

APPENDIX A

GUILDERLAND CENTRAL SCHOOL DISTRICT

Code of Conduct

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Code of Conduct

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GUILDERLAND CENTRAL SCHOOL DISTRICT

Child-Centered Core Values

1. Community Involvement

- ▶ shared decision-making
- ▶ open communication
- ▶ teamwork
- ▶ collaboration
- ▶ outreach
- ▶ cooperation

2. Healthy Learning Environment

- ▶ caring community
- ▶ respect for diversity, tolerance
- ▶ responsibility
- ▶ trust
- ▶ physical, emotional and social wellness
- ▶ safety
- ▶ appropriate risk taking - feeling comfortable enough to try
- ▶ communication

3. Lifelong Learning

- ▶ students come first
- ▶ rich curriculum
- ▶ developmental approach
- ▶ innovation
- ▶ critical thinking
- ▶ love of learning - students and staff
- ▶ learning styles
- ▶ professional growth
- ▶ interdisciplinary approach
- ▶ integrating technology as a teaching and learning tool

4. Excellence

- ▶ success for each learner
- ▶ internal motivation
- ▶ reaching potential
- ▶ every learner appropriately challenged
- ▶ meeting and exceeding standards
- ▶ honest assessment as a tool not a goal

Guilderland Central School District

"Empowering all students to succeed in the 21st century."

2007-08 District Priorities



Global Awareness

- Development of citizenship, civility, and respect
- Understanding and appreciating diversity, individuality, and differences
- Prevention of bullying/harassment
- Introduction of foreign language study K-2

Communication and Technology

- Continued parent/school/Board of Education/student/business/community partnerships
- Support for the new superintendent of schools
- Greater emphasis on instructional technology
- Accessing information and media literacy skills

Healthy Choices

Increase knowledge of and opportunities for:

- Physical activity
- Nutritional balance
- Emotional wellness/healthy relationships
- Time management
- Drug and alcohol awareness

Thinking and Problem-Solving

- Setting goals
- Enhancing ownership of the learning process among students
- Exercising sound reasoning
- Meeting high standards
- Supporting creativity and intellectual curiosity

Professional Growth

- Focus on professional development for all staff
- Professional development driven by student needs as well as strengths
- Analyzing data to improve instruction
- Support collegiality and mentoring
- Expand curriculum mapping

Code of Conduct

I. Introduction

The Board of Education of The Guilderland Central School District is committed to providing a safe and orderly school environment where students may receive and District personnel may deliver quality educational services in a consistent and caring school environment as described in our District Priorities and Core Values. Responsible behavior by students, teachers, other District personnel, parents and other visitors is essential to achieving this goal. The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The Board of Education believes that each student can reasonably be expected to be responsible for his/her own behavior. The school administration shall develop and disseminate rules of conduct, focusing on personal safety and respect for the rights and property of others, to be consistently applied in the classrooms and throughout the school. Students who fail to meet this expected degree of responsibility and violate school rules may be subject to appropriate disciplinary action, counseling, and more regulated supervision.

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that is viewed as fair and impartial by the student. Therefore, before seeking outside assistance, the staff member will first attempt to create a change of behavior. When the staff member has made every reasonable effort to bring about positive behavioral change, and has been unsuccessful, the staff member will bring the matter to the attention of the administration. The staff member and an administrator will develop a strategy for dealing with the problem.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the Board adopts this Code of Conduct ("Code"). Unless otherwise indicated, this code applies to all students, school personnel, parents, and other visitors when on school property or attending a school function. (Reference Board of Education Policy 5310 - *Student Discipline*)

II. Definitions

For purposes of this code, the following definitions apply.

- Disruptive student** - an elementary or secondary student under the age of 21 who substantially interferes with the education of other students and with the teacher's authority over the classroom.
- Parent** - parent, guardian or person in parental relation to a student.
- School property** - in, on, 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 §12.
- School function** - any school sponsored extra-curricular event or activity.

Violent student - a student under the age of 21 who:

- A. Commits an act of violence on school property upon a school employee, or attempts to do so.
- B. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
- C. Possesses, while on school property or at a school function, a weapon.
- D. Displays, while on school property or at a school function, what appears to be a weapon.
- E. Threatens, while on school property or at a school function, to use a weapon.
- F. 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.
- G. Knowingly and intentionally damages or destroys school District property.
- H. Is posing an imminent threat to himself or others.

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

III. Student Rights and Responsibilities

A. Student Rights

The Guilderland Central School District is committed to safeguarding the rights given to all students under state and federal law. In addition, to promote a safe, respectful, healthy, and orderly school environment, all District students have the right to:

1. Take part in all District activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation or disability.
2. Tell their side of the story regarding relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

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 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 extra-curricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop strategies to resolve problems, conflicts, and control anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the District when participating in or attending school sponsored extra-curricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

V.**Essential Partners**

The following partners are critical to the safety and success of students in our schools.

Roles and Responsibilities:**A. Parents**

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure authorized absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the District.
9. Build good relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.

B. Teachers

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement and social-emotional growth and well being.
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 and/or behavior expectations
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.

C. Coaches

1. Plan, coordinate and supervise all activities in their respective sport.
2. Support the Director of Athletics in conducting all activities related in that particular sport and team.
3. Establish training rules and procedures beyond the administrative regulations of the school district and to enforce them in a fair, consistent manner.
4. Review and discuss with team members, parents, and assistant coaches prior to the first practice:
 - a. Hazing Policy
 - b. Bullying Prevention Policy
 - c. Harassment Policy
 - d. Administrative eligibility rules
 - e. Training rules, attendance (school, team, coaches) policies
 - f. Criteria for earning awards
 - g. Expectations for student-athletes
 - h. Transportation policies
 - i. All-state and section policies (ie., NYSPHSAA)
5. Establish good public relations and good working relations with parents, district administrators, faculty and staff, community members and the media.
6. Abide by the guidelines in the Coaches' Commitment.

D. School Counselors

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Participate in teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
3. Regularly review with students their educational progress and career plans. Meet in grade 8 with parents.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extra-curricular programs.
6. Assist in students' or building crisis.

E. Social Workers

1. Act as a liaison between school, home and outside agencies.
2. Meet with students individually and in groups helping to develop social and coping skills.
3. Provide information on student emotional development to staff and families and assist in the assessment of a student's emotional well being.
4. Assist in a student or building crisis. Do risk assessments for suicide and violence potential.

F. Nurses

1. Overview issues of school health such as immunizations and public health issues.
2. Communicate with students and parents regarding absences due to illness.
3. Help educate students understand health issues.
4. Maintain health records for students.
5. Assist in a student or building crisis.

G. Director of Athletics

1. Plan, schedule, and supervise interscholastic, extramural, and intramural day, evening and weekend events.
2. Administer and direct coaches to ensure that they follow administrative procedures and enforce eligibility and training rules. Oversee regulations in the Coaches' Commitment.
3. Administer and participate in the preparations of athletic events.
4. Represent the school district at athletic meetings at the league and section level.
5. Interpret and recommend the enforcement of all athletic regulations as specified by the state, section, and league associations, as well as school district policies.
6. Communicate regularly with student-athletes, fellow administrators, faculty and staff, community members and the media to create good public and working relations.
7. Administer and direct coaches to ensure that they communicate and enforce the district's bullying and hazing policies.

H. Principals/Building Administrators and Supervisors

1. Promote a safe, caring, orderly and stimulating school environment, supporting active teaching and learning. Support programs preventing bullying and harassment.
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 all instructional programs.
4. Support the development of and student participation in appropriate extra-curricular activities.
5. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

I. Transportation Supervisor/Assistant Supervisor

1. Oversee all aspects of the Transportation Department including drivers, bus aides, mechanics, 19-A personnel, office staff, fleet supervisor, secretaries.
2. Evaluate all staff members and offer training to drivers.
3. Develop transportation routes for all district schools as well as private/parochial and special needs students.
4. Process student discipline forms.
5. Monitor road conditions during winter and make recommendations to the superintendent regarding school delay or closing.
6. Respond to concerns and compliments from the public.

J. Bus Drivers

1. Maintain a safe, orderly environment on school buses which prevents bullying and harassment.
2. Oversee practice, drills for bus safety.
3. Use student discipline forms when necessary.
4. Maintain positive communication with students, parents.

K. Support Staff

1. Promote a safe, caring, orderly school environment.
2. Notify administration promptly of any concerns for student behavior or building safety.
3. Participate in school safety training.
4. Maintain positive relationships with students.

L. Superintendent

1. Promote a safe, orderly and stimulating school environment, 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 Board about educational trends relating to 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.

M. Board of Education

1. Collaborate with student, teacher, administrator, 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. Adopt 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. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.

V. Student Dress Code

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

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

- A. Be safe, appropriate and not disrupt or interfere with the educational process.
- B. Be free of items that are vulgar, obscene, libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
- C. Be free of the promotion and/or endorsement of the use of alcohol, tobacco or illegal drugs and/or encouragement of other illegal or violent activities*.

Each building principal or his or her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replace it with an acceptable item. It may be necessary to counsel students and notify their families as to the inappropriateness of chosen dress and/or item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

* However, the term "violent activities" shall not be construed in any way to include:

- 1) hunting, trapping or fishing as defined by N.Y.S. Environmental Law
- 2) competitive sports including but not limited to:
 - a) rifle, pistol and shotgun shooting sports of all kinds
 - b) archery
 - c) fencing
 - d) boxing
 - e) wrestling
 - f) Martial arts (Karate, Judo, etc.)
- 3) membership in such organizations that promote the same, such as but not limited to:
 - National Rifle Association
 - New York State Rifle and Pistol Association

Gun Owners of America
Jews for the Preservation of Firearms Ownership
New York Trapper's Association
National Skeet Shooting Association
New York State Bowhunters
YMCA Golden Gloves
Etc.

- 4) membership in such Armed Forces training organizations such as but not limited to:
 - a) JROTC
 - b) Young Marines
 - c) Civil Air Patrol
- 5) promotion of any of the above Armed Forces Training organizations or of the Armed forces of the United States of America.

VI. Prohibited Student Conduct

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, District personnel and other members of the school community, and for the care of school facilities and equipment. (Reference Board of Education Policy 5310)

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 grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their 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 include but are not limited to:
 1. Running in hallways.
 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, during regular hours of attendance without permission from the administrator, teacher, coach, or advisor 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.
(Reference Board of Education Policy #4510.2)

- 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 school employees in charge of students or otherwise demonstrating disrespect.
 2. Lateness for, missing or leaving school without permission.
 3. Skipping detention.

- 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, school administrators or other school personnel in charge of students.
 2. Being late for school or class frequently.
 3. Being frequently unprepared for class.
- D. Engage in conduct that is violent. Examples of violent conduct include but are not limited to:
1. Committing an act of violence (such as hitting, kicking, punching, biting, hair pulling, spitting and scratching) upon a teacher, administrator or other school employee, or attempting to do so.
 2. Committing an act of violence (such as hitting, kicking, punching, biting, hair pulling, spitting 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. (Reference Board of Education Policy #5312.2)
 4. Displaying what appears to be a weapon.
 5. Threatening to use any weapon, or do bodily harm.
 6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other District employee or any person lawfully on school property, including graffiti or arson.
 7. Intentionally damaging or destroying school District property.
- 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. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
 2. 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.
 3. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.

1. Harassment and bullying, which include a sufficiently severe action or a 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 cruel, ridiculing or demeaning. This includes cyberbullying, using technology to bully other.
 4. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
 5. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
 6. Selling, using or possessing obscene material.
 7. Using vulgar or abusive language, cursing or swearing.
 8. Smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco.
 9. 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, ecstasy, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as “designer drugs.”
 10. Inappropriately sharing prescription drugs and inappropriately using or sharing over-the-counter drugs.
 11. Gambling in all forms.
 12. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
 13. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
 14. Lying to school personnel which puts others at risk.
- 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 and fighting 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. Copying.
4. Altering records.
5. Assisting another student in any of the above actions.

VII. Reporting Violations

All students are expected to promptly report serious violations of the Code of Conduct to a teacher, guidance counselor, social worker, the building principal or his or her designee. Any student observing a 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, the principal's designee or the superintendent. (See section XII, Page 61) Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension or referral for prosecution.

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

The building principals or their designee must notify the appropriate local law enforcement agency of those code violations that may constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business on the day when the alleged violation becomes known by the administration. The notification may be made by telephone. Parent notification is necessary as well with a follow-up letter. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted the alleged crime.

VIII. Disciplinary Penalties, Procedures and Referrals

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 students' ability to grow in self-discipline. (Reference Board of Education Policies #5313.1, 5313.2, 5313.3)

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:

- A. The student's age.
- B. The nature of the offense and the circumstances which led to the offense.
- C. The student's prior disciplinary record.
- D. The effectiveness of other forms of discipline.
- E. Information from parents, teachers and/or others, as appropriate.
- F. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that 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 and discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability. (See Section X, Page 54)

A. Penalties

Students who are found to have violated the District's Code of Conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Oral warning - any member of the District staff.
2. Written warning - bus drivers, hall and lunch monitors, coaches, school counselors, teachers, principal, building administrators, superintendent.
3. Written notification to parent - bus driver, hall and lunch monitors, coaches, school counselors, teachers, principal, building administrators, superintendent.
4. Return to class/Teacher
5. Detention - teachers, building administrators, principal, superintendent.

6. Suspension from transportation - director of transportation, building administrators, principal, superintendent.
7. Suspension from athletic participation - coaches, building administrators, director of athletics, principal, superintendent.
8. Suspension from social or extra-curricular activities - coaches, advisors, building administrators, principal, superintendent.
9. Suspension of other privileges - building administrators, principal, superintendent.
10. In-school suspension - building administrators, principal, superintendent.
11. Removal from classroom by teacher - teacher, building administrators, principal.
12. Short-term (five days or less) suspension from school - building administrators, principal, superintendent, Board of Education.
13. Long-term (more than five days) suspension from school - superintendent, Board of Education.
14. Permanent suspension from school - superintendent, Board of Education.

B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, 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.

Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

1. Detention

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 and appropriate transportation home following detention will be provided.

2. Suspension from Transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. (Referral Form C) Students who become a serious disciplinary problem may have their riding privileges suspended for up to 5 days by the building principal or his or her designee or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the District will make appropriate arrangements to provide for the student's education.

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

3. Suspension from Athletic Participation, Extra-Curricular Activities and Other Privileges.

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

4. In-School Suspension

The Board recognizes 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 or designees and the superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension."

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

5. Teacher Disciplinary Removal of Disruptive Students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques.

These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an elementary classroom or in an administrator's office; (2) sending a student to the principal's office for the remainder of the class time only; or (3) sending a student to a guidance counselor or other District staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this Code of Conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with the teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

At the elementary level the length of the removal will be determined by the principal, their designee, and the teacher. For K-5 students, a procedure has been developed to assist teachers in handling disruptive and potentially violent students (a copy of this procedure can be found in the appendix). An emphasis is placed on prevention and support through the use of the Elementary Child Study Team and the Student Response Team.

At the secondary level, which includes the middle and high school, the techniques mentioned above should be used by teachers: 1) time out, 2) being sent to the principal's office, 3) being sent to guidance. A classroom teacher may remove a disruptive student from class for up to two class sessions if these techniques do not work and a more formal process is needed. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or on-going threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events to an administrator or designee within 24-hours.

The teacher must complete a District-established disciplinary form (Form A or F) and meet with the principal or building administrator, or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the disciplinary form (Form B). If the principal or building administrator is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or building administrator prior to the beginning of classes on the next school day. Within 24 hours after the student's removal, the principal or another building administrator designated by the principal must notify the student's parents by direct contact, that the student has been removed from class and why. The direct contact will inform the parent that he or she has the right, upon request, to meet informally with the principal or the building administrator to discuss the reasons for the removal.

Written notice will also be provided to the parent and/or guardian in a timely manner. The principal may require the teacher who ordered the removal to attend the informal conference.

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

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

- a. The charges against the student are not supported by substantial evidence.
- b. The student's removal is otherwise in violation of law, including the District's Code of Conduct.
- c. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The principal or building administrator may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less. (Form E)

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

Each teacher must keep a complete log (Form A) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class. (Form B)

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

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, health or welfare of others. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals. Any staff member may recommend to the superintendent or the building principal that a student be suspended.

In the case of violent students, all staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the Code of Conduct (Form F). All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The superintendent or principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary. (Form G)

a. Short-term (5 days or less) suspension from school

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents directly that the student may be suspended from school. The written notice will be provided to the parent within 24 hours.

The suspending authority shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the

principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

An opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does not pose such 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 parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the Board of Education with the District Clerk within 10 business days of the date of the superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

b. Long-term (more than 5 days) suspension from school.

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

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

An appeal of the decision of the superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the District Clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so.

The Board may adopt in whole or in part the decision of the superintendent. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

c. Permanent suspension.

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well being of other students, 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 subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:

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

A student with a disability may be suspended only 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 subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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 repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least five days. For purposes of this Code of Conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214(3-a) and this code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

IX. 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. This alternative instruction will be 10 (ten) hours at secondary level and 5 (five) hours at elementary level.

X. Discipline of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities are afforded certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the Code of Conduct, the following definitions apply. A “suspension” means a suspension pursuant to Education Law §3214.

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

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

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
 - a. The Board, the Superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - d. The superintendent may order the placement of a student with a disability to an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carried or possessed a weapon at school or at a school function, or the student knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or a school function.
 - 1) “Weapon” means the same as “dangerous weapon” under 18 U.S.C. §930(g)(w) which includes “a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2½ inches in length.”
 - 2) “Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
 - 3) “Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - a. for more than 10 consecutive school days; or
 - b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

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

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

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more members of the CSE believe that modifications are needed, the school District shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

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

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement

determined by the District, which can include suspension.

3. The District shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.

The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.

4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive school days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
 - a. The District requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current education placement during such proceedings.

- b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - 1) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the District agree otherwise.
 - 2) If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the District and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to Law Enforcement and Judicial Authorities

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

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

XI. Corporal Punishment

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

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

- A. Protect oneself, another student, teacher or any person from physical injury.
- B. Protect the property of the school or others.
- C. Restrain or remove a student whose behavior interferes with the exercise and performance of school District functions, powers or duties, if that student has refused to refrain from further disruptive acts. The District will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

XII. Student Searches and Interrogations

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SEARCHES AND INTERROGATIONS

In recognition of certain societal problems which present themselves from time to time in our schools, the Board of Education authorizes the Superintendent of Schools, Building Principals and Assistant Principals to conduct searches of students' possessions for illegal matter or matter which otherwise constitutes a threat to the health, safety, or welfare of staff or students attending our schools.

In authorizing such searches, the Board acknowledges both state and federal constitutional rights which are applicable to searches of students' possessions. Such searches shall not be conducted unless founded upon reasonable individualized suspicion.

School officials will attempt to notify parents by telephone and follow up in writing in the event that a search has been initiated.

Students shall be informed by the Administration that school lockers are not their private property but the property of the district and that as such may be opened and subject to inspection from time to time by school officials. While recognizing the right to inspect students' school lockers without the necessity of obtaining students' consent is inherent in the authority granted school boards and administrators, school officials will exercise safeguards to protect each student's constitutional rights to personal privacy and protection from coercion.

If, in the judgment of the administrator in charge, an emergency situation exists, the local police should immediately be contacted to take appropriate action.

Interrogation or Search of Students by Police

It is the policy of this district to cooperate with law enforcement agencies. While police do not have a general power to interview children in schools, or to use school facilities in connection with police department work, the police may enter the schools of the district if a crime has been committed on school property, if they have a warrant for arrest or search, or if they have been invited by school officials.

When police have properly entered the school and desire to interview or search students in the school, the students must be afforded the same rights they have outside the school. They must be informed of their legal rights, may remain silent if they so desire, may request the presence of an attorney and must be protected from coercion and illegal restraint. Within the framework of their legal rights, students have the responsibility to cooperate with the police.

Child Protective Services' Investigations

From time to time, Child Protective Services may desire to conduct interviews of students on school property. Such interviews generally pertain to allegations of suspected child abuse and/or neglect. The Board encourages cooperation with Child Protective Services in accordance with applicable Social Services Law.

The Superintendent of Schools shall establish regulations regarding personal searches and interrogations of students in accordance with this policy and the law.

The Superintendent of Schools shall also establish a process for person(s) wishing to file a complaint regarding the implementation of this policy by school personnel.

Ref: *New Jersey v. TLO*, 105 S. Ct. 733 (1985)
People v. Scott D., 34 NY2d 483 (1974)
Horton v. Goose Creek Independent District, 690 F 2d 470 (1982)
Doe v. Renfrow, 631 F 2d 91, cert. den. 451 US 1022 (1981)
M.M. v. Anker, 477 F.Supp. 837, aff'd. 607 F.2d 589 (2d Cir. 1979)
Bellnier v. Lund, 438 F.Supp. 47 (1977)
US v. Albarado, 495 F 2d 799 (2d Cir. 1974)
In Re Ronald B., 61 AD2d 204 (1978)
People v. Haskins, 48 AD2d 480 (1975)
People v. Overton, 24 NY2d 522 (1967)
Opinion of Counsel, 1 EDR 800 (1959)
Opinion of Counsel, 1 EDR 766 (1952)

Note: Policy added

Adopted May 11, 1999

SEARCHES AND INTERROGATIONS**REGULATION**

1. Pursuant to Board policy, students may be subject to searches of their possessions where reasonable individualized suspicion exists to conduct such search.
2. Searches may be conducted by the Superintendent of Schools, a Building Principal, Assistant/House Principals or Dean and always in the presence of another staff member.
3. A search based upon the reasonable belief that the health or safety of those in our schools is seriously and immediately threatened may be conducted with as much speed as is required to protect persons and property.
4. The request for a search of a student's possessions shall be directed to the Building Principal or Assistant/House Principal or Dean, who shall attempt to obtain an admission from the student of possession of the illegal matter or matter which otherwise constitutes a threat.
5. In the event that a voluntary admission is not forthcoming, and the administrator still believes there is reasonable cause, he/she shall attempt to obtain voluntary consent to the search.
6. Whenever practical, the student should be present when his/her possessions are being searched.
7. School officials are not authorized to conduct intrusive searches (i.e., a search which requires a staff member to touch a student's person, or a search which requires a student to remove any or all clothing, with the exception of a search of outer coats and jackets).
8. School officials will attempt to notify parents by telephone and follow up in writing in the event that a search has been initiated.
9. When in the judgment of the authorized administrator, there is probable cause to believe that students and/or staff are threatened, and the suspected student(s) will not cooperate, the authorized administrator shall notify public safety officials to conduct an investigation within the limits of the law.
10. The authorized administrator shall be responsible for the custody, control and disposition of any illegal or dangerous matter taken from a student. He or she will remain in control of such substance or objects unless the same are delivered to police authorities whereupon it shall be the responsibility of said authorized administrator to personally deliver such matter to police authorities.
11. Students have no reasonable expectation of privacy rights in school lockers, desks or other school storage places, and the school exercises overriding control over such school property. Through the student handbook, the Building Principal shall give notice to all students that lockers, desks and other school storage places may be subject to inspection at any time by school officials.

12. No police officer may enter the schools of the district for the purposes of interrogating, searching or conducting formal investigations of students unless he/she has a warrant for arrest or search, unless a crime has been committed on school property, or if he/she has been invited by school officials.

13. No police officer shall be allowed to perform a student search unless authorized by a search warrant or upon demonstrating probable cause to establish that the commission of an illegal act is occurring on school premises. In the case of a police officer presenting a search warrant, the authorized administrator shall first attempt to inform the parent or guardian of the police demand to search in order to afford the parent or guardian an opportunity to be present at the search. In the event that the parent or guardian cannot be contacted prior to a police search, the parent or guardian shall be informed of the search in writing by the authorized administrator as soon thereafter as is practical.
14. When police have properly entered the school and desire to interrogate a student, the authorized administrator shall first attempt to notify the parent or guardian of the student involved by telephone prior to any such interrogation or by telephone or in writing after the fact if the parent or guardian could not be reached beforehand. If possible, the student's parent or guardian should be present. An appropriate staff member as designated by the authorized administrator, shall also be present during any interrogation of a student by police on school property.
15. An involved student and/or his/her parent/guardian who feels that the above regulations have been abridged or that the application was overly zealous may submit a written complaint which states the particulars to the Office of the Superintendent of Schools. The Superintendent or his/her designee shall conduct an investigation and render a statement of findings. He/she shall take appropriate action if warranted.

Documentation of Searches

The following factors should be considered in order to determine whether reasonable individualized suspicion exists with regard to a search of a student's possessions:

1. Eyewitness accounts

Note: by whom
date/time
place
detailed description of events/items witnessed

2. Information from a "reliable source"

Note: from whom
time received
how information was received
who received information
complete summary of information

3. Suspicious behavior: describe behavior and explain suspicions

If a search is conducted, the following information should be documented:

1. Time and location of search
2. Age of student
3. Circumstances contributing to exigency of search
4. Purpose of search: what item(s) were being searched for?
5. Type of search and scope thereof
6. Person conducting search and his/her title/position
7. Witnesses of search
8. Results of search: material(s) found, disposition of such materials
9. Results of parental notification

Regulations Pertaining to Child Protective Services' Investigations

From time to time, Child Protective Services may desire to conduct interviews of students on school property. Such interviews generally pertain to allegations of suspected child abuse and/or neglect. The following guidelines apply to all such interviews:

1. This regulation shall apply to all interviews requested by the Department of Social Services, Child Protective Services, as it pertains to that agency's investigations involving a student. Such investigations shall include, but shall not be limited to, suspected child abuse, suspected child neglect and custody investigations.
2. All requests by Child Protective Services to interview a student of the district on school property shall be made directly to the building principal who shall be responsible for notifying the Office of the Superintendent.
3. The time and place of such interview shall be designated by the building principal in his/her absolute discretion.
4. Any such interview conducted by the Child Protective Services shall be made in the presence of the building principal or in the presence of a staff person designated by the principal for that purpose. In the event that the principal is not present within the District, then such interview shall not take place unless it is in the presence of the school nurse or social worker.
5. This regulation is for the protection and benefit of the students of the district and every reasonable effort shall be made to accommodate the request of the Department of Social Services, Child Protective Services, as it relates to the aforementioned investigations.

Note: Regulation added

Adopted October 5, 1999

XIII. Visitors to the Schools

The Board encourages parents and other visitors to visit the District's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

- A. Anyone who is not a regular staff member or student of the school will be considered a visitor.
- B. All visitors to the school must report to the office of the principal or designated area upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building.
- C. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
- D. Parents or visitors who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.
- E. Teachers are not expected to take class time to discuss individual matters with visitors.
- F. Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
- G. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

XIV. 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. For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school function including students, teachers and District personnel. The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The District recognizes that free inquiry and free expression are indispensable to the objectives of the District. The purpose of this code is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property. See Appendix B, Board of Education Policy 1520 - *Public Conduct on School Property*.

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school District property or the personal property of a teacher, administrator, other District employee or any person lawfully on school property.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
6. Enter any portion of the school buildings without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.

9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Consume, sell or exchange tobacco products on school property or at school functions.
11. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school District.
12. Loiter on or about school property.
13. Gamble on school property or at school functions.
14. Refuse to comply with any reasonable order of identifiable school District officials performing their duties.
15. Willfully incite others to commit any of the acts prohibited by this code.
16. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

B. Penalties

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

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and

4. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The building principal or his or her designee shall be responsible for enforcing the conduct required by this code. When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop.

The principal or his or her designee shall also warn the individual of the consequence for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person. The District shall initiate disciplinary action against any student or staff member, as appropriate, within the "Penalties" section above. In addition, the District reserves its right to pursue a civil or criminal legal action against any person violating the code.

XV. Dissemination and Review

A. Dissemination of Code of Conduct

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

1. Providing copies of a summary of the code to all students at a general assembly or video program held at the beginning of each school year.
2. Upon request copies of the code available to all parents at the beginning of the school year. The Code will be available on the district website.
3. Mailing 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.
4. 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.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents and other community members. The Board will sponsor staff development programs 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 staff development programs pertaining to the management and discipline of students.

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

Form A
REPORT OF A DISRUPTIVE PUPIL

TO: _____, Building Principal

DATE: _____

FROM: _____

(Name of Teacher)

(Grade Level and
Subject Matter)

REGARDING: _____

(Name of Pupil)

(Grade Level and
Instruction Class)

Classified Student Yes No

I am referring to you the above-named pupil who was disruptive on

_____ (date or
dates)

_____ The pupil was substantially disruptive of the educational process.

Describe in detail the events, specify the particular conduct, what you did, what was said by you, the pupil or others:

Set forth the names of witnesses to these events:

_____ The pupil substantially interfered with my authority over the classroom.

Describe in detail the events, specify the particular conduct, what you did, what was said by you, the pupil or others:

Has the student a history of disruptive behavior: Yes
No

I removed the pupil from my class: Yes
No



Student left on own accord

The pupil was accompanied by an adult to the Principal's office

Sent on own

Number of days _____ (Board policy limit is two days)

- Yes I provided the student with an explanation of the basis for the removal and allowed the pupil to informally present the pupil's version of the relevant events.
- No

If the answer is no, complete the next paragraph:

- Within 24 hours of the pupil's removal, I shall provide the pupil with an explanation of the basis for the removal and give the student an informal opportunity to be heard. I shall provide my Building Principal with the details, including what I said and what the pupil said, within six hours of my conversation with the pupil.

Specify what you believe would be the appropriate additional action to be taken:

- I have attached to this form the class and homework assignments to be completed by the pupil for the period of the student's exclusion from my class.

Date: _____

Signature

History

- No This was the first time this school year that I removed the pupil. If no, provide the details of the other removal(s), including date, length of removal and the circumstances of each removal.
- Yes

Signature

Form B
ACTION OF BUILDING PRINCIPAL

PUPIL: _____

(Grade Level and Instruction Class)

DATE: _____

TEACHER: _____

This form was received by me _____ on _____ at _____.
(Time) (Name of Principal) (Date)

_____ I informed the person in parental relation to the pupil of the pupil's removal as well as the reasons for removal.

_____ A copy of the notification is attached.

_____ The written notification was given within 24 hours of removal.

_____ Written notice was given as follows:

_____ Personal delivery

_____ Express mail to the last known address(es) of the parent or person in parental relation to the student.

Certified mail: Yes No

_____ Other (describe - must reasonably be calculated to assume receipt of the notice within 24 hours of the removal)

_____ The pupil and the person in parental relation

_____ Did not request an informal conference to discuss the reasons for removal

_____ Did request an informal conference to discuss the reasons for removal

If an informal conference is requested, complete the following:

_____ The conference was held within 48 hours of the pupil's removal from class.

_____ The informal conference was held on _____

_____ (Date)
at _____ at

(Time)

(Place)

Those present were:

_____ The reasons for removal were given on Pupil Form A (summary of what was said)

_____ The pupil as well as the person in parental relationship was given an opportunity to present the pupil's version of the relevant events. The following was stated:

Designee)

Building Principal (or

_____ I designate _____, a school administrator, to act in my behalf regarding this matter.

Principal

Building

Date

Form C

**PRINCIPAL NOTIFICATION OF PUPIL'S REMOVAL FROM THE
CLASSROOM
AND FOR AN INFORMAL CONFERENCE**

To: _____
Pupil

Person in Parental Relationship

You are advised that in accordance with Education Law 3214 (3-1) the following students were removed from the classroom.

Name of Student: _____

Name of Teacher who removed the student:

Duration of removal from the classroom by the teacher:

Under the provisions of Education Law 3214 (3-1), the pupil has been removed from a classroom. The person acting in a parental relationship to the pupil or the pupil may request that they be provided an informal conference with the Building Principal or designee to discuss the reasons for the pupil's removal. If at the conference the pupil denies the charges, there shall be provided an explanation of the basis for the removal and the pupil will be allowed to present the pupil's version of the relevant events.

If you desire to have such a conference, you must advise me today of your request. You may contact me at _____ if you desire a conference. If I do not receive such request today, I shall assume you do not intend to have an informal conference.

Date

Building Principal (or Designee)

Form D

REQUEST FOR AN INFORMAL CONFERENCE

If you desire to request an informal conference, complete the following:

An informal conference is hereby requested in relation to the removal of

_____ from the class of
_____ on _____
(Student) (Teacher)

(Date)

_____ Date _____ Person in Parental Relation

NOTE: Education Law 3214 (3-a) requires that the informal hearing, if requested shall be held with 48 hours of the pupil removal.

The informal conference was held on _____. A summary of the

conference is as follows: _____
(Date)

_____ Building Principal (or Designee)

Form E

DETERMINATION REGARDING REMOVAL OF A PUPIL FROM THE CLASSROOM

Name of Pupil: _____

Name of Teacher: _____

Removal from classroom: _____

Period of removal: _____

I have considered all the information provided, which consists of the following:

I have interviewed the following individuals:

Based upon the foregoing the removal

Is supported by substantial evidence.

Is not supported by substantial evidence.

Or

The pupil's removal is in violation of the law.

Or

The conduct warrants suspension from school and such suspension will be imposed.

Dated: _____

Building Principal (or Designee)

To: _____, Removing Teacher
_____, Superintendent
_____, Person in Parental Relation
_____, Pupil

Disruptive Pupil

- NOTES:**
- A) The determination is requested by 3214 (3-1) to be made at the close of business on the day succeeding the 48 hour period for an informal conference. The statute does not specify whether next business day means school day or usual workday for the administrator.
 - B) The Building Principal may designate another school administrator to conduct this proceeding.

Form F

REPORT OF A VIOLENT PUPIL

To: _____, Building Principal

Date: _____

From: _____

(Name of Teacher)

Matter)

(Grade Level and Subject

Regarding: _____

(Name of Pupil)

(Grade Level and Instruction Class)

Classified Student: Yes

No

I am referring to you the above-named pupil who was violent on

_____.

(date or dates)

The pupil was violent as follows: (Check the appropriate item and provide the details)

_____ Committed an act of violence upon a teacher, administrator or other school employee;

_____ Committed, while on School District property, an act of violence upon another student or any other person lawfully upon said property;

_____ Possessed, while on School District property, a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death;

_____ Displayed, while on School District property, what appeared to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or physical injury;

_____ Threatened, while on School District property, to use any instrument that appears capable of causing physical injury or death;

_____ Knowingly and intentionally damaged or destroyed the personal property of a teacher, administrator, or other School District employee or any person lawfully upon School District property; or

_____ Knowingly and intentionally damaged or destroyed School District property.

Supply details of each item checked including what happened, when, what was said and the names of witnesses:

Has the student a history of disruptive behavior: Yes No

If yes, give details including dates:

Specify what you believe would be the appropriate action to be taken:

Dated: _____

Signature of Teacher

Form G

DISPOSITION BY BUILDING PRINCIPAL

Education Law 3214 (3) (b) (2) states: A teacher shall immediately report and refer a violent pupil to the Principal or Superintendent for a violation of the Code of Conduct and a minimum suspension period.

The following occurred in relation to the Report of a Violent Pupil:

- A. The report was received on _____
- B. Details of the investigation including those interviewed. Attach written statements.

C. I conclude (here specify what your findings are):

D. Action taken (specify in detail)

E. Referred to law enforcement

No

Yes - supply details

Dated: _____

Designee)

Building Principal (or

To: Superintendent

Reporting Teacher

**GUILDERLAND CENTRAL SCHOOL DISTRICT
TRANSPORTATION OFFICE
GUILDERLAND CENTER, NEW YORK 12085
861-6434**

TRANSPORTATION BEHAVIOR REFERRAL REPORT

Completed by Driver & reviewed by Supervisor of Trans.	(Check one)	INFORMATION ONLY _____ DISCIPLINARY PROCESS _____
DATE OF INCIDENT _____	A.M. _____ MID-DAY _____ P.M. _____	OTHER TRIP _____
BUS ROUTE # _____	DRIVER _____	SCHOOL _____
<input type="checkbox"/> 1 st offense	<input type="checkbox"/> 2 nd offense	<input type="checkbox"/> 3 rd offense
STUDENT NAME _____		
has been cited for an infraction of the rules as outlined below:		

_____ Driver's Signature	_____ Date	_____ Transportation Supervisor

Completed by Building Administrator:	
THE FOLLOWING DECISION HAS BEEN REACHED IN REGARD TO YOUR CHILD'S INVOLVEMENT IN THE ABOVE OFFENSE:	

_____ Principal's Signature	_____ Date

Completed by Parent & returned to Building Administrator:	
I have reviewed the above information and am aware of the School District Transportation Policy. I will review this information with my child.	
_____ Parent's Signature	_____ Date

COPIES: Parent-White; Principal's Office-Canary; Transportation Office Return-Pink; Transportation Office-Gold

Disruptive/Violent Student Response Plan - Elementary

Alert System: The teacher requesting assistance will use the intercom to notify the office. The office will consult schedules and the student response team list, then send the first two available team members to the classroom.

Team Role: When the team members respond to the call in the classroom, they will support the teacher and look to the teacher for direction.

De-escalation techniques should be employed first.

Attempts to relocate student with verbal and/or mild physical prompts will be used.

If necessary, the class would move to another room leaving the designated adults with the student in the classroom.

If the student is harming himself or others or is in imminent danger of doing so, then restraint may be used not to exceed twenty minutes.

The school nurse must be called to check vital signs.

Restraint Procedures:

If physical restraint occurs (less than 20 minutes),

1. Starting time is noted.
2. Parent is notified, time of call recorded.
3. Incident report is completed.
4. Debriefing occurs with team.
5. Emergency Child Study Team meeting is called with parents to discuss student's behavior and make recommendations.

If restraint exceeds 20 minutes, parents will be called to come to school as soon as possible. If parents are unable to come to school or are unavailable, an immediate call to 911 or the CDPC Crisis Unit will be made. Steps 1-5 followed.

Disruptive/Violent Student Record Form - Elementary

Name _____ Grade _____ Teacher _____ Date _____

In class intervention Time Started _____ Staff Involved _____

Removal from class (if occurred): Time _____

Returned to class: Time _____

1. Describe the student's behavior.

2. Describe attempts to help the student solve the problem.

3. Was the student removed from the class? Yes _____ No _____

4. Date/time of parental contact. Date _____ Time _____

Person making contact

Was physical restraint used? Yes _____ (Complete incident report.) No _____

Student Interview: Optional

1. What was the problem?

2. How did you handle the problem?

3. What would be a better way to handle that problem?

Person completing form. _____

Disruptive/Violent Student Response Plan - Middle School

Alert System: The teacher requesting assistance will use the intercom to notify the office. The office will consult schedules and the student response team list, then send the first two available team members to the classroom.

Team Role: When the team members respond to the call in the classroom, they will support the teacher and look to the teacher for direction.

De-escalation techniques should be employed first.

Attempts to relocate student with verbal and/or mild physical prompts will be used.

If necessary, the class would move to another room leaving the designated adults with the student in the classroom.

If the student is harming himself or others or is in imminent danger of doing so, then restraint may be used not to exceed twenty minutes.

The school nurse must be called to check vital signs.

Restraint Procedures:

If physical restraint occurs (less than 20 minutes),

1. Starting time is noted.
2. Parent is notified, time of call recorded.
3. Incident report is completed.
4. Debriefing occurs with team.
5. Emergency Child Study Team meeting is called with parents to discuss student's behavior and make recommendations.

If restraint exceeds 20 minutes, parents will be called to come to school as soon as possible. If parents are unable to come to school or are unavailable, an immediate call to 911 or the CDPC Crisis Unit will be made. Steps 1-5 followed.

Disruptive Student Record Form - Middle School

Name _____ Grade _____ Teacher _____ Date _____

In class intervention Time Started _____ Staff Involved _____

Removal from class (if occurred): Time _____

Returned to class: Time _____

1. Describe the student's behavior. _____

2. Describe attempts to help the student solve the problem. _____

3. Was the student removed from the class? Yes _____ No _____

4. Date/time of parental contact. Date _____ Time _____

Person making contact. _____

Was physical restraint used? Yes _____ (Complete incident report.) No _____

Student Interview: Optional

1. What was the problem? _____

2. How did you handle the problem? _____

3. What would be a better way to handle that problem? _____

Person completing form. _____

PUBLIC CONDUCT ON SCHOOL PROPERTY

The Board of Education recognizes that the primary purpose of the district is to provide a superior atmosphere for learning and education. Any action by an individual or group aimed at disrupting, interfering or delaying the education process or having such effect, is hereby declared to be in violation of Board policy. The Board shall approve rules and regulations to effect this policy as required by Education Law §2801.

The Board also recognizes its responsibility to protect school property and declares its intent to take any and all legal action to prevent its damage or destruction. The Board will also seek restitution from, and prosecution of, any person or persons who willfully damage school property.

It is not the intent of this policy to limit freedom of speech or peaceful assembly. The Board recognizes that free inquiry and free expression are indispensable to the objectives of a school district. The purpose of the rules and regulations is to prevent abuse of the rights of others and to maintain public order, not to prevent or restrain controversy or dissent.

Cross-ref: 1240-R, Visitors to the School Regulation
5230, Student Social Events
5311.4, Care of School Property by Students
5312, Prohibited Conduct

Ref: Education Law §2801

Note: Policy added
[The Education Law requires all Boards of Education to adopt a written policy regarding public order on school property.]

Adopted June 20, 1995

HAZING POLICY

Joining groups is a basic human need. Forming a sense of identity and belonging is a major developmental task for students. In any group activity, building a spirit of team comradery should be an important goal. The Guilderland Central School District enacts this policy to ensure and maintain a safe learning environment for students that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

DEFINITION

- A. "Hazing" means committing an act against a student or group of students, or coercing a student into committing an act, that creates a risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:
1. Any humiliating or dangerous activity expected of a student to join a group, regardless of the student's willingness to participate (conduct has the potential to endanger the mental or physical health or safety of a student).
 2. Any hurtful, aggressive, destructive or disruptive behavior such as but not limited to striking, stripping, sleep deprivation, confinement in a restricted area, calisthenics or other activity that subjects the student to a risk of harm or that adversely affects the mental or physical health or safety of the student.
 3. Any use or abuse of tobacco, alcohol, drugs or other substances that subjects the student to a risk of harm or that adversely affects the mental or physical health or safety of that student.
 4. Any activity that intimidates or threatens the student with ostracism; subjects a student to mental stress, embarrassment, shame or humiliation; or adversely affects the mental health or dignity of the student or group of students.
 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies and regulations.
- B. "Student organization" means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

STAFF RESPONSIBILITIES

Administrators, coaches, teachers, volunteers, or any district employee shall be alert to possible situations, circumstances or events that constitute hazing. Any such person, who receives a report of, observes or has other knowledge or belief that such conduct is occurring shall alert the building principal, School Resource Officer, Director of Interscholastic Athletics, Assistant Director, teacher, counselor, social worker, advisor, assistant/house principal or coach immediately. Administrators, coaches, teachers and/or any district employee shall not plan, direct, encourage, aid in, engage in, permit, condone or tolerate hazing. A person who engages in an act that violates school policy or law shall be subject to discipline for that act.

WHEN AND WHERE POLICY APPLIES

This policy applies to behavior that occurs on or off school property, before, during and after school hours, as it relates to a school activity.

FORMAL REPORTING PROCEDURES

Any person who suspects that he/she has been a victim of hazing or any person with knowledge or belief of conduct that may constitute hazing shall report the alleged act(s) immediately to the appropriate school official that might include building principal, Director of Interscholastic Athletics, Assistant Director, teacher, counselor, social worker, advisor, assistant/house principal, coach or any member of the school staff. A copy of all written documents from any investigation shall upon completion be forwarded to the District Office, Administrator for Human Resources.

SCHOOL DISTRICT ACTION

- A. Upon receipt of the formal complaint or the report of alleged acts of hazing, school district officials or a third party designated by the school district will undertake an investigation.
- B. If necessary, the school district will take immediate steps to protect the complainant, reporter, students, or others pending the completion of investigation of hazing.
- C. The investigation will be completed as soon as possible and a report will be filed with the building principal and the Superintendent upon completion of the investigation. Appropriate action will be taken by the school district against any student, coach, volunteer or any other district employee who is found to have violated this policy. Such action may include but is not limited to a warning, mandatory counseling, suspension, expulsion, or discharge. Depending on the severity of the infraction, law enforcement officials may be involved as well.

REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, coach, or any school employee who retaliates against a person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

DISSEMINATION OF POLICY

This policy will be published in the School Code of Conduct, included in the annual school calendar, distributed to all employees, and posted in locker rooms and gymnasiums. The policy will be reviewed by the Athletic Director with coaches at the pre-season meeting held in the fall, winter, and spring. Also, each coach is asked to return the signed statement to the Athletic Director acknowledging an awareness and commitment to uphold this policy.

Cross Reference: District's Student Code of Conduct

Adopted: April 23, 2002

BULLYING PREVENTION POLICY

The goal of the Guilderland Central School District is to prevent bullying. The Board of Education is committed to creating and maintaining a learning atmosphere which is respectful and supportive. Providing a safe school environment where all students and employees are treated with respect and dignity, and are free from bullying, intimidation and harassment is one of our highest priorities. This freedom is fundamental to our K-12 education program and is extended to everyone without exception.

Bullying is a violation of our district core values and will not be tolerated. The Board of Education condemns all forms of bullying. No one –students or employees– should be fearful of being bullied or harassed. The actions of any one person or group of individuals which threaten the health and safety of students and/or staff must be addressed promptly. Early intervention, reinforcement of a consistent message and follow through from students, parents, staff and administration can ensure that everyone’s right to learn and work in a safe environment is respected.

The school setting provides an opportunity to teach children and emphasize among staff that cooperation and respect of others is a key district value. A program geared to prevention is designed to not only decrease incidents of bullying, but to help students build more supportive relationships with one another. Staff members need to be sensitized to the warning signs of bullying as well as to their absolute responsibility to become actively involved in the prevention of bullying before overt acts actually occur. The components of such an effort, based on the Olweus model, involve the following:

- Learning about and identifying the early warning signs and precursor behaviors that may lead to bullying.
- Gathering information about bullying at school directly from students.
- Establishing clear school wide and classroom rules about bullying.
- Training adults in the school to respond sensitively and consistently to bullying.
- Providing adequate adult supervision, particularly in less structured areas such as in the hallways, cafeteria and playground.
- Raising parental awareness and involvement in addressing problems.

The Superintendent with the cooperation and support of the district wide Task Force on Bullying and the Prevention Coordination Committees in each school should maintain and implement specific procedures on early identification of bullying and other preventive strategies as well as reporting, investigating, remedying and tracking allegations of bullying. All students, school district employees, vendors, and visitors (including parents) to district buildings, buses, athletic fields or locations off-school premises involving school-related activities (i.e., field trips) are expected to conduct themselves in a manner consistent with the words and spirit of this policy. We all share in the responsibility to ensure that bullying does not occur.

For the purposes of this policy, bullying is defined as a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror. Bullying may be premeditated or a sudden activity. It may be subtle or easy to identify, done by one person or a group. Bullying includes but is not necessarily limited to:

- A. **Power imbalance** - occurs when a bully uses his/her physical or social power over a victim.
- B. **Intent to harm** - the bully seeks to inflict physical or emotional harm and/or takes pleasure in this activity.
- C. **Threat of further aggression** - the bully and the victim believe the bullying will continue.
- D. **Terror** - when any bullying increases, it becomes a “systematic violence or harassment used to intimidate and maintain dominance.”

(Barbara Coloroso, *The Bully, The Bullied & The Bystander*, 2003)

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

- Verbal bullying includes name calling, insulting remarks, verbal teasing, frightening phone calls, violent threats, extortion, taunting, gossip, spreading rumors, racist slurs, threatening electronic communications, anonymous notes, etc.
- Physical bullying includes poking, slapping, hitting, tripping or causing a fall, choking, kicking, punching, biting, pinching, scratching, spitting, twisting arms or legs, damaging clothes and personal property, threatening gestures, setting fires, assault with a weapon, stealing, etc.
- Social or relational bullying includes excluding someone from a group, isolating, shunning, spreading rumors or gossiping, arranging public humiliation, undermining relationships, teasing about clothing, looks, giving dirty looks, aggressive stares, etc.

While the focus of this policy is on prevention, bullying acts may still occur. In these cases, offenders will be given the clear message that their actions are wrong and the behavior must improve. Offenders will receive in-school guidance in making positive choices in their relationships with others. If appropriate, disciplinary action will be taken by the administration.

Students or employees of the Guilderland Central School District who have been bullied, parents whose children have been bullied, or other students who observe bullying behavior are encouraged to make a verbal and/or written complaint to a teacher, coach, bus driver, social worker, counselor, supervisor, or administrator. Intervention by adults and bystanders is an important step to prevent escalation and to resolve issues in the earliest stages. At all times, complaints will be documented, tracked and handled according to the regulations and procedures accompanying this policy and the district's Code of Conduct.

As a school community, we strive to create schools and classrooms where a climate of safety and respect will enable all children to thrive and succeed. The process of helping youth can be greatly enhanced when adults are good listeners, supportive, and proactive in helping students deal with concerns and problems. As a staff, we should never limit ourselves to intervene on behalf of students.

A copy of this policy and accompanying regulations and procedures are to be distributed to parents, staff and students and posted on the district web site and appropriate places such as bulletin boards throughout school buildings. Additionally, parents, staff and students will be advised of this policy through educational programs and written materials.

Cross References: District Code of Conduct
Olweus Program Materials
Policy #5020.1 Sexual Harassment
Policy #5020.2 Racial Harassment of Students
Policy #5030 Hazing
Policy #5310 Student Discipline

Approved: December 9, 2003

GUILDERLAND

5040-R

BULLYING PREVENTION REGULATION

The Guilderland Central School District will follow these procedures in an effort to prevent bullying, intimidation and harassment; to support respect and dignity for all students and staff; to ensure adult intervention when bullying may occur; and to include a discipline component should a bullying incident take place. Key individuals such as the principal, teacher, bus driver or any adult in a school setting can help to set the tone in preventing a bullying situation from taking place or putting a stop to any harmful act. Staff members must recognize the warning signs of bullying behavior and their absolute responsibility to become actively involved in the prevention of bullying. By the very nature of their duties and involvement with students, staff members can help to ensure that children understand the harmful effects unkind acts can cause and the negative impact that bullying behavior can have on its victims. Everyone has a responsibility to prevent bullying from occurring!

- There will be ongoing education and discussion to establish and maintain school communities of respect and cooperation. Bullying, harassment, or intimidation is not acceptable behavior at any time. Building principals and supervisors are expected to assume a pivotal role in leading the conversation that *bullying is not okay!*
- All new employees should attend training about the prevention of bullying, harassment and intimidation.
- All staff members must be alert to bullying, take appropriate action when bullying occurs, and help to engender an atmosphere where bullying is not tolerated at school or school-related activities.
- When incidents of bullying are reported, follow-up by the administration is important.
- A confidential survey of students will be conducted. The results will be used to assess changes to policy and procedures as well as training programs. Follow-up surveys will be conducted as necessary.
- Parents will receive information about bullying prevention and what steps to follow to report a bullying incident.
- Initially, the district will adopt the Olweus bully prevention program. Training of all staff will be done on this bullying prevention program and form the basis of our policy and procedures. This comprehensive prevention/intervention program will be implemented K-12 until such time as an agreed upon change is warranted.
- Disciplinary consequences for bullying will be outlined in the district's Code of Conduct and will be based on the type of offense, number of occurrences, and developmental level of the student.
- *Incident Report Forms* will remain on file in the principal's office.

GUIDELINES FOR ADDRESSING INCIDENTS INVOLVING A CHILD BEING BULLIED AT SCHOOL

- a. The administrator, teacher, or other staff member who receive information should prepare a written record of the details. All information shall be shared first with the instructional supervisor, athletic director or special education administrator if applicable and then forwarded to the building administrator or designee immediately. All incidents must be recorded so that data can be tracked and analyzed for future program planning and to document student patterns.
- b. Teachers and administrators should assure parents and/or students reporting an incident that such information is taken seriously. The issue will be investigated and parents and/or students will be informed of the relevant findings. However, because of privacy requirements parents will not be informed of the disciplinary consequences relating to other children. At all times, confidentiality must be maintained.
- c. As soon as possible after a report of bullying has been received, the teacher and/or administrator will investigate the matter by meeting individually with the alleged bully (or bullies), the victim(s), and any witnesses.
- d. If the results of the investigation indicate that the complaint was justified, the teacher and/or administrator will contact the parents of the students involved. A meeting at school may also be appropriate and necessary. The focus of such discussion will be to:
 - review the results of the investigation.
 - reiterate the seriousness of the situation and that any acts of bullying are unacceptable.
 - assign consequences in accordance with the district's Code of Conduct.
 - provide any support services to student(s) as may be needed.
 - commend those individual(s) who brought the matter to the attention of school officials.
 - restate our school district's commitment to providing a safe and secure learning environment for all students and staff.

Teachers, students, support staff, parents and administrators must work as a team to prevent bullying from occurring and to take action against bullying when it does take place.

Cross References: District Code of Conduct

Olweus Program Materials	
Policy #5020.1	Sexual Harassment
Policy #5020.2	Racial Harassment of Students
Policy #5030	Hazing
Policy #5310	Student Discipline

Reviewed: December 9, 2003

Bullying Complaint Form

Date: _____ Time: _____ School: _____ Room/Location: _____

Complaint filed by _____ Verbal _____ Written _____

Student(s) Initiating Bullying:

_____ Grade: _____ Class: _____
_____ Grade: _____ Class: _____

Student(s) Affected:

_____ Grade: _____ Class: _____
_____ Grade: _____ Class: _____

Type of bullying alleged:

Verbal _____ Physical _____ Social/Relational _____

Check all spaces below that apply. Adult stated or identified inappropriate behavior as:

- | | |
|--|--|
| <input type="checkbox"/> Name calling | <input type="checkbox"/> Insulting remarks |
| <input type="checkbox"/> Arranging public humiliation | <input type="checkbox"/> Extortion |
| <input type="checkbox"/> Inappropriate gesturing | <input type="checkbox"/> Stealing |
| <input type="checkbox"/> Leering/aggressive stares | <input type="checkbox"/> Damaging property |
| <input type="checkbox"/> Writing/graffiti/e-mail/phone calls | <input type="checkbox"/> Shoving/pushing/spitting/tripping |
| <input type="checkbox"/> Threatening | <input type="checkbox"/> Hitting/kicking/biting/choking |
| <input type="checkbox"/> Taunting/ridiculing | <input type="checkbox"/> Flashing a weapon |
| <input type="checkbox"/> Isolating/shunning | <input type="checkbox"/> Rumors/gossip |
| <input type="checkbox"/> Other | <input type="checkbox"/> Racist/homophobic/religious slurs |

Describe the incident (add additional pages if necessary):

Witnesses present:

Physical evidence: Graffiti _____ Notes _____ Email _____ Web sites _____
Video/audio tape _____ Other _____

Staff signature _____

Parent(s) contacted: Date _____ Time: _____

Administrative response taken (additional pages may be added):

Description of follow-up action: _____ Date _____

Signature of Administrator _____ Date _____

Bullying Incident Report Form

Dear Parent,

The information below is provided for your information. If at all possible, I have talked with you on the phone before it was mailed. If you have any questions or wish to discuss the issue further, please call _____.

(Phone number)

Thank you,

Student's Name _____

Teacher: _____ Date: _____

- Parent Contacts: Phone Call (Date/Time _____)
- Form mailed home (Date _____)
- Early intervention, contact not necessary (Bullying issues only)

Your child was allegedly involved in:

- Using inappropriate language
- Physically hurtful behavior
- Bullying, teasing, or harassment toward another student(s)
- Disrespectful language or behavior toward adults
- Other: _____

Other Comments: