be verified prior to access. Visitors will sign the register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return to the main office before leaving and sign out.
3. Visitors attending Cortland Enlarged City School District functions that are open to the public, such as parent-teacher organization meetings or public gatherings, during school hours, will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return to the main office before leaving the building and sign out.
4. Parents or citizens are welcome to visit a classroom while school is in session but are required to arrange such visits at least 24 hours in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
5. Parents/guardians are expected to make an appointment to discuss individual student matters with a teacher and are not to take class time for this purpose.
6. All other visitors are expected to make an appointment with staff member outside of his/her instructional time.
7. Any unauthorized person on school property will be reported to the main office or Principal/Designee. Unauthorized persons will be asked to leave. Law enforcement may be called if the situation so warrants.
8. All visitors are expected to abide by the rules for public conduct on Cortland Enlarged City School District property contained in this Code of Conduct and other Board of Education policies.

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

The Cortland Enlarged City School 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 Cortland Enlarged City School District property and at all school-sponsored functions.

The restrictions on public conduct on Cortland Enlarged City School District property and at all school-sponsored functions contained in this code are not intended to limit freedom of speech or peaceful assembly. Cortland Enlarged City School District recognizes that free expressions 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.

School visitation assumes a commitment on the part of the visitor to exhibit integrity and positive ethical behavior toward all persons. The behavior of visitors, teachers or students is expected to reflect respect for all rules and policies in effect in the classrooms, the school buildings and at all school-sponsored functions.

## **A. Expected Conduct**

### **All visitors, staff and students shall:**

1. Exhibit integrity and positive ethical behavior towards all persons.
2. Follow the directions and accept the decisions of school personnel.
3. Promote good sportsmanship by demonstrating self-control and respect for others at all times.
4. Be supportive of all participants.
5. Use language and/or wear clothing that is non-disruptive and appropriate for the function.

## **B. Prohibited Conduct**

### **No visitor, staff or student, either alone or with others, shall:**

1. Intentionally intimidate, harass or injure any person or threaten to do so.
2. Intentionally damage or remove district or personal property, or use district property for other than intended use.
3. Disrupt the orderly conduct of classes, Cortland Enlarged City School District programs or other Cortland Enlarged City School District activities.
4. Wear clothing or materials on Cortland Enlarged City School District grounds or at Cortland Enlarged City School District functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others or are disruptive to the educational programs.
5. Discriminate against any person on the basis of actual or perceived race, color, nationality, religion, religious practice, age, sex, marital status, weight, gender (including gender identity and expression), sexual orientation or disability.
6. Enter any portion of the Cortland Enlarged City School District premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person on school property or at any school sponsored functions unless otherwise authorized to do so.
8. Violate the traffic laws, parking regulations or other school restrictions on vehicles.
9. Possess, consume, sell, manufacture, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on Cortland Enlarged City School District property or at a Cortland Enlarged City School District function.
10. Use tobacco in school, on school grounds or at school sponsored functions.
11. Possess or use firearms or other weapons including but not limited to air guns, pistols, rifles, shotguns, ammunition, explosives, box cutters, knives, gas canisters, in or on school property or at school functions, except in the case of law enforcement officers or except as specially authorized by Cortland Enlarged City School District.
12. Possess illegal sprays, sprays in illegal canisters, in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by Cortland Enlarged City School District.
13. Loiter on or about Cortland Enlarged City School District property or at school sponsored functions.
14. Distribute or post printed or written matter for non-school activities without prior approval by the principal.
15. Gamble on Cortland Enlarged City School District property or at school sponsored functions.
16. Refuse to comply with any request of identifiable Cortland Enlarged City School District staff performing their duties.
17. Willfully incite others to commit any of the acts prohibited by this code.
18. Use language and/or gestures that are obscene, abusive, sexual or indecent.
19. Violate any Federal or State statute, local ordinance or Board policy while on Cortland Enlarged City School District property or while at a school sponsored function.
20. Bring unauthorized pets onto school property.

## **C. Penalties and Procedures**

Persons who violate any of the provisions of these rules shall be subject to the following penalties and procedures:

1. A verbal warning may be issued to modify their appearance, language or behavior.
2. Immediate surrender of any prohibited spray or weapon to the authorized school official is expected and appropriate legal action will be initiated. In all cases where legal or illegal chemical sprays are used on school district property appropriate legal action will be initiated. In all cases where legal or illegal chemical sprays are used on school district property appropriate law enforcement agencies will be notified.



3. Authorization, if any, to remain on Cortland Enlarged City School District grounds or at the Cortland Enlarged City School District function shall be withdrawn. The person in violation shall be directed to leave the premises. Refusal to leave shall result in ejection. If necessary, law enforcement officials will be called to assist in this ejection. Law enforcement agencies will be called if illegal behavior is suspected.
4. A student shall be subject to disciplinary action as the facts of the case may warrant, including: warning, reprimand, loss of privileges, probation or suspension as prescribed by section 3214 of the Education Law and he/she shall be subject to ejection.
5. A faculty member shall be subject to: warning, ejection, reprimand, suspension and/or other disciplinary action as prescribed by and in accordance with section 3020-a of the Education Law if applicable.
6. A staff member in the classified service of the civil service shall be subject to the penalties and procedures prescribed in section 75 of the Civil Service Law and are subject to: warning, ejection, reprimand and/or suspension.
7. A staff member other than one described in subdivisions 5 and 6 shall be subject to: warning, ejection, reprimand, dismissal, suspension without pay or censure.

**D. Enforcement**

1. Any school personnel witnessing a violation of the Public Conduct on School Property Code shall address the situation and/or immediately refer the situation to an appropriate school official, i.e.; principal, coach, or other person in a supervisory capacity.
2. The Superintendent and designee shall be responsible for enforcing the conduct required by this code. The Superintendent may designate other Cortland Enlarged City School District staff who are authorized to take action consistent with the code.

**XX. DISSEMINATION AND REVIEW**

**A. Dissemination of 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 at the beginning of each academic year.
2. Providing a summary of the Code of Conduct written in plain language to all parents of district students at the beginning of the academic year and making this summary available upon request.
3. Notifying all employees of annual revisions of the code and making a copy of the code available upon request.
4. Providing all new employees with a copy of the current Code of Conduct when they are first hired by the district.
5. Providing new students with a copy of the Code of Conduct through the Central Registration process.

On an annual basis, the Code of Conduct will be publicized and explained to all students and distributed in writing, to parents and guardians of students. A copy of the code will be filed in each school building, where it will be available for review by any individual and placed on the Cortland Enlarged City School District's Website.

The District will sponsor an in-service education program for all Cortland Enlarged City School District staff members to ensure the effective implementation of the Code of Conduct. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

The Board of Education will review this Code of Conduct every year and update it as necessary.

An advisory committee will be established annually 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 district safety personnel and other school district personnel.

Before making 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 Search Documentation

Name of Student Searched: \_\_\_\_\_

Age: \_\_\_\_\_

Grade: \_\_\_\_\_

Name of Informant(s): \_\_\_\_\_

Person conducting search: \_\_\_\_\_

Witness(es) to search: \_\_\_\_\_

Location of search: \_\_\_\_\_

Reason for search: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Purpose of search (items being sought): \_\_\_\_\_

\_\_\_\_\_

Type or scope of search: \_\_\_\_\_

\_\_\_\_\_

Results of search (items found): \_\_\_\_\_

\_\_\_\_\_

Disposition of items found: \_\_\_\_\_

\_\_\_\_\_

Student's reaction to search: \_\_\_\_\_

\_\_\_\_\_

Time, manner and results of parental notification: \_\_\_\_\_

\_\_\_\_\_

Staff member who completed the search: \_\_\_\_\_ Date: \_\_\_\_\_

*Signature*

Witness (if applicable): \_\_\_\_\_ Date: \_\_\_\_\_

*Signature*

Original - Administrator  
Yellow - Student Cumulative Folder  
cc: Superintendent

## Teacher Removal of Disruptive Student

Name of student: \_\_\_\_\_

Name of teacher: \_\_\_\_\_

Date of removal: \_\_\_\_\_

Reason for removal: \_\_\_\_\_

\_\_\_\_\_

Date and time of Principal notification: \_\_\_\_\_

Date parents notified of removal: \_\_\_\_\_

Date of informal conference: \_\_\_\_\_

Administrative decision:

Removal upheld: \_\_\_\_\_ Removal set aside: \_\_\_\_\_ Suspension imposed: \_\_\_\_\_

Alternate Education arranged: Yes \_\_\_\_\_ No \_\_\_\_\_



- Excluding or rejecting the student
- Intimidating (bullying), extorting, or exploiting
- Spreading harmful rumors or gossip
- Other (specify) \_\_\_\_\_

6. What did the alleged offender(s) say or do?

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(Attach a separate sheet if necessary)

7. What are the circumstances under which this (bullying) occurred?

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(Attach a separate sheet if necessary)

8. Did a physical injury result from this incident? Place an **X** next to one of the following:

- No
  Yes, but it did not require medical attention
  Yes, and it required medical attention

9. If there was a physical injury, do you think there will be permanent effects?  Yes  No

10. Was the student victim absent from school as a result of the incident?  Yes  No  
 If yes, how many days was the student victim absent from school as a result of the incident? \_\_\_\_\_

11. Is there any additional information you would like to provide?

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(Attach a separate sheet if necessary)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

|   |
|---|
| Administrative Use:<br>What response/action was taken in regard to this matter?<br><br><br> |
|---|

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This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.