

NORTH TONAWANDA CITY SCHOOL DISTRICT ◦

CODE OF CONDUCT

PHILOSOPHY AND INTRODUCTION

The North Tonawanda Board of Education's commitment to provide a safe and orderly school environment in which students receive and district personnel deliver quality educational services without disruption or interference requires responsible behavior by students, district personnel, parents, and visitors in achieving its goal. The district's expectations for conduct on school property and at school functions are based upon the principles of civility, mutual respect, citizenship, character, tolerance, and integrity. The Board recognizes the need to define these expectations for acceptable conduct on school property (including school buses) and/or at school sponsored events, identify possible consequences of unacceptable conduct, and ensure that discipline when it is warranted is administered promptly and fairly. To this end, the Board adopts this Code of Conduct, which unless otherwise indicated, applies to all students, district personnel, parents, and visitors when on school property and/or attending school functions.

DEFINITIONS

In accordance with the **Dignity for All Students Act**, School District policy and practice must ensure that no student is subject to discrimination or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex by school employees or students on school property, on a school bus, or at a school function.

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

School Bus means every motor vehicle owned 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 Section 11[1] and Vehicle and Traffic Law Section 142).

School Function means a school sponsored extracurricular event or activity (Education Law Section 11[2]).

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 Section 11[4] and Executive Law Section 292[21]).

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 Section s11[4] and 1125[3]).

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

Sexual Orientation means the sex to which a person is sexually attracted. Someone attracted primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual. Someone attracted primarily or exclusively to members of the same sex is characterized as homosexual. A person with a strong or viable attraction to both genders is characterized as bisexual or pansexual.

Gender means actual or perceived sex and includes a person's gender identity or expression (Education Law Section 11[6]).

Gender means the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for men and women. (MASCULINE and FEMININE denote "gender").

Harassment means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law Section 11[7]).

Race means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/African-descent", "Asian", "Bi-racial", "Hispanics/Latinos" etc. to describe and classify the inhabitants of the United States.

Color means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

Weight means aside from the obvious meaning in the physical sciences, the word is used in reference to a person's "size".

National Origin means a person's country of birth or ancestor's country of birth.

Ethnic Group means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.

Religion means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.

Religious Practice means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc. Sex means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex").

Disability means any restriction or lack (due to any impairment) of ability to perform an activity in the manner or within the range considered typical.

PROVISIONS REGARDING CONDUCT IN SCHOOL OR ON SCHOOL PROPERTY

No person on school district property will engage in or take part in any activities, which violate laws, threaten, result, or are likely to result in:

1. Physical injury to self or another person
2. Damage to school property, the property of students, employees or visitors
3. Disruption of orderly conduct in classes, hallway, cafeteria, lavatory, locker room, on school bus, or at any other school program or activity
4. Harassment of or interference with the rights of others
5. Sexual harassment
6. Disobedience of a direct request made by a teacher or staff member
7. Loitering on school property
8. Bullying and intimidation

DRESS CODE

Children and adults will be dressed in clothes that are appropriate for school.

1. Clothes will not present a safety hazard.
2. Clothing will not be distracting to the learning environment.
3. Hats will not be worn in school.
4. Jewelry and accessories will not present a safety hazard and will not be distracting to the learning environment.

STUDENT BILL OF RIGHTS AND RESPONSIBILITIES

With every right comes a responsibility.

It is the student's right:

- To attend school in the district in which one's parent or legal guardian resides.
- To expect that school will be a safe, orderly and purposeful place for all students to gain an education and to be treated fairly.
- To be respected as an individual.
- To express one's opinions verbally or in writing.
- To dress in such a way as to express one's personality.
- To be afforded equal and appropriate educational opportunities.
- To take part in all school activities on an equal basis regardless of race, color creed, religion, religious practice, sex, sexual orientation, gender, national origin, ethnic group, political affiliation, age, marital status, or disability.
- To have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance to students with serious personal problems.
- To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function or activity.

It is the student's responsibility:

- To attend school daily, regularly and on time, perform assignments, and strive to do the highest quality work possible and be granted the opportunity to receive a good education.
- To be aware of all rules and expectations regulating student's behavior and conduct oneself in accordance with these guidelines.
- To respect one another, and to treat others in the manner that one would want to be treated.
- To express opinions and ideas in a respectful manner so as not to offend, slander, or restrict, the rights and privileges of others.
- To dress appropriately in accordance with the dress code, so as not to endanger physical health, safety, limit participation in school activities or be unduly distracting.
- To be aware of available educational programs in order to use and develop one's capabilities to their maximum.
- To work to the best of one's ability in all academic and extracurricular activities, as well as being fair and supportive of others.
- To be aware of the information and services available and to seek assistance in dealing with personal problems, when appropriate.
- To respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.

ESSENTIAL PARTNERS

Expectations for Parents

1. Recognize that the education of their children is a joint responsibility of the parents or guardians and school community.
2. Send their children to school ready to participate and learn as required by New York State Education Law and in accordance with the District's Comprehensive Student Attendance Policy (#7110). Ensure that children attend school regularly and on time. Ensure absences are excused.

3. Insist their children be dressed and groomed in a manner consistent with the student dress code.
4. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
5. Know school rules and help their children understand them to maintain a safe, orderly environment in accordance with the District Code of Conduct.
6. Convey to their children a supportive attitude towards education and the District.
7. Build good relationships with teachers, other parents and their children's friends.
8. Work with our schools to maintain open and respectful communication.
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. Teach their children respect and dignity for themselves, and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act.

Expectations for Visitors

1. Follow the District Code of Conduct at all times.
2. Report to the office and sign in before visiting a class or speaking to a teacher or pupil during regular school hours.
3. Wear a visitor's badge during regular school hours.

Expectations for Teachers

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. 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.
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.
7. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

Expectations for School Counselors

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate and appropriately document teacher/student/counselor conferences and parent/teacher/student/counselor

conferences, as necessary, as a way to resolve problems.

3. Regularly review with the students their educational progress, career plans and graduation requirements.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Coordinate Intervention Support Services, as needed, with student, parent, Building Principal and teachers.
7. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
8. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the counselor's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

Expectations for Student Support Service Personnel

1. Support educational and academic goals.
2. Know school rules, abide by them and enforce them in a fair and consistent manner.
3. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
4. Set a good example for students and colleagues by demonstrating dependability, integrity and other standards of ethical conduct.
5. Maintain confidentiality about all personal information and educational records concerning students and their families.
6. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, as a way to resolve problems and communicate as necessary in any other manner with parents and other staff regarding student progress and needs.
7. Regularly review with students their educational progress and career plan.
8. Provide information to assist students with career planning.
9. Encourage students to benefit from the curriculum and extra-curricular programs.
10. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
11. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

Expectations for Other School Staff

1. Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
2. Set a good example for students and other staff by demonstrating dependability, integrity and other standards of ethical conduct.
3. Assist in promoting a safe, orderly and stimulating school environment.
4. Maintain confidentiality about all personal information and educational records concerning students and their families.
5. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
6. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

Expectations for Principals

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

2. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of grievances.
3. Evaluate on a regular basis the effective safety, behavioral and school management issues related to all instructional programs.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the Code of Conduct, ensuring that all cases are resolved promptly and fairly and, when necessary, appropriately documenting actions.
6. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
7. Arrange for the continuing educational programming for the student removed from class.
8. Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC).

Expectations for the Superintendent

1. Promote a safe, orderly, respectful and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
2. Review with District administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the School Board about educational trends, including student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with District administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
6. Address all areas of school-related safety concerns.

Board of Education

1. Collaborate with students, teachers, administrators and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, District personnel and visitors on school property and at school functions.
2. Approve and review at least annually the District's Code of Conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Appoint a Dignity Act Coordinator in each school building. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, and sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.
4. Lead by example by conducting Board meetings in a professional, respectful and courteous manner.

Student Use of Electronic Communication Devices

Students are prohibited from using or having on or in an operational mode any paging device, mobile telephone, cellular telephone, laser pointer or pen or any other type of telecommunications or imaging device during instructional time, except as expressly permitted in connection with authorized use in classrooms. While students are permitted to possess such devices during the school day, they are prohibited from using them in any manner which invades the privacy of students, employees, volunteers or visitors. Students are not permitted to use any form of information technology, including their own personal electronic devices, to intimidate, harass or threaten others. This type of harassment is generally referred to as cyberbullying. If a student violates this prohibition, then he/she is subject to discipline under this provision and/or any other provision in the District Code of Conduct that may be applicable to the circumstances involved. Any electronic device that is permitted on school property is encouraged to be kept on the person and in a concealed manner.

Teachers and all other Board personnel should exemplify and reinforce acceptable student dress and behavior (including

possession/use of electronic devices) and help students develop an understanding of appropriate appearance and conduct in the school setting.

PROHIBITED STUDENT CONDUCT

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

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

The Board recognizes the need to be clear and specific in expressing its expectations for student conduct while on District property or engaged in a District function. 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 or who violate these school rules will be required to accept the consequences for their conduct. Students may be subject to disciplinary action, up to and including suspension from school or removal from a program, when they engage in conduct that is disorderly, insubordinate, disruptive, violent, endangers the safety, morals, health or welfare of others, engage in misconduct on the school bus, or engage in academic misconduct including work/internship sites.

A. Engage in Conduct That is Disorderly

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

1. Engaging in any act which disrupts the normal operation of the school community, running in hallways, making unreasonable noise, and using language or gestures that are profane, lewd, vulgar, abusive, intimidating, or that incite others.
2. Obstructing vehicular or pedestrian traffic.
3. Trespassing. Students are not permitted in any area of the school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
4. Misusing computer/electronic communications devices, including any unauthorized or inappropriate use of computers, software, or Internet/intranet account; accessing inappropriate websites; evading the District's content filter; using an outside wireless network; or any other violation of the District Acceptable Use Policy.
5. Unauthorized use of personal electronic devices/equipment (i.e., cell phones, MP3 devices, cameras, and other personal electronic devices deemed inappropriate by the administration).
6. Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system is prohibited.

B. Engage in Conduct That is Insubordinate

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

1. Failing to comply with the reasonable directions of teachers, school administrators or other District employees or otherwise demonstrating disrespect.
2. Missing or leaving school or class without permission.

C. Engage in Conduct That is Disruptive

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

1. Failing to comply with the reasonable directions of teachers, District administrators or other District employees or otherwise demonstrating disrespect.
2. Endangering the health and safety of other students or staff or interfering with classes or District activities by means of inappropriate appearance or behavior.

D. Engage in Conduct That is Violent

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

1. Committing, threatening or attempting an act of violence (such as hitting, kicking, punching, or scratching) upon a teacher, administrator or other District employee.
2. Committing, threatening or attempting an act of violence (such as hitting, kicking, punching, or scratching) upon another student or any other person lawfully on school property.
3. Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical well-being.
4. Possessing a weapon (see definition). Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on District property or at a District function.
5. Displaying what appears to be a weapon.
6. Threatening to use any weapon(s).
7. Using weapon(s).
8. Intentionally damaging or destroying District property, the personal property of a student, teacher, volunteer, contractor, vendor, administrator, other District employee or any person lawfully on District property, or at a District function including but not limited to graffiti or arson.
9. Communication by any means, including oral, written or electronic (such as through the Internet, email or texting) off school property, where the content of such communication (a) can reasonably be interpreted as a threat to commit an act of violence on school property; or, (b) results in material or substantial disruption to the educational environment.

E. 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, deceiving or giving false information to school personnel.
2. Stealing District property or the property of other students, school personnel or any other person lawfully on school property or while 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. This can include posting or publishing video, audio recordings or pictures (written material, cell phones, Internet, YouTube, etc.).
4. Discrimination, based on a person's actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, or disability as a basis for treating another in a negative manner on school property or at a school function.
5. Harassment, the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender or sex.
6. Bullying and intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort; for example, "play" fighting, extortion of money, overt teasing, etc.
7. "Internet bullying" (also referred to as "cyberbullying")
including the use of instant messaging, email, websites, chat rooms, text messaging, or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees.
8. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
9. Displaying signs of gang affiliation or engaging in gang-related behaviors that are observed to increase the level of conflict or violent behavior.

10. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any District or school sponsored activity, organization, club or team.
11. Selling, using, possessing or distributing obscene material.
12. Possessing, consuming, selling, attempting to sell, distributing or exchanging alcoholic beverages, tobacco, tobacco products or illegal and/or controlled substances, counterfeit and designer drugs, or paraphernalia for use of such drugs or be under the influence of any such substances on school property or at a school function. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."
13. Inappropriately using, sharing, selling, attempting to sell, distributing or exchanging prescription and over-the-counter drugs.
14. Possessing, consuming, selling, attempting to sell, distributing, or exchanging "look-alike drugs"; or, possessing or consuming (without authorization), selling, attempting to sell, distributing or exchanging other substances such as dietary supplements, weight loss pills, etc.
15. Gambling and gaming.
16. Inappropriate touching and/or indecent exposure.
17. Initiating or reporting warning of fire or other catastrophe without valid cause, misusing 911, or inappropriately discharging a fire extinguisher.
18. Violating gender privacy when using school restroom facilities.

F. Engage in Misconduct While on a School Bus

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

G. Engage in Any Form of Academic Misconduct Examples of academic misconduct include, but are not limited to:

1. Plagiarism.
2. Cheating.
3. Altering records.
4. Accessing other users email accounts or network storage accounts and/or attempting to read, delete, copy, modify, and interfere with the transferring and receiving of electronic communications.
5. Violation of the District Acceptable Use Policy for technology.
6. Assisting another student in any of the above actions.

RANGE OF CONSEQUENCES FOR VIOLATIONS OF THIS CODE

Options include but are not limited to the following:

1. Warning, verbal or written reprimand which stays in the students file (referral copy)
2. Time Out
3. Change of seat, Change of placement
4. Loss of privileges — includes eligibility and Probation at HS
5. Parent notification by teacher and/or administrator (call or note)
6. Assignment of detention
7. Suspension from school transportation
8. Suspension from class, and Suspension from school (all classes) includes In-school suspension

9. Referral to SST (Student Support Services)

10. Referral to CSE (Committee on Special Education), Referral to the Police or Law enforcement, Referral to social service agencies such as Child Protective Services, Referral to Family Court, PINS petition

11. Removal from school property

DISCIPLINARY MEASURES and MINIMUM SUSPENSION PERIOD for incidents involving the possession or use of illegal substances or weapons, the use of physical force, vandalism, violation of another student's civil rights and/or threats of violence.

Acts such as the threat of serious physical injury, assault causing bodily harm, sexual assault, hate-motivated violence, robbery, extortion, possession and/or use of weapons, and extensive vandalism will result in suspension (minimum of five days) and possibly one or more of the following: Contact with police, alternative learning placement, and recommendation for expulsion.

NOTE: The federal Gun-Free School Act of 1994 (20 USC 8921) requires all states that receive funds under the Elementary and Secondary Education Act of 1965 to have a law that requires school districts to suspend students who bring weapons to school for a minimum of one calendar year. Section 3214 (3) (d) of the Education Law has been amended to comply with the federal law.

PROVISIONS FOR STUDENT DETENTION, SUSPENSION AND/OR REMOVAL FROM THE CLASSROOM (consistent with Education Law 3214 and other applicable federal, state, and local laws).

1. Detention after school or before school may be assigned by teachers and administrators. Detention on Saturdays may be assigned by administrators. (24 hours notice is recommended.)
2. Suspension may range from 1-5 days with prior notification to the parents. The preferred type of suspension is In School. However, a severe disciplinary situation may require Out of School Suspension. Only the building principal may suspend students.
3. Teacher Removal of a Student from the Classroom.
4. The classroom teacher must contact the building administrator's office to have a student removed. The teacher must decide whether the student needs to be escorted to the office and then inform the administrator concerning the situation.
5. The administrator will determine the length of removal after consulting with the teacher.
6. The classroom teacher must show the administrator evidence in writing, before the end of the day with the reason for removal. If not the first incident, the teacher must indicate communications with the home and interventions already used for this student. Teachers should be able to establish that they have sought assistance in any of the following ways:
 - a. Attempted communication with parents before the removal was requested. This will demonstrate that the parents were apprised of the situation and had ample opportunity to intervene at home. A written record of these communications must be kept.
 - b. Tried interventions (with specific dates) prior to removal - including, but not limited to, presentation of this student before the building SST (Student Support Team). A written record of these interventions must be kept.
 - c. Asked the SST to review the case.
 - d. Documented that this student is a known "Disruptive" and/or "Violent" student, with an FBA (FBA Functional Behavior Assessment) as well as a BIP already in place (Behavior Intervention Plan).
7. The Classroom Teacher must meet with the removed student within 24 hours to explain the reason for removal. At that time, the student must provide a completed Responsibility Plan for review before the student returns to the classroom.
8. For short-term REMOVAL, alternative placements and interventions will be considered by the administration.
9. The classroom teacher will continue to plan, using short-term curricular goals for this student and correct all work submitted by the ISS tutor (necessary for short-term removal).

NOTE: Students with special needs may be referred back to the CSE (Committee on Special Education) for a placement review.

PROCEDURES BY WHICH VIOLATIONS OF THE CODE OF CONDUCT ARE REPORTED, DETERMINED, DISCIPLINARY MEASURES IMPOSED AND MEASURES CARRIED OUT INCLUDING PROCEDURES BY WHICH LOCAL LAW ENFORCEMENT AGENCIES SHALL BE NOTIFIED OF CODE VIOLATIONS

All violations of the CODE OF CONDUCT must be referred to a building administrator in writing within a reasonable time frame (appropriate to the event). There will be an investigation into the alleged misconduct. All written teacher made referrals will be returned in writing. All student and parent referrals will be handled most expediently either by phone, in person, or in writing. The CODE OF CONDUCT and the appropriate School Handbook will be consulted to assign consequences for violations of the code. ALL HANDBOOKS WILL INCLUDE THE "CODE OF CONDUCT" AND ARE TO BE APPROVED ANNUALLY BY THE BOARD OF EDUCATION.

All students are expected to promptly report violations of the CODE OF CONDUCT to a teacher, school counselor/social worker, the building principal or his/her designee. Any student observing another student possessing a weapon, alcohol, or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, principal's designee, or the superintendent.

All district staff that are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff that are not authorized to impose disciplinary sanctions are expected to promptly report violations of the CODE OF CONDUCT to their supervisor. This supervisor shall in turn impose the appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

The building principal or designee must notify the appropriate local law enforcement agency of those violations that constitute a crime and substantially affect the order and security of the school (as soon as practical, but in no event later than the close of business the day the principal or designee learns of the violation). The notification may be made by telephone, followed by a letter mailed 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.

UPDATES - PROVISION ENSURING THAT SUCH CODE AND THE ENFORCEMENT THEREOF ARE IN COMPLIANCE WITH STATE AND FEDERAL LAWS RELATING TO STUDENTS WITH DISABILITIES

Every effort will be made to keep the CODE OF CONDUCT in compliance with prevailing laws. In addition, the school attorney will review and advise the District when any changes are proposed in either law or in the CODE OF CONDUCT.

PARENT NOTIFICATION - PROVISIONS SETTING FORTH THE CIRCUMSTANCES UNDER AND PROCEDURES BY WHICH PERSONS IN PARENTAL RELATION TO THE STUDENT SHALL BE NOTIFIED OF CODE VIOLATIONS.

Parents or person in parental relation to students shall be contacted by school personnel when their child is going to be suspended.

REFERRALS - CIRCUMSTANCES UNDER AND PROCEDURES BY WHICH A COMPLAINT IN CRIMINAL COURT, A JUVENILE DELINQUENCY PETITION OR PERSON IN NEED OF SUPERVISION PETITION SHALL BE FILED OR WHEN A REFERRAL TO APPROPRIATE HUMAN SERVICE AGENCY SHALL BE MADE

1. Counseling - The school counseling office (school counselor or a social worker) shall handle all referrals of students to counseling.
2. 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 ongoing or continual course of conduct which make the student ungovernable or habitually disobedient and beyond the lawful control of the school.
 - c. Knowingly or unlawfully possessing marijuana or any other illegal drug in violation of Penal Law §22 1.05. A single violation of this law will be sufficient basis for filing a PINS petition.
3. Juvenile Delinquents and Juvenile Offenders - The superintendent is required to refer the following students to the County Attorney 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).

NOTE: The superintendent is required to refer students age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities. (A 14 or 15-year-old student who possesses a firearm on school grounds qualifies as juvenile offender under Criminal Procedures Law. See Penal Law 265 for weapon/fire-arm and Penal Law 220.000 (14) regarding juvenile offender status).

FAMILY RIGHTS AND PRIVACY (FERPA).

Notice Regarding Family Rights and Privacy

The District's procedures for the confidentiality of student records are consistent with federal statutes, including the Family Educational Rights and Privacy Act (FERPA). The parents, those acting in a parental relationship, of eligible students of the North Tonawanda City School District are hereby notified that you have the following rights in relation to student records under the Family Educational Rights and Privacy Act (FERPA) and Board of Education Policy #7240:

1. The right to inspect and review student's education records, unless otherwise limited by court order or other legally binding instrument, within 45 days of receipt of request.
2. The right to request the amendment of the student's education record that the parent or eligible student believes are inaccurate.
 - a. Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School Principal (or appropriate school official); clearly identify the part of the record they want changed; and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
 - a. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA.
 - a. The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20202-460
5. If either a student's parent, those acting in a parental relationship, or the eligible student desire to obtain copies of the policy pertaining to student records, notification should be presented in writing to the Administration Building, 176 Walck Road, North Tonawanda, NY 14120.

NOTE: All rights and protections given parents under FERPA and this policy transfer to the student when he or she reaches age 18 and petitions for self-determination, or attends a post-secondary school, or has been designated an "emancipated minor." The student then becomes an "eligible" student.

Designated Directory Information

The school district designates the following personally identifiable information contained in a student's education record as "directory information" and shall release the information without prior written consent unless it is for commercial purposes.

1. Student's name
2. Name(s) of the student's parent(s) or legal guardians
3. Student's grade designation (i.e. first grade, tenth grade, etc.)
4. Student's extracurricular school activities and offices (e.g. member of the Math Club; Secretary of Student Council)
5. Student's school achievement, awards and honors (e.g. member of National Honor Society; selected for MVP award in Soccer)
6. Relevant statistics and personal data if a member of an athletic team or other school sponsored course, organization or

activity.

7. Present and previous school(s) attended by the student.

Any other information will require parental consent through an “opt-out” process to release to any agency including military recruiters, institutions of higher education, and potential employers. You must advise the school district in writing of any and all items which you refuse to permit the District to designate as directory information about the student.

DISSEMINATION AND REVIEW

Dissemination of Code of Conduct

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

1. Providing a public hearing prior to Board approval.
2. Providing copies of a summary of the Code to all students, in an age-appropriate, plain-language version, at a general school assembly held at the beginning of each school year.
3. Making copies of the Code available to all parents at the beginning of the school year.
4. Providing a summary of the Code of Conduct 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.
5. 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 after adoption.
6. Providing all new employees with a copy of the current Code of Conduct when they are first hired.
7. Making copies of the Code available for review by students, parents and other community members and provide opportunities to review and discuss this Code with the appropriate personnel.

The Board will sponsor an in-service education program for all 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, via a committee of representative stakeholders, will review this Code of Conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the code’s provisions have been and whether the Code has been applied fairly and consistently.

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

Before 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 District shall post the complete Code of Conduct (with all amendments and annual updates) on the District’s website, if available. The District shall file a copy of its Code of Conduct and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.