The Lindenhurst Board of Education

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I. INTRODUCTION

The Board of Education of the Lindenhurst Union Free School District is committed to providing a safe and orderly school environment where students may receive, and district personnel may deliver, quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, identify the potential consequences of unacceptable conduct, and ensure that discipline, when necessary, is administered promptly and fairly. To this end, the Board adopts this Code of Conduct. Unless otherwise indicated, this Code applies to all students, school personnel, parents and visitors when on school property or attending all or any school functions.

The Board also recognizes that not all violations of this Code should be treated in the same way, and that certain misconduct is best addressed through alternative community based programs.

II. DEFINITIONS

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

A "gang" is defined as any identifiable group or club which exists without the sponsorship or authorization of the school and which engages in anti-social or criminal behavior or activity which is disruptive of the school environment.

Disruptive Student means an elementary or secondary student who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom and/or the learning of other students;

Substantially Disruptive means engaging in conduct that impedes the teaching and learning process or interferes with the teacher’s authority over the classroom;

Harassment means 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 their 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 purposes of this definition the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.

Sexual Harassment Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when it unreasonably interferes with an individual's performance or creates an intimidating, hostile or offensive school environment. Sexual harassment can be verbal (comments about your body, spreading sexual rumors, sexual remarks or accusations, dirty jokes or stories), physical (grabbing, rubbing, flashing or mooning, touching, pinching in a sexual way, sexual assault) or visual (display of naked pictures or sex-related objects, obscene gestures). Sexual harassment can happen to any gender.
Cyber Bullying means harassment or bullying where such harassment or bullying occurs through any form of electronic communication including, but not limited to, instant messages, emails, texts, blogs, chat rooms, Facebook, Twitter, Formspring, Snapchat, Kik, Instagram, or other current social media.

Gender means actual or perceived sex and shall include a person's gender identity or expression;

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

Gender Identity is one’s self-conception of their gender, or any other identity, as distinguished from actual biological sex or sex assigned at birth.

Sexual Orientation means actual or perceived orientation

Building Principals and/or Their Designees are those employees who have supervisory and administrative responsibilities for all school personnel, and handle disciplinary matters;

Elementary School Students means students in grades K-5;

Secondary School Students means students in grades 6-12;

Visitor means anyone who is not a regular staff member or student of the school;

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

School Function means any school-sponsored extracurricular event or activity;

PM Suspension High School students may be “suspended” from 2:20 p.m. - 4:50 p.m.

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 substantially equivalent alternative education.

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

Parent means the biological or foster parent, guardian or person in parental relation to a student;

Violent Student means a student, under the age of 22 who:
1. Commits an act of violence upon a school employee or attempts to do so;
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function or attempts to do so;
3. Possesses, while on school property or at a school function, a weapon;
4. Displays, while on school property or at a school function, what appears to be a weapon;
5. Threatens, while on school property or at a school function, to use a weapon or to perform bodily harm;
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function;

7. Knowingly and intentionally damages or destroys school district property;

8. Conspiring to commit an act of violence.

III. STUDENT RIGHTS AND RESPONSIBILITIES

A. STUDENT RIGHTS

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

1. A comprehensive kindergarten through grade 12 education;

2. Take part in all district activities on an equal basis regardless of actual or perceived race, religion, religious practice, color, national origin, sex, sexual orientation, weight, ethnic group, gender identity or disability;

3. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty;

4. Access school rules and, when necessary, receive an explanation of those rules from school personnel;

5. Students who make a complaint or 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;

6. No student shall be subjected to harassment by employees or students on school property or at a school function; nor shall any student be subjected to discrimination based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender identity or sex by school employees or students on school property or at a school function.

B. STUDENT RESPONSIBILITIES

All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to self, other persons and to property;

2. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct;

3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn;

4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible:
5. Comply in a respectful and positive manner to directions given by teachers, administrators and other school personnel;

6. Work to develop mechanisms to control their anger;

7. Ask questions when they do not understand;

8. Seek help in solving problems;

9. Dress appropriately for school and school functions. Refer to dress code;

10. Accept Responsibility for their actions;

11. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events including field trips and any other on or off campus activity, and hold themselves to the highest standards of conduct, demeanor, and sportsmanship in those events. Engaging in conduct that violates school rules while at any school sponsored event will be met with consequence as per building policy;

12. Be forthcoming with information concerning violations of the Code, or threats against the school, staff or students;

13. Report to school personnel when feeling threatened or unsafe;

14. Log on to the student portal;

15. Charge and bring to school their district Chromebook daily. Protect their district Chromebook from damage or being losted.;

16. Must wear/display their ID cards at all times and present it upon request from ANY building staff member;

17. Students must present their ID cards for all school sponsored events and entry to the library and High School cafeteria when required to do so;

18. Help to maintain a safe and secure school environment for all students and staff. This includes not opening any door or other entrance to allow someone currently outside the school to enter;

19. Students are required to enter and leave only through designated doors.

IV. ESSENTIAL PARTNERS

A. PARENTS

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community and collaborate with the district to optimize their child’s educational opportunities;

2. Send their children to school ready to participate and learn;

3. Ensure their children attend school regularly and on time. Ensure absences are not Truancies;
4. Ensure their children are 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 school rules and help their children understand them so that their children can help create a safe, supportive school environment;

7. Convey to their children a supportive attitude toward education and the district;

8. Build positive, constructive relationships with teachers, other parents and their children's friends;

9. Help their children deal effectively with peer pressure;

10. Inform school officials of changes in the home situation that may affect student conduct or performance;

11. Provide a place for study and ensure homework assignments are completed;

12. Log on to the parent portal to keep abreast of their child’s progress in school;

13. Follow directives of the teacher(s) when chaperoning school trips to ensure the safe supervision of students;

14. Remain composed and respectful in all interactions with District Personnel and students on school property, at school sponsored events, and during all communications, including verbal, written, electronic or any other method.

B. STUDENTS

All students are expected to:

1. Comply with the rights and responsibilities as outlined in Section III of the Code.

C. DISTRICT EMPLOYEES

All District Employees are expected to:

1. Maintain a climate of mutual respect and dignity.

2. Be forthcoming with information concerning violations of the Code.

3. Dress appropriately for school and school functions.

4. Discourage social media contact between employees and students unless used for educational purposes.

D. TEACHERS

All District teachers are expected to:

1. Adhere to the expectations laid out in Section IV, C
2. Maintain a climate of mutual respect and dignity, which will strengthen students’ self-concept and promote confidence to learn.

3. Be prepared to teach.

4. Demonstrate interest in teaching and concern for student achievement.

5. Know school policies and rules, and enforce them in a fair and consistent manner.

6. Communicate to students and parents:
   a. Course objectives and requirements
   b. Marking/grading procedures
   c. Assignment deadlines
   d. Expectations for students
   e. Classroom discipline plan.

7. Communicate regularly with students, parents and other teachers concerning growth and achievement.

8. Be fully invested in the learning experience with their students.

9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any students in accordance with district policies and regulations.

E. Guidance Counselors/Social Workers/School Psychologists

1. Adhere to the expectations laid out in Section IV, C

2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.

3. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.

4. Regularly review with students their educational progress and career plans.

5. Provide information to assist students with career planning.

6. Encourage students to benefit from the curriculum and extracurricular programs.

7. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any students in accordance with district policies and regulations.

F. Principals/Building Administrators

1. Adhere to the expectations laid out in Section IV, C

2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.

3. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
4. Evaluate on a regular basis all instructional programs.

5. Support the development of and student participation in appropriate extracurricular activities.

6. Be responsible for enforcing the Code and ensuring that all cases are resolved promptly and fairly.

7. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any students in accordance with district policies and regulations.

G. Superintendent:

1. Adhere to the expectations laid out in Section IV, C

2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.

3. Review with District administrators the policies of the Board of Education and state and federal laws relating to school operations and management.

4. Inform the Board about educational trends relating to student discipline.

5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.

6. Work with District administrators in enforcing the Code and ensuring that all cases are resolved promptly and fairly.

7. Ensure the code is available and easily accessible to all students.

8. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any students in accordance with district policies and regulations.

H. Board of Education

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a Code that clearly defines expectations for the conduct of students, District personnel and visitors on school property and at school functions.

2. Adopt and review at least annually the District’s Code to evaluate the Code’s effectiveness and the fairness and consistency of its implementation.

3. Lead by example by conducting Board meetings in a professional, respectful and courteous manner.


5. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any students in accordance with district policies and regulations.

I. Support Staff and Other District Personnel

1. Adhere to the expectations laid out in Section IV, C
V. STUDENT DRESS CODE

The primary responsibility for a student’s attire resides with the student and parents or guardians. The school district and individual schools are responsible for seeing that student attire does not interfere with the health or safety of any student, and that student attire does not contribute to a hostile or intimidating atmosphere for any student. Students should be given the most choice possible in how they dress for school.

A. GOALS

1. Maintain a safe learning environment in classes where protective or supportive clothing is needed, such as chemistry/biology, dance (bare feet, tights/leotards), or PE (athletic attire/shoes).
2. Allow students to wear clothing of their choice that is comfortable.
3. Allow students to wear clothing that expresses their self-identified gender.
4. Allow students to wear religious attire without fear of discipline or discrimination.
5. Prevent students from wearing clothing with offensive images or language, including profanity, hate speech, and pornography.
6. Prevent students from wearing clothing with images or language depicting or advocating violence or the use of alcohol or drugs.
7. Ensure that all students are treated equitably regardless of gender/gender identification, sexual orientation, race, ethnicity, body type/size, religion, and personal style.

B. RECOMMENDED DRESS CODE POLICY

a. Basic Principle: Certain body parts must be covered for all students
b. Clothes must be worn in a way such that genitals, buttocks, and nipples are covered with opaque material. All items listed in the “must wear” categories below must meet this basic principle.

c. Undergarments may not be worn as outer clothing, and students must ensure that undergarments are completely covered with other clothing. Further, any garments that are see-through or mesh are not appropriate.

d. Students Must Wear:
   i. Shirt.
   ii. Bottom: pants/sweatpants/shorts/skirt/dress/leggings
   iii. Shoes; activity-specific shoes requirements are permitted (for example for sports)
   iv. High-school courses that include attire as part of the curriculum (for example, professionalism, public speaking, and job readiness) may include assignment-specific dress, but should not focus on gender, body image, or promoting culturally-specific attire.

v. Students Cannot Wear:
   Violent language or images.
   vi. Images or language depicting drugs or alcohol (or any illegal or school prohibited item or activity) or the use of same.
   vii. Hate speech, profanity, pornography.
   viii. Images or language that creates a hostile or intimidating environment based on any protected class.
   ix. Visible underwear. (Visible waistbands or straps on undergarments worn under other clothing are not a violation.)
   x. Bathing suits.
   xi. Helmets or headgear that obscures the face (except for medical or religious purposes).
Social Distancing & Face Coverings

General Protocols
- Proper face coverings are required to be worn at all times when indoors.
- All staff, students, and visitors are strongly encouraged to utilize their own face covering, but the district will have a supply of disposable masks available at all buildings and on all buses.

Classroom Protocols
- Masks must be worn during class.

Bus Protocol
- All students are required to wear a mask at all times while riding the bus. Students without a mask will be provided one before boarding.
- Students who are unable to wear a mask for medical reasons will be socially distanced at least 6 feet from others on the bus.
- All school bus drivers, monitors, and matrons are required to wear face masks.
- Big buses have been reconfigured so that students will be socially distanced to the greatest extent possible. No more than two children will be seated in each seat with empty space left open in between.

C. TRAINING FOR SCHOOL ADMINISTRATORS, TEACHERS & STUDENTS
   a. School administrators and teachers should be trained to understand the purpose/spirit of the code, the actual code, and how to enforce with the least impact on student learning and self-confidence.
   b. School administrators and teachers must enforce the district dress code consistently, once it is adopted. School administration and staff should not have discretion to vary the requirements in ways that lead to discriminatory enforcement.
   c. School staff should be trained and able to use student/body-positive language to explain the code and to address code violations.

D. DRESS CODE ENFORCEMENT AT SCHOOLS
   a. Enforcement should be consistent with the school’s overall discipline plan. Failure to comply with the student dress code should be enforced consistently with comparable behavior and conduct violations.
   b. No student should be disproportionately affected by dress code enforcement because of gender, race, body size, or body maturity.
   c. The dress code should be clearly conveyed to students, not just in the student handbook, but in other ways, too, such as posters, newsletters, etc…

E. TEACHING ABOUT CONSENT + SEXUAL HARASSMENT: A STEP BEYOND DRESS CODE
   a. Schools have a role to play in setting clear anti-harassment policies and in teaching curricula that promote positive messages about consent-only sexual activity.
   b. Consent: Schools should teach all students, administrators and teachers about consent (no means no) so there is a clear message that individual students are responsible for their own actions and that consent is a must before any sexual or other physical contact.
   c. Sexual Harassment: Schools should have clear and well publicized anti sexual harassment policies for students and staff. Schools should educate students and staff to not engage in sexual harassment and to recognize what it is and how to address it.
VI. PROHIBITED STUDENT CONDUCT

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

A. Engage in conduct that is disorderly.

Examples of disorderly conduct shall include, but not be limited to:

1. Running in hallways/stairways;
2. Making unreasonable noise;
3. Using language or gestures that are profane, lewd, vulgar or abusive;
4. Obstructing vehicular or pedestrian traffic;
5. Engaging in any willful act which disrupts the normal operation of the school community;
6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building;
7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the District’s acceptable use policy;
8. Recording any images or sounds of any staff member, nor post any images or sounds of any staff member without their express permission;
9. Encouraging others to engage in any willful act, which disrupts the normal operation of the school community;
10. Engaging in and/or encouraging cyber bullying.

B. Engage in conduct that is insubordinate.

Examples of insubordinate conduct shall include, but not be limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students, or otherwise demonstrating disrespect;
2. Lateness, missing or leaving school without permission;
3. Failing to serve an assigned detention, suspension or PM suspension;
4. Failing to comply with building policies (examples ineligibility, attendance, et al).

C. Engage in conduct that is disruptive.

Examples of disruptive conduct include, but not be limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students;
2. Public or private sexual contact;

3. Display or use of personal electronic devices, such as, but not limited to, cell phones, I-pods, digital cameras, in a manner that is in violation of district policy. The District policy prohibits all personal electronic devices in grades K-3. In grades 4-12, cell phones can be possessed by students, but cannot be used or displayed without permission from the principal or their designee. All other electronic devices are prohibited unless permission is first obtained from the Principal or their designee, or students are asked to use them as a means of interacting with the digital learning community. The school district will not be responsible for the loss of any personal electronic devices. Calculators are permissible as per course requirements. District supplied Chromebooks are permissible.

4. Promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent or gang activities. i.e., activities of gangs/associations/organizations including recruitment, initiations, hazing, intimidation, retaliation and/or related activities, which could potentially cause bodily danger, physical harm, or personal degradation or disgrace and result in physical or mental harm to students are prohibited as are all forms of criminal activity. The use of language, hand signals, graffiti, tattoos, haircuts, or the presence of any wearing apparel, footwear, jewelry, accessory, or manner of grooming which, by virtue of color, arrangement, trademark, symbol or any other attribute indicates or implies membership or affiliation with such a group is hereby prohibited.

D. Engage in conduct that is violent.

Examples of violent conduct shall include, but not be limited to:

1. Committing and/or promoting an act of violence or aggression (such as, hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so;

2. Committing and/or promoting an act of violence or aggression (hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so;

3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function;

4. Displaying what appears to be a weapon;

5. Threatening to use any object to cause bodily harm;

6. Intentionally damaging or destroying the personal property of a teacher, administrator, other district employee, student, or any person lawfully on school property, including graffiti and/or arson;

7. Intentionally damaging or destroying school district property, including graffiti and/or arson.

E. Engage in any conduct that endangers the safety, physical or mental health or welfare of others.

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

1. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct that creates a substantial risk of physical injury;

2. Stealing or attempting to steal the property of other students, school personnel or any other person lawfully on school property or attending a school function;
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them;

4. Discrimination, which includes using race, color, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual orientation, weight or disability to deny rights, equitable treatment or access to facilities available to others;

5. Harassment, which includes a sufficiently severe action or persistent pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing or demeaning. Harassment is also the creation of a hostile environment. (See policy, 0115, Student Harassment and Bullying Prevention and Intervention for a more complete definition);

6. Sexual Harassment, be it visual, verbal, or tactile, any anything of obscene or sexual nature that causes any individual to feel uncomfortable, confused, or endangered, or that creates an uncomfortable environment;

7. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm;

8. Bullying, which may be a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror. (See policy 0115 for a more complete definition);

9. Hazing, which includes an induction, initiation or membership process involving harassment (see policy 0115 for a more complete definition);

10. Selling, using, distributing or possessing obscene material;

11. Using vulgar or abusive language, cursing or swearing;

12. Smoking and/or possessing a cigarette, cigar, pipe, e-cigarette, Vapor pipe, or using chewing or smokeless tobacco;

13. Possessing, consuming, selling, 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";

14. Possessing, using or sharing prescription and over-the-counter drugs;

15. Gambling;

16. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner;

17. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher;

18. Lying to school personnel;

19. Cyber bullying including, but not limited to, the use of e-mail, instant messages, blogs, social media (Facebook, Twitter, Instagram, etc.) or chat rooms to deliberately harass, threaten or intimidate others (including students and any staff member);
20. Possessing, using or selling any drug paraphernalia;

21. Refusing to allow a search of one’s person or belongings when reasonable suspicion exists;

22. Participation in, watching, recording or electronically transmitting any inappropriate content, e.g. sexting, sexual, fighting, bullying, and anything deemed inappropriate

23. Retaliation against those who report or participate in the investigation of an incident in conformity with state law and district policies

F. Engage in misconduct while on a school bus and on school field trips.

It is crucial for students to behave appropriately while riding on district buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. This is also expected for any student attending an off-campus field trip. Excessive noise, pushing, shoving and fighting will not be tolerated.

G. Engage in any form of academic misconduct.

Academic dishonesty is prohibited and is punishable by penalties, including failing grades and/or suspension of up to five days out of school.

Definitions and Examples of Academic Dishonesty

1. Cheating is the unauthorized use or attempted use of material, information, notes, study aids, devices of communication during an academic exercise.
   a. Copying from another student during an examination or allowing another to copy your work;
   b. Unauthorized collaboration on a take home assignment or examination
   c. Using notes during a closed book examination;
   d. Taking an examination for another student, or asking or allowing another student to take an examination for you;
   e. Changing a graded exam and returning it for more credit;
   f. Submitting substantial portions of the same paper to more than one course without consulting with each instructor;
   g. Preparing answers or writing notes on anything with the intent to use during the examination;
   h. Allowing others to research and write assigned papers or do assigned projects, including use of commercial term paper services;
   i. Giving assistance to acts of academic misconduct/dishonesty.;
   j. Talking during an examination. (Talking during any examination, which includes a state Regent examination, Advanced Placement Examination, S.A.T., P.S.A.T., A.C.T., class test or quiz will be viewed as an attempt to cheat and will result in an automatic zero (0) for the exam or test that is being written);
   k. Fabricating date (all or part);
   l. Submitting someone else's work as your own;
m. Unauthorized use during an examination of any electronic devices such as cell phones, computers or other technologies to retrieve or send information;

n. Knowingly using, buying, selling, stealing, transporting, or soliciting, in whole or part, the contents of un-administered test;

o. Bribing another person to obtain a test that is to be administered; or securing copies of the test or answers to the test in advance of the test).

2. Plagiarism is the act of presenting another person's ideas, research or writing as your own. The following are some examples of plagiarism, but by no means is it an exhaustive list:
   a. Copying another person's actual words without the use of quotation marks and footnotes attributing the words to their source;
   b. Presenting another person's ideas or theories in your own words without acknowledging the source;
   c. Using information that is not common knowledge without acknowledging the source;
   d. Failing to acknowledge collaborators on homework and laboratory assignment.

3. Internet plagiarism includes submitting downloaded term papers or parts of term papers, paraphrasing or copying information from the internet without citing the source and "cutting & pasting" from various sources without proper attribution. This would include utilizing a translation technology not provided or explicitly allowed by your teacher.

4. Obtaining Unfair Advantage is an activity that intentionally or unintentionally gives a student an unfair advantage in their academic work over another student. The following are some examples of obtaining an unfair advantage, but by no means is it an exhaustive list:
   a. Stealing, reproducing, circulating or otherwise gaining advance access to examination materials;
   b. Depriving other students of access to library material by stealing, destroying, defacing, or concealing them;
   c. Retaining, using or circulating examination materials which clearly indicate that they should be returned at the end of the exam;
   d. Intentionally obstructing or interfering with another student's work;
   e. Colluding (engaging in fraudulent collaboration with another person in preparing written work for credit) (Adopted from Manhattan/Hunter Science High School).

H. Engage in off-campus misconduct that interferes with, or can reasonably be expected to substantially disrupt the educational process in the school or at a school function.

Examples of such misconduct include, but are not limited to:

1. Cyberbullying (i.e., inflicting willful and repeated harm through the use of electronic text);
2. Threatening or harassing students or school personnel over the phone or other electronic medium.
VII REPORTING VIOLATIONS OF THE CODE

Any person violating the Code shall be immediately reported to a teacher, the building principal and/or designee, or the superintendent. Any student observing any person possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately. Any weapons, alcohol or illegal substances shall be confiscated immediately.

The building principal and/or designee must notify the appropriate local law enforcement agency of those Code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of the business day the principal learns of the violation.

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the student’s ability to develop self-discipline. Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student’s age;
2. The nature of the offense and the circumstances that led to the offense;
3. The student’s prior disciplinary record;
4. The effectiveness of other forms of discipline;
5. Information from parents, teachers and/or others, as appropriate;
6. Other extenuating circumstances.

Acts of Discrimination, Harassment, Intimidation or Bullying

Any student, parent, teacher, staff member or visitor may report an incident of discrimination, harassment, sexual harassment, intimidation or bullying. Such reports may be made to any staff member, including the principal or the principal’s designee, teachers, administrators and guidance counselors. In the event that a report is made to a staff member other than the principal, such staff member shall immediately inform the principal or the principal’s designee of the report. Allegations of harassment, sexual harassment, intimidation or bullying will be treated as confidential and private to the extent possible. Electronic submissions may also be made via the District Website by filling out a DASA form.

All school employees and volunteers who have contact with students are required to report alleged violations of this policy to the principal or the principal’s designee when the individual witnesses or receives reliable information regarding any such incident. The principal he principal’s designee required to inform the parents of all students involved in alleged incidents. Students, parents, and visitors are encouraged to report alleged violations of this policy to the principal or the principal’s designee as soon as possible.

Any person having reasonable cause to suspect that a student has been subjected to discrimination or harassment by an employee or student, on school grounds or at a school function, who, acting reasonably and in good faith, either reports such information to school officials, to the commissioner of education, or to law enforcement authorities or otherwise initiates, testifies, participates or assists in any formal or informal proceedings, shall have immunity from any civil liability that may arise from the making of such report or from informal proceedings, and no school district or employee shall take, request or cause a retaliatory action against any such person.
Role of the Dignity Act Coordinator (DAC)/Bullying Prevention Coordinator (BPC)

The Board of Education will annually designate a staff member, who has been thoroughly trained in human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression), and sex, as the Dignity Act Coordinator (DAC), accountable for implementation of this policy.

In addition, each school must have a Bullying Prevention Coordinator (BPC). The BPC will be responsible for coordinating and enforcing this policy and regulation in each school building, including but not limited to coordination of:

1. the work of the building-level committees;
2. professional development for staff members and, the complaint process;
3. management of the Dignity Act civility curriculum components.

Any individual who violates this policy by engaging in bullying will be subject to appropriate action, which may include disciplinary action. Remedial responses to bullying include measures designed to correct the problem behavior, prevent another occurrence of the behavior, and protect the target of the act. Appropriate remedial measures may include, but are not limited to:

1. Restitution and restoration;
2. Peer support group;
3. Corrective instruction or other relevant learning or service experience;
4. Changes in class schedule;
5. Supportive intervention;
6. Behavioral assessment or evaluation;
7. Behavioral management plan, with benchmarks that are closely monitored;
8. Student counseling;
9. Parent conferences; or
10. Student treatment or therapy.
11. Babylon Town Youth Court and other similar community based restorative justice programs.

Environmental remediation may include, but is not limited to:

1. School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
2. Modification of schedules;
3. Adjustment in hallway traffic and other student routes of travel;
4. Targeted use of monitors;
5. Parent education seminars/workshops;
6. Peer support groups.

VIII DISCIPLINARY PROCEDURES AND PENALTIES

As a general rule, discipline will be progressive: A student’s first violation will usually merit a lighter penalty than subsequent violations. If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education (CSE) and discipline, if warranted, shall be administered consistent with the separate requirements of this Code for disciplining students with a disability. A student identified as having a disability shall not be disciplined for behavior related to their disability.

A. PENALTIES

Students who are found to have violated the district’s Code may be subject to the following penalties, either alone or in combination with one another:

1. Verbal warning;
2. Sent for Peer Mediation;
3. Written warning;
4. Verbal or Written notification to parent;
5. Lunch Detention;
6. Detention;
7. Referral to Babylon Town Youth Court or other similar community based restorative justice programs;
8. Suspension from transportation;
9. Suspension from athletic activities;
10. Suspension from social or extracurricular activities, including the prom;
11. Suspension of other privileges;
12. In-school suspension;
13. Extended Detention;
14. Removal from classroom by teacher;
15. Short-term suspension from school (five days or less);
16. Long-term suspension from school (more than five days, subject to a superintendent’s hearing);
17. Permanent suspension from school.

B. PROCEDURES

The amount of due process a student is entitled to before a penalty is imposed will depend on the type of penalty imposed. In all cases, regardless of the penalty imposed, the school 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 school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

1. Detention (secondary schools only)

Teachers, principals and the superintendent may use after-school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student’s parent has been notified.
2. **Suspension from transportation**

If a student does not conduct themselves properly on a bus, the bus driver is expected to bring such misconduct to the attention of the building principal. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal, the superintendent and/or their designees. Proper notification to the student’s parent must occur before suspension becomes effective. The student and their parent(s) will be provided with a reasonable opportunity for an informal conference with the building principal to discuss the conduct and the penalty involved.

3. **Suspension from athletic participation, extracurricular activities and other privileges, including the prom**

The student and the student’s parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.

4. **In-school suspension/Extended detention**

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 and the superintendent to place students in in-school suspension or extended detention. 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.

5. **Teacher disciplinary removal of disruptive students**

A disruptive student can affect a teacher’s ability to teach and can make it difficult for other students in the classroom to learn. Occasionally it may be necessary for a teacher to immediately remove a disruptive student from the classroom to ensure that the other students continue to learn. Any removal of a student must comply with any specific IEP guidelines where and when they apply.

The principal or designee may overturn the removal of the student from the class/subject if the principal finds any one of the following:

a. The charges against the student are not supported by evidence. If so, all documentation will be expunged from the student’s permanent record;

b. The student’s removal is otherwise in violation of law;

c. The conduct warrants suspension from school, and a suspension will be imposed.

6. **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 themselves or 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.

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

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 in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parent.

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(s) of the right to request an immediate informal conference with the principal. At the conference, the parents 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 (in person or on the phone) 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 practicable.

After the conference, the principal shall promptly advise the parent in writing of their decision. The principal shall advise the parent that if they are not satisfied with the decision and wishes to pursue the matter, a written appeal to the superintendent must be filed within five (5) business days. The superintendent shall issue a decision within ten (10) business days of receiving the appeal. If the parent is dissatisfied with the superintendent’s decision, they must file a written appeal to the Board with the district clerk within ten (10) business days of the date of the superintendent’s decision, unless they can show extraordinary circumstances precluding such action. Only final decisions of the Board may be appealed to the Commissioner of Education within thirty (30) days of the decision.

b. Long-term suspension from school (more than five days)

When the superintendent or building principal determines that a suspension for more than five days may be warranted, they shall give reasonable notice to the student and the student’s parent of their right to a fair hearing. At the hearing, the student shall have the right to be represented by counsel, and the right to question witnesses against them and the right to present witnesses and other evidence on their behalf. The superintendent shall personally hear and determine the proceeding or may, at their discretion, designate a hearing officer to conduct the hearing.

An appeal of the decision of the superintendent may be made to the Board, which 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 ten (10) business days of the date of the superintendent’s decision, unless the parent can show that extraordinary circumstances preclude 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 thirty (30) days of the decision.

c. Permanent suspension

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

1. Students who bring a weapon to school:

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subjected to suspension from school for at least one (1) calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law 3214. The superintendent has the authority to modify the one-year suspension on a case-by-case basis. The superintendent is required to refer the following students to the county attorney (or county presentment agency, if not the county attorney) for a juvenile delinquency proceeding before the Family Court for: Any student under the age of 16 who is found to have brought a weapon to school; or any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law.

The superintendent is required to refer students over age 16 or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities. A student 14 or 15 years old who possesses a firearm, machine gun or loaded firearm (as defined in section 265.00 of the Penal Law) on school grounds (as defined in section 220.00(14) of the Penal Law) qualifies for juvenile offender status under section 1.20 of the Criminal Procedure Law. A student with a disability may be suspended in accordance with the requirements of state and federal law.

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

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subjected to suspension from school for at least five (5) days.

3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere 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 a teacher(s) on four (4) or more occasions during a semester, or repeatedly substantially interferes with the teacher’s authority over the class, may be suspended from school for up to five (5) days. Ongoing teacher removals will result in a review of the student’s behavior by a committee of professionals at the building level.

V. ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law 3214, the district will take immediate steps to provide alternative means of instruction for the student. In cases of removal from class, the alternative means of instruction for the student may include, but not be limited to, any of the following methods:

A. Placing the student into a cooperating teacher’s class;
B. Placing the student with a substitute teacher;
C. Placing the student in in-school suspension rooms.
VI. DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities, as defined by federal and state regulations, to address disruptive or problematic behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. This Code affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state laws and regulations.

VII. 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 prohibited. Complaints involving the use of corporal punishment by staff members involving students shall be reported to the building principal.

VIII. VISITORS TO THE SCHOOL

Since schools are a place of work and learning, 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 the schools:

A. During school hours, all visitors to the school will be required to sign the visitor’s register, provide picture identification, and obtain a visitor’s identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge before leaving the building;

B. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register;

C. Teachers are expected not to take class time to discuss individual matters with visitors;

D. Any unauthorized person on school property will be reported to the appropriate school authority. Unauthorized persons will be asked to leave; the police may be called if the situation warrants;

E. All visitors are expected to abide by the rules for public conduct on school property contained in this Code;

F. Dogs, with the exception of service dogs, are prohibited on school grounds.

IX. PUBLIC CONDUCT ON SCHOOL PROPERTY

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. The restrictions on public conduct on school property and at school functions contained in this Code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objective of the district. The purpose of this Code is to maintain public order and prevent abuse of the rights of others. Persons who violate this Code shall be subject to removal from school premises and having a formal complaint charged against the offender. The Board, through these regulations, reafirms its commitment to demand that damage to school property be compensated by the perpetrator or their parent(s). The superintendent and the building principals and/or their designees shall be responsible for enforcing the conduct required by this Code. The superintendent may designate other district staff that are authorized to take action consistent with the Code.
X. DISSEMINATION OF THE CODE

A. Dissemination of the Code

Annually, the Board will work to ensure that the community is aware of this Code by:

1. Providing copies of a summary of the Code to all students at a general assembly held at the beginning of each school year;

2. Mailing a summary of the Code written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request;

3. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the Code as soon as practicable and after adoption;

4. Providing all new employees with a copy of the current Code when they are first hired;

5. Making copies of the Code available for review by students, parents, non-teaching staff and other community members;


The Board will review this Code every year and update it as necessary. Before adopting 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 and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.