

Summary of the Edwards-Knox Central School District Code of Conduct

Introduction:

The Edwards-Knox Central School District Code of Conduct is designed to meet the requirements of the Safe Schools Against Violence in Education Act (Project SAVE). Project SAVE legislation sets forth different and expanded requirements for codes of conduct in public schools. This law requires every school district and BOCES to have new codes of conduct in place by July 1 that are renewed each year. Ultimate authority for adoption of a code rests with the Board of Education, but the statute requires school boards to develop their codes in collaboration with administrator, teacher, parent, and student organizations. The Edwards-Knox Central School District Code of Conduct (hereafter referred to as the “Code”) is the result of that collaborative effort. A full copy of the Code of Conduct can be requested from either offices.

Purpose of the Code:

The Code governs the conduct of students, teachers, other school personnel, as well as visitors. The purpose of the Code is to foster a safe and orderly school environment where students may receive and district personnel may deliver quality education services without disruption or interference. The Code outlines expectations for appropriate behaviors on school property or while attending a school function and identifies consequences for inappropriate conduct for students, school personnel, parents, and visitors.

Student Rights and Responsibilities:

The district is committed to safeguarding the following fundamental rights of all students. The right to: take part in all district activities on an equal basis; be heard in cases of alleged misconduct; and have access to school rules and an explanation of those rules.

With these rights, come responsibilities for contributing to a safe and orderly environment. Students are expected to show respect to others and school property; be familiar with and abide by the district’s policies; attend school regularly; work to the best of their ability; respond in a respectful, positive manner; control their anger; dress appropriately for school and school functions; and conduct themselves appropriately when participating in or attending school-sponsored extracurricular events.

Essential Partners:

The SAVE legislation requires that codes of conduct contain provisions defining the roles of teachers, administrators, other school personnel, boards of education and parents. In our Code this section sets forth certain specific roles and responsibilities for parents, teachers, principals, the guidance counselor, school psychologist, superintendent, and the board of education in regard to their roles in creating and maintaining a safe, orderly, and effective school.

Student Dress Code:

The SAVE legislation also requires that a student dress code be adopted regarding dress while on school property, and the code may not be vague, subjective or overly broad. This section of the code provides students with guidelines about acceptable and unacceptable appearance standards. Each building principal shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year. Students who violate the dress code shall be required to modify their appearance by covering, removing, or replacing the offending item, as appropriate.

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

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments such as tube tops, net tops, plunging necklines (front and/or back), tops that expose the midriff, see-through garments, as well as short shorts and short skirts may not be appropriate for school during regular school hours. In addition, tops cannot be lower than 4" from the base of the neck in the back, no cleavage should be observed and shorts, skirts, and dresses cannot be shorter than finger tip length when a person's arms are relaxed at their sides. (Exceptions to this rule could include special designated events, such as wearing a dress with spaghetti straps to the prom or to music concerts.) The principal will make decisions when questions or concerns arise regarding the appropriateness of an individual student's dress.
3. Ensure that underwear is completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed. At the elementary level sneakers are required on gym days and on the playground.
5. For students grades 7-12 hats or visors will not be permitted in offices, in the cafeteria, during assemblies, at banquets, or programs. At the elementary level hats, bandanas or any other head covering may not be worn in the building. Students are to leave such items in their lockers/cubbies upon entry.
6. Not include items that are vulgar, obscene, libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

Prohibited Student Conduct:

Students are expected to conduct themselves in an appropriate and civil manner, with proper regard to 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. Students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. Students may be subject to disciplinary action, up to and including suspension from school, when they engage in: conduct that is disorderly, insubordinate, disruptive, violent, or that endangers the safety, morals, health or welfare of others. Inappropriate behavior also includes misconduct on a school bus or any form of academic misconduct such as plagiarism, cheating, copying, or altering records.

Reporting Violations:

Everyone subject to the Code is expected to promptly report violations to proper school officials. Anyone observing an individual possessing a weapon, alcohol or an illegal substance on school property or at a school function shall immediately report this information to a school official. Any weapon, alcohol or illegal substance found in a student's possession shall be confiscated immediately, if possible. This will be followed by notification to the parent of the student involved and the initiation of appropriate action, which may include permanent suspension from school and/or referral for civil prosecution. The building principal or designee must notify the local law enforcement official(s) of those Code violations that substantially affect the order or security of the school and constitute a crime.

Disciplinary 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 student's age; the nature of the offense and the circumstances which 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; and 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. Students will receive progressively more severe consequences when school rules are disregarded more than one time.

Progressive discipline measures for K - 6th grade will include:

1. Behavior plan written by the child and teacher to be sent home to the parent.
2. Loss of classroom privileges and/or exclusion from specific activities.

3. "Time Out" within the classroom, in another classroom, or school location.
4. After school detention.
5. Special arrangement, on a case-by-case basis, may be made for children having serious behavior difficulty.
6. Suspension from school, in conjunction with supporting professional staff.

Progressive discipline measures for 7th - 12th grade will include:

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| 1. | First offense: | 1 night of detention |
| 2. | Second offense: | 2 nights of detention |
| 3. | Third offense: | 1 full day in In-School Planning Room |
| 4. | Fourth offense: | 1 day Suspension Out-of-School |
| 5. | Fifth offense: | 2 days Suspension Out-of-School |
| 6. | Sixth offense: | 3 days Suspension Out-of-School |
| 7. | Seventh offense: | 5 days Suspension Out-of-School and referral to the Superintendent for a Superintendent's Hearing to consider out of school placement, home-tutoring or other options |

The principal may use discretion in issuing these consequences upon reflection of the length of time between referrals.

Alternative Instruction:

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

Discipline of Students with Disabilities:

Students with disabilities are guaranteed certain procedural protections when they become the subjects of disciplinary action. The Code expressly recognizes and employs these protections in accordance with applicable federal and state laws and regulations.

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. A student identified, as having a disability shall not be disciplined for behavior related to his/her disability.

Corporal Punishment:

Corporal punishment of students is forbidden. Reasonable physical force may only be used to protect any person from physical injury, to protect the property of the school or others, or to restrain or remove a student who has refused to refrain from acts that interfere with the orderly exercise and performance of school district functions.

Student Searches and Interrogations:

The United States Supreme Court has held that a student may be searched by a school official if the official has “reasonable suspicion” to believe that a search of the student will result in evidence that the student violated the law or a school rule. 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 will inform all students why they are being questioned.

An authorized school official may conduct a search of a student’s belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search. An authorized school official may search a student or the student’s belongings based upon information received from a reliable informant. Lockers, desks, and other such storage spaces remain the exclusive property of the school, students have no expectation of privacy with respect to these areas.

Before searching a student or the student’s belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on school premises, or during a school-sponsored activity, or to maintain the educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property.

The School District’s administrators shall at all times act in a manner that protects and guarantees the rights of students and parents. Police authorities have no right to interview students in the school building without a warrant or probable cause for suspicion, they should take the matter up directly with the student’s parent/legal guardians. If a student is to be questioned by police, it is the responsibility of the school administration to see that the interrogation takes place privately and in the presence of the parents/legal guardians and

the building principal/designee unless the student is 16 years of age or older. The building

principal or his/her designee must be present with the student at all times during an interrogation and will be responsible for terminating the questioning in the event it becomes inappropriate.

Visitors:

Parents and other district citizens are encouraged to visit our school. Visitors are asked to schedule appointments, so sign in at the main office to receive a visitor's pass, and to abide by the same rules our students follow for public conduct on school property.

Public Conduct on School Property:

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. This requirement extends to the wearing of appropriate attire. Violators will be subject to removal and exclusion from school grounds and school-sponsored activities.

Dissemination and Implementation:

The board will work to ensure that the community is aware of this code of conduct by: providing copies of a summary of the code to all students and parents; making copies of the code available for review by students, parents and other community members; 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; and providing all new employees with a copy of the current code of conduct when they are first hired.

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.

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.