

HILTON CENTRAL SCHOOL DISTRICT CODE OF CONDUCT 2016-17

PLAN LANGUAGE SUMMARY

The Safe School Against Violence in Education [SAVE) and Section 100.211) of the Regulations of the Commissioner of Education require that each school district adopt a written policy on school conduct and discipline "designed to promote responsible student behavior". Each year a public hearing is held annually after which the Hilton Board of Education re-authorizes a K-12 Code of Conduct. A copy of the complete Code of Conduct document is available on the Hilton District Web Site <http://www.hilton.k12.ny.us> and at every school's main office. The Code of Conduct applies to all students, school personnel, parents and other visitors when on school property or attending any school function.

Roman numeral designations found in this summary correspond to the specific areas of information within the complete Code.

I STATEMENT PHILOSOPHY

The Board of Education [BOE] is committed to providing a safe and orderly school environment where students may receive and District personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other District personnel, parents, and other visitors is essential to achieving this goal. The Board of Education (BOE) recognizes the need to clearly define these expectations for acceptable conduct on school property, outline possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly.

II DEFINITIONS

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

Bullying

Bullying means intentional, repeated acts of verbal, physical or written aggression by a peer (or group of peers) operating from a position of strength or power with the goal of hurting the victim physically or damaging status and/or social reputation. (See harassment/bullying below).

Disruptive Student

"Disruptive Student" means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. This behavior may include students who:

- Continuously interfere with the educational process.
- Continuously interfere with the educator's authority over the school environment.
- Demonstrates a persistent unwillingness to comply with reasonable instructions.

Harassment bullying: the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying as defined in Education Law § 11 (8), that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. (Education Law §11[7])

Cyberbullying: Harassment/bullying, through any form of electronic communication.

Hazing: Hazing activities are demeaning, abusive and/or illegal behaviors that harm victims, and are inconsistent with the educational goals of the District by negatively impacting the school environment.

Weapon

A firearm as defined in 18USC s/s921 for purposes of the Gun Free School Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument or substance that can cause physical injury or death when used as a weapon.

III RIGHTS & RESPONSIBILITIES

The Board is committed to safeguarding rights given to all students under state and federal law. In addition to those rights, all students have the right to:

1. A safe, healthy, orderly, and civil school atmosphere;
2. Take part in all District activities on an equal basis regardless of age, race, religion, color, national origin, sex, sexual orientation or disability;
3. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty as in connection with the imposition of the penalty,
4. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

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 rules, policies, and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused, and be in class, on time, prepared to learn.
4. Work to the best of their ability in all academic and extra-curricular activities and strive toward their highest level of achievement possible.
5. Comply with directions(s) given by school personnel in a respectful and positive manner.
6. Where appropriate, work to develop mechanisms to control anger and aggression.
7. Seek help in solving problems before it leads to conflict or discipline.
8. Report information regarding issues of safety.
9. Dress appropriately for school and at school functions.
10. Conduct themselves as representatives of the District when participating in or attending school sponsored events, and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

IV ESSENTIAL PARTNERS

Essential partners are stakeholders who have a collaborative responsibility for school safety and compliance with the Code of Conduct. They include students, parents, staff, building administrators, superintendent and the Board of Education.

The Board of Education recognizes its obligation to adopt a code of ethics setting forth the standards required of all Board members, district officers and employees under the provisions of the General

Municipal Law. Therefore, every Board member, officer and employee of the district, whether paid or unpaid, shall adhere to this code of ethics.

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 as outlined in the Code of Conduct.

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.

VI PROHIBITED STUDENT CONDUCT

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. Therefore, before seeking outside assistance, teachers will first use all their resources to create a change of behavior in the classroom except in instances of serious student misbehavior. When the teacher has made every effort to bring about positive behavioral change, and has been unsuccessful, the student will be referred to the administration. At that point, the administration will decide what further action will be taken. Students who break the law, use or possess illegal drugs, use vulgar language, or exhibit inappropriate behavior will be held accountable not only to the District disciplinary code but may also be referred to the appropriate law enforcement agencies.

VII VIOLATIONS OF THE CRIMINAL CODE

Any student observing a student possessing a weapon, alcohol, or illegal substance or committing a crime on school property or at a school function shall report this information immediately to a teacher or administrator who initiates the process to notify parents and begin disciplinary proceedings.

Violations that constitute a crime may result in contact with appropriate law enforcement.

VIII DISCIPLINARY INTERVENTION: PROCEDURES, PENALTIES, 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 is viewed 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.

Procedures

- 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:
 - The student's age.
 - The nature of the offense and the circumstances that led to the offense.
 - The student's prior disciplinary record.
 - The effectiveness of other forms of discipline.
 - Information from parents, teachers and/or others, as appropriate.
 - Other extenuating circumstances.
- As a general rule, discipline will be progressive. This means that a student's first violation may merit a lighter penalty than subsequent violations. Individual behavior management plans or the severity of an incident may preclude a gradual process.

Penalties

- Depending upon the nature of the violation, it is the Board's desire that student discipline be progressive: i.e. a student's first violation may merit a lighter penalty than subsequent violations. It is also the Board's desire that an employee or agent take into account all other relevant factors in determining an appropriate penalty. The penalties may be imposed either alone or in combination.
- 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.
- Disciplinary options that may be imposed for violations of the student disciplinary code range from .but are not limited to, a warning, detention, teacher removal of disruptive pupils and short/long term suspension as outlined in the Code of Conduct. It is understood that the District has the authority to assign consequences based on age and grade-level appropriateness and/or individual circumstances.

Referrals

- The Principal or the Principal's designee shall process all referrals for students to counseling and/or social services and or human service agencies.
- The District may also file a PINS (Person in Need of Supervision) petition in family court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment.
- The District may report a crime committed by a student to appropriate authorities.

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.

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 certain procedural protections apply to students with disabilities 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.

XII 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. The district will file all complaints about the use of corporal punishment with the New York State Education Department in accordance with Commissioner's Regulations.

XIII STUDENT SEARCHES AND INTERROGATIONS

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

before questioning the student. However, school officials must tell the students why they are being questioned. In addition, the Board authorizes the superintendent, building principals/administrators, the school nurse and District security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the District Code of Conduct.

XIV VISITORS TO SCHOOLS

The Board encourages parents and other District citizens to visit the District's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning and student safety is of great importance, procedures and limits must be set for such visits, including when and where the visit will take place, verification upon entry and other necessary requirements. The building principal or his or her designee is responsible for all persons in the building and on the grounds.

XV 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 of Conduct, "public" shall mean all persons when on school property or attending a school function including students, staff, parents and community. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner as outlined in the Code of Conduct.

XVI DISSEMINATION AND REVIEW

The Board will work to ensure that all members of the school community - students, staff and parents are aware of this Code of Conduct by providing copies of a summary of the Code of Conduct at the beginning of each school year. The complete Code of Conduct document is available on the Hilton District Web Site <http://www.hilton.k12.ny.us/pdf/code-of-conductpls.pdf> and at every school's main office.

Code of Conduct approved by the Board of Education September 2001

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