



We Inspire. We Educate. We Graduate.
All Students, All of the Time

CODE OF CONDUCT

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CODE OF CONDUCT TABLE OF CONTENTS

Parents as Partners.....	Page 4
Restorative Approaches.....	Page 4
Types of Restorative Practices.....	Page 5
Parent Notification.....	Page 5
Promoting Positive Student Behavior.....	Page 6
Prevention and Intervention.....	Page 6
Attendance.....	Page 7
What Parents Can do to Help.....	Page 7
Acknowledgement of Code of Conduct.....	Page 8
Acknowledgement of Computer Use in Instruction/Acceptable Use....	Page 9
Intervention Response: Positive Relationships.....	Page 10
Tips for Calming Conflict.....	Page 10
Suggested Practices for Establishing Positive Relationships.....	Page 10
Additional Intervention Strategies.....	Page 11
Preventative Practices/Intervention Strategies.....	Page 11
Inappropriate and Disruptive Behaviors: Levels of Response.....	Page 13
Levels of Interventions and Responses.....	Page 13
Inappropriate and Disruptive Behaviors: Level 1.....	Page 13
Inappropriate and Disruptive Behaviors: Level 2.....	Page 14
Inappropriate and Disruptive Behaviors: Level 3.....	Page 14
Inappropriate and Disruptive Behaviors: Level 4.....	Page 15
Rights and Responsibilities of the School Community.....	Page 16
Student Rights and Responsibilities.....	Page 17
Parent and Guardian Rights and Responsibilities.....	Page 18
Principal and School Staff Rights and Responsibilities.....	Page 19
District Administrator Responsibilities.....	Page 20
Board of Education Responsibilities.....	Page 21
School Volunteer Responsibilities.....	Page 22
Standards for Dress Code.....	Page 23
Standards for Portable Electronic Devices.....	Page 24
Reporting Student Violations.....	Page 25
Student Consequence Procedures.....	Page 26
A. Imposition of Consequences.....	Page 26
B. Procedures.....	Page 26
1. Detention	
2. Suspension from transportation	
3. Suspension from athletic participation, extra-curricular activities and other privileges.....	Page 27
4. Academic Sanctions	
5. In-School Suspension	
6. Teacher removal of disruptive students.....	Page 27

7. Suspension from School.....	Page 29
C. Short Term Suspension Process.....	Page 29
D. The Long-Term Suspension Process: Suspension for more than five days	
E. Hearing Procedures.....	Page 30
F. Minimum Period of Suspension.....	Page 31
G. Referrals to Outside Organizations.....	Page 32
Definitions.....	Page 33
Authority of School Personnel to Suspend or Remove students with Disabilities.....	Page 34
Procedures for the Suspension or Removal of Students with Disabilities by School Personnel.....	Page 34
Limitation on Authority of School Personnel to Suspend or Remove Students with Disabilities.....	Page 35
Parent and Guardian Notification of a Disciplinary Change of Placement.....	Page 35
Authority of an Impartial Hearing Officer to Remove a Student with Disability.....	Page 35
Manifestation Review.....	Page 36
Services for Students with Disabilities during Periods of Suspension or Removal.....	Page 36
Students Presumed to have a Disability for Discipline Purposes.....	Page 37
Expedited Due Process Hearings.....	Page 37
Referral to Law Enforcement and Judicial Authorities.....	Page 38
Corporal Punishment/Physical Restraint.....	Page 38
Student Searches and Interrogations.....	Page 38
Student Lockers, Desks and other School Storage Places.....	Page 40
Personal Searches	
Documentation of Searches	Page 41
Time, manner and results of parental notification	
Police Involvement in Searches and Interrogations of Students	
Child Protective Services Investigations.....	
Visitors to the School.....	Page 42
Enforcement for Persons Other than Students.....	Page 43
Training.....	Page 44
Annual Data Collection and Review.....	Page 44
Dissemination and Review.....	Page 44

The Kingston City School District is committed to ensuring that our schools are safe and orderly environments in which teaching and learning takes place each day.

Parents as Partners

Students, parents or anyone in parental relation to the student (“parents”) and school personnel all have a role in making school safe and must cooperate with one another to achieve this goal. School staff should keep parents informed of their child’s behavior and enlist parents as partners in addressing areas of concern. Outreach to parents can include, but is not limited to, a phone call, email, and notes sent home with students. As role models, parents and school staff should exhibit the behaviors that they would like to see students emulate. To ensure that parents become informed partners in promoting a safe and supportive school environment, parents should familiarize themselves with KCSD Board of Education Policies regarding Community Relations, including School-Family-Community Partnership (1900), Parent Teacher Organization (1910), Visitors to the School (1300), and Concerns about Curriculum (1420).

Educators are responsible for informing parents about their child’s behavior and for nurturing the skills students need to succeed in school and in society. Parents are encouraged to discuss with their child’s teacher and other school staff, issues that may affect student behavior and strategies that might be effective in working with the student. It is important that there be maximum consultation and communication between the school and the home. Guidance conferences attended by the principal or they/their designee, a school counselor, the student’s parents and guardians, and one or more of the student’s teachers are an effective means of encouraging parental input and should be held with students when appropriate. Parents who want to discuss interventions in response to student behavior should contact their child’s school principal at the elementary and middle schools, or the appropriate assistant principal at Kingston High School.

Restorative Approaches

Restorative approaches are an integral component of progressive discipline and the direction in which the Kingston City School District is committed to proceed. Restorative approaches originate from common practices that reflect our shared humanity. Used proactively, they build positive vibrant culture. In the context of justice, restorative approaches use the foundations of relationships and interconnectedness to repair harm and reestablish harmony.

A restorative approach can be used as both a prevention and intervention measure. Restorative processes can help schools build relationships and empower community members to take responsibility for the well-being of others; prevent or deal with conflict before it escalates; build resiliency; address underlying factors that lead youth to engage in inappropriate behavior; increase the skills of those who have harmed others so that the conduct does not recur; and provide wrongdoers with the opportunity to be accountable to those they have harmed and enable them to repair the harm to the extent possible.

When used as an intervention measure, taking a restorative approach to discipline changes the fundamental questions that are asked when a behavioral incident occurs. Instead of asking who is to blame and how those engaged in the misbehavior will be punished, a restorative approach asks four key questions:

- What happened?
- Who was harmed or affected by the behavior?
- What needs to be done to make things right?
- How can people behave differently in the future?

All parties are encouraged to take responsibility for their part in the occurrence that led to intervention.

TYPES OF RESTORATIVE PRACTICES

Circle Process: Circles are effective as both a prevention and intervention strategy. Circles may be used as a regular practice in which a group of students (or faculty, or students and faculty) participates. A circle can also be used in response to a particular issue that affects the school. The circle process enables a group to build relationships and establish understanding and trust, create a sense of community, learn how to make decisions together, develop agreements for the mutual good and resolve difficult issues.

Collaborative Negotiation: Using the collaborative negotiation process enables an individual to talk through an issue or conflict directly with the person with whom they/their disagrees to arrive at a mutually satisfactory resolution. Training in collaborative negotiation includes learning active listening and other conflict resolution communication skills.

Peer Mediation: An impartial, third party mediator (a student who has been trained to serve as a peer mediator) facilitates the negotiation process between conflicting parties so they can come to a mutually satisfactory resolution. Mediation recognizes that there is validity to conflicting points of view that disputants bring to the table and helps disputants work out a solution that meets both sets of needs. Disputants must choose to use mediation and must come to the process willingly. *Mediation is not used where one individual has been victimized (for example, in cases of harassment or bullying) by another.*

Formal Restorative Conference: A conference is facilitated by an individual who has received specific training in bringing together individuals who have acknowledged causing harm with those who have been harmed. Regardless of the circumstances, the emotional health, physical health, safety, and welfare of the individual who was harmed is of paramount importance when considering this option in a school setting. Both sides may bring supporters to the conference that have also been affected by the incident. The purpose of the conference is for the harm doer and the harmed to understand each other's perspectives and come to a mutual agreement that will repair the harm as much as it can be repaired.

Parent Notification

School officials are responsible for sharing the information in this document with students, parents and guardians and staff.

The District will make every effort to provide this information through multimedia methods including:

- A video on the District website
- District Social Media Accounts
- Newsletter
- Email
- Text Message

In the event a student engages in inappropriate behavior, the principal or principal's designee must report the behavior to the student's parents and guardians. When a student is believed to have committed an act of violence that constitutes a felony or misdemeanor the appropriate local law enforcement agency will be contacted. When a student is believed to have committed a violation(s) of the Code of Conduct which constitute a felony, the KCSD may contact the appropriate local law enforcement agency, as appropriate. When necessary, the District will file a criminal complaint against the individual.

The Kingston City School District Code of Conduct was developed to ensure that students – and all members of the Kingston City School District community – learn and engage in appropriate behavior that supports student success in life and in society. The Code of Conduct is for the entire school district and all of its individual school communities. It lays out the Kingston City School District' expectations for students, parents and guardians and school based staff, and it lists and describes the inappropriate and disruptive behaviors that are unacceptable in

school settings. Because the Kingston City School District is committed to correcting inappropriate behaviors within its school settings so that students may remain in school and learn, the Standards include prevention and intervention strategies to be used, as appropriate, with any discipline response.

Student engagement is integral to creating a positive school culture and climate that fosters students' social and emotional learning (SEL) and academic achievement. Providing students with multiple opportunities to participate in a wide range of positive social activities and, at the same time, bond with caring, supportive adults can help prevent negative behaviors.

Social and Emotional Learning (SEL) The process through which children and adults acquire and effectively apply the knowledge, attitudes and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships and make responsible decisions (defined by *Collaborative for Academic, Social and Emotional Learning (CASEL)*).

Examples can include: providing students with meaningful opportunities to share ideas and concerns and participate in school-wide initiatives; student leadership development; periodic recognition of students' achievement in a range of academic and co-curricular areas; using corrective feedback; and developing school-wide positive behavior systems. Such opportunities, coupled with a comprehensive guidance program of prevention and intervention, provide students with the experience, strategies, skills, and support they need to thrive.

Promoting Positive Student Behavior

Each school is expected to promote a positive school climate and culture that provides students with a supportive environment in which to grow both academically and socially. Schools are expected to take a proactive role in nurturing students' positive social behavior by providing them with a range of positive behavioral supports as well as meaningful opportunities for social emotional learning. Effective social emotional learning helps students develop fundamental skills for life effectiveness, including: recognizing and managing emotions; developing caring and concern for others; establishing positive relationships; making responsible decisions; and handling challenging situations constructively and ethically. Such skills help prevent negative behaviors and the disciplinary consequences that result when students do not live up to behavioral standards.

Prevention and Intervention

School personnel are responsible for developing and using strategies that promote optimal learning and positive behavior throughout a student's school experience. They are also responsible for addressing behaviors which disrupt learning. Administrators, teachers, school counselors, social workers, psychologists and other school staff are expected to engage students, including students with disabilities, in intervention and prevention strategies that address a student's behavioral issues and discuss these strategies with the student and they/their parent. Intervention and prevention approaches may include guidance support and services to address personal and family circumstances; social and emotional learning (SEL), such as conflict resolution/peer mediation/negotiation, anger management, and/or communication skills acquisition; implementation of Response to Intervention (RtI) behavior strategies, the use of alternative instructional materials and/or methods; enrichment services; alternate class placement; and/or development or review of functional behavior assessments and behavior intervention plans which should be developed and/or reviewed as an early intervention strategy. If, at any time, school officials suspect that a student's difficulties may be the result of a disability which may require special education services, the student should be referred immediately to the Committee on Special Education. Through the use of intervention and prevention strategies that engage students and give them a clear sense of purpose, school staff facilitate students' academic and social-emotional growth and assist them in following school rules and policies.

Attendance

Attendance at school is vital to a student's academic progress and success. School personnel will ensure that appropriate outreach, intervention and support are provided for students who exhibit attendance problems that may manifest themselves as truancy or patterns of unexcused absence or educational neglect.

In cases of truancy, school personnel must meet with the student and parents and guardians in order to determine needed supports and an appropriate course of action which may include, but is not limited to: an intervention, referral for counseling, and/or referral to after-school programs.

The school's administration should review the data of chronic absenteeism and/or truancy and should involve teachers, school counselors, social workers and other school staff in facilitating a resolution. Cases of suspected educational neglect must be called into the New York State Central Register in compliance with law.

School refusal describes when a student refuses to go to school on a regular basis or has problems staying in school due to mental health issues.

Symptoms

Children with school refusal may complain of physical symptoms shortly before it is time to leave for school or repeatedly ask to visit the school nurse during the day. If the student is allowed to stay or return home, the symptoms quickly disappear, only to reappear the next morning. In some cases, the student may refuse to leave the house.

Reasons

Starting a new school, moving, and other stressful life events may trigger the onset of school refusal. Other reasons include the student's fear that something will happen to a parent while she is in school, fear that she won't do well in school, or fear of another student.

Often a symptom of a deeper problem, anxiety-based school refusal commonly takes place at times of transition, such as entering middle and high school.

Students who suffer from school refusal can often have average or above-average intelligence. But they may develop serious educational or social problems if their fears and anxiety keep them away from school and friends for an extended period of time.

What Parents Can Do to Help – Tips to help you and your child develop coping strategies:

- Obtain a comprehensive evaluation from a mental health professional. Referrals are available from KCSD health offices for convenience, but the KCSD does not endorse any of the individuals or organizations provided as referrals. The evaluation will reveal the reasons behind the school refusal and can help determine what kind of treatment will be best.
- Keep your student in school. Missing school reinforces anxiety rather than alleviating it.
- Expose children to school in small degrees, increasing exposure slowly over time. Eventually this will help them realize there is nothing to fear and that nothing bad will happen.
- Talk with your child about feelings and fears, which can help reduce them.
- Emphasize the positive aspects of going to school: being with friends, learning a favorite subject, or participating in an extra-curricular sport or activity.
- Arrange a meeting with your child's teacher away from the classroom.
- Meet with the school guidance counselor for extra support and direction.
- Help your child establish a support system. A variety of people should be in your child's life—other children as well as family members or teachers who are willing to talk with your child should the occasion arise.
- If your child has an anxiety disorder, learn about treatment options.

- You may make a referral to the CSE or for a Section 504 Meeting.

ACKNOWLEDGEMENT OF CODE OF CONDUCT

DISSEMINATION OF CODE OF CONDUCT

Pursuant to Education Law §2801(4) and 8 NYCRR §100.2(I)(2)(iii)(b), the District will ensure that the community is aware of this Code of Conduct (Standards for Community-wide Conduct and Intervention Supports) by:

- 1) Providing a public hearing prior to Board adoption or amendment of the Code of Conduct
- 2) Providing copies of a summary of the Code to all students, in an age-appropriate, plain language version, at a general school assembly held at the beginning of the school year
- 3) Making copies of the Code available to all parents at the beginning of the school year
- 4) Providing a summary of the Code of Conduct written in plain language to all parents of District students before the beginning of the school year and making this summary available later upon request
- 5) Providing all current teachers and other staff members with access to the Code and any amendments to the Code as soon as practicable after adoption
- 6) Providing all new employees with a copy of the current Code of Conduct when they are first hired
- 7) Making copies of the Code available for review by students, parents and other community members and provide opportunities to review and discuss this Code with the appropriate personnel

Note: The District will make every effort to provide written, audio and video versions of the plain language summary in multiple languages.

ACKNOWLEDGEMENT OF CODE OF CONDUCT

ACKNOWLEDGEMENT OF RECEIPT: STANDARDS FOR COMMUNITY-WIDE CONDUCT AND INTERVENTION SUPPORTS

Please sign one form for each Kingston City School District student in your household and return it to your student's school.

(Note: Failure to sign and return this form to the school does not relieve the student from the responsibility of conforming to the Kingston City School Code of Conduct)

I have received a copy of Kingston City School District Code of Conduct

Student's Name (please print)

Student's School (please print)

Name of Parent or Guardian (please print)

Signature of Parent or Guardian

ACKNOWLEDGEMENT OF COMPUTER USE IN INSTRUCTION/ACCEPTABLE USE POLICY

(Note: Failure to sign and return this form does not relieve the student from the responsibility of conforming to this policy.)

As a student user of the Kingston City School District communication system, I agree that the technology components that are part of the communications system are the property of the Kingston City School District. I furthermore agree not to access or to retrieve any electronic communication from these resources other than those that I have been granted prior authorization to access or to retrieve.

As a student user of the communications systems, I agree to comply fully with the Kingston City School District Computer Use in Instruction/Acceptable Use Policy (4526) and administrative regulation

I am aware that the District may authorize appropriate use of a cell phone in class, when it is used for educational purposes only and only when authorization is given by the classroom teacher.

I am aware that the Kingston City School District reserves the right to review, audit, intercept, access and disclose all matters of the Kingston City School District electronic communications systems at any time, with or without notice to its users, and that such rights may be exercised during or after normal working hours and even if the electronic communications appear to have been deleted from the systems. I acknowledge that I have no expectations as to privacy or confidentiality of any electronic communication in the Kingston City School District communications systems.

I understand that if I fail to comply with the policy or administrative regulation and I am discovered to be in violation of the rules dictated in either, I may be subject to disciplinary action and/or applicable legal consequence as prescribed.

Signature of Student User

Date

As the parent or legal guardian of the student user who had signed this acknowledgement, I (check appropriate box) Grant Deny permission for the student user to access Kingston City School District's communications systems in accordance with applicable policy and regulation. I understand that individuals and families may be held liable for violation and that some materials on the Internet may be objectionable, but I accept responsibility to assist in setting and conveying standards for the student user to follow when using Kingston City School District's communications systems.

Signature of Parent or Guardian

Date

INTERVENTION RESPONSE: POSITIVE RELATIONSHIPS

Research shows that positive relationships help children learn. When our communities, schools, and homes are free from fear, anger, and other distractions, human development can occur in the best possible setting. We know that students are more likely to succeed when they feel connected to others in their community, and are less likely to act out in ways that cause disruption to the school environment. (*For more on this topic, see Bonnie Bernard's Fostering Resiliency in Kids or Robert Blum's "A Case for School Connectedness," Educational Leadership, April 2005*)

Tips for Calming Conflict

Show students that you understand. Listen well, with sincere concern, to create positive relationships among students and adults. Trust then becomes the foundation for academic success and conflict resolution.

Ask open-ended questions. Say, for example, "What was that like for you?" or "Tell me more about that." This gets more than a "Yes" or "No" response, and helps students to tell their story.

Use reflective listening when intervening in a conflict. Get the attention of an angry person by reflecting back the feelings you hear in a nonjudgmental way. Let students tell their story – say just enough to help them do it.

Help students to problem-solve disputes. Use open-ended questions and reflective listening to help students think about what happened. Trust that, with guidance, students will identify a solution that works for them.

Skills and Strategies for Building Positive Relationships

- Communicating understanding
- Structuring tasks for student success
- Reinforcing student behavior in a positive manner
- Setting rules, limits, and consequences
- Creating a safe and trusting environment
- Remaining neutral
- Using nonjudgmental language
- Responding only when a response is necessary
- Staying calm in tense situations
- Listening and repeating what students say (reflective listening)
- Identifying and labeling feelings, values and topics to be resolved (strategic listening)
- Asking open-ended questions
- Assisting people in using a positive problem-solving process

Suggested Practices for Establishing Positive Relationships

Morning Meetings: Classroom meetings in which the teacher and all students come together are usually for one of two purposes: to build community at a relatively peaceful time or to resolve a conflict. At the morning meeting, students sit in a circle and do activities together that help build caring within the group and between individuals. The meeting provides a place students come to understand the truest meaning of "finding common ground." They come to see, tolerate and appreciate the ways of one another, including their teachers. The most basic element of caring that aids this process is the genuine willingness to listen attentively.

Student Government: The goal of the Student Government at Kingston High School is to involve students in decision making, the problem solving of student body issues, and to engage students in activities that promote student connectedness and belonging to the school experience. Student Ambassadors serve as the youth voice for the student body. The students participate in team-building activities and plan and conduct activities with their peers, like Homecoming and Winter Carnival. These efforts are aimed at maintaining a positive school climate.

Additional Intervention Strategies

To help students conduct themselves appropriately, the following strategies may be used prior to or in addition to any disciplinary response to student behavior.

Behavior Intervention Plan (BIP): An approach to correcting inappropriate or disruptive student behavior through a plan designed by school staff to offer positive behavioral interventions, strategies and supports. This plan is appropriate for students with and without disabilities. A BIP is developed based on the results of a Functional Behavior Assessment.

Community Service: Our KCS D curriculum, as well as extra-curricular clubs, enable students to participate in activities to serve and benefit the community. Examples include working in a soup kitchen, cleaning up public spaces, helping at a facility for the aged, and more.

Conference: Involves students, parents and guardians , teachers, school staff and principals in discussion about student misbehavior and potential solutions that address social, academic and personal issues related to the behavior.

Functional Behavior Assessment (FBA): Involves gathering information about students' inappropriate or disruptive behavior and determining approaches that school staff should take to correct or manage student behavior. This information is used to develop a Behavior Intervention Plan for the student.

Individual Education Program (IEP) teams: Includes groups of individuals who are responsible for identifying and evaluating students with disabilities; developing, reviewing and revising IEP's for students with disabilities, Functional Behavior Assessments and Behavior Intervention Plans, and determining the placement of students with disabilities in a least restrictive environment. (Note: Specific to students with disabilities or students suspected of having a disability)

Parent Outreach: Requires school staff to inform parents or guardians of their children's inappropriate or disruptive behavior. Outreach made in writing or by telephone is intended to make parents aware of the student's behavior, task completion and achievement, and can include a request for parents to accompany students to a meeting at school.

Peer Court: Provides an environment for students to learn about the justice system and courtroom procedures while providing alternative consequences to their peers through the principles of restorative justice.

Referral to appropriate substance abuse counseling services: Occurs for behavior related to substance abuse, or with those for whom there is reason to believe substance abuse counseling is needed. Service can be school or community based.

Referral to community-based organizations: Can involve a variety of services, including after-school programming, individual or group counseling, leadership development, conflict resolution and tutoring.

The Safe or Sorry (SOS) Peer Education Team at Kingston High School offers students peer educator training, wellness workshops, and job skills training.

PREVENTATIVE PRACTICES/INTERVENTION STRATEGIES

Referral to school-based health and mental health clinics or other social services: Provides counseling and assessment to students in need. Students are encouraged to privately share issues or concerns that lead to inappropriate or disruptive behavior or negatively affect academic success. In counseling sessions, students discuss goals and learn techniques that help them overcome personal challenges.

Progressive Consequences

Consequences are most effective with a student when they deal directly with the problem, in a way that the student views as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when warranted and to place emphasis on the students' ability to grow in self-discipline.

When choosing interventions and consequences for a student's behavior, teachers, administrators, and staff must balance the District's goals of eliminating school disruptions and maximizing student instruction time. Prior to disciplining students, the following factors will be considered:

1. Age, health, and disability or special education status of the student
2. Appropriateness of student's academic placement
3. Student's prior conduct and record of behavior
4. Student's understanding of the impact of their behavior attitude
5. Student's willingness to repair the harm caused by their behavior
6. Seriousness of the behavior offense and the degree of harm caused
7. Impact of the incident on overall school community
8. Whether the student's violation threatened the safety of any student or staff member
9. The likelihood that a lesser intervention would adequately address the violation

Where appropriate, discipline will be progressive. This means that a student's first violation will usually merit a consequence of a lesser degree than subsequent violations, taking into account all factors relevant to the severity of the current violation. However, in instances where a student's conduct is dangerous or threatens the safety of others, a more severe form of disciplinary action may be warranted, even if it is the student's first offense.

Understanding consequences as "teachable moments" is fundamental to a positive approach to discipline. Progressive consequences use incremental interventions to address inappropriate behavior with the ultimate goal of teaching pro-social behavior. Progressive consequences do not seek punishment. Instead, progressive consequences seek concurrent accountability and behavioral change.

The goal is prevention of a recurrence of negative behavior by helping students learn from their mistakes. Essential to the implementation of progressive discipline is helping students who have engaged in unacceptable behavior to:

- Understand why the behavior is unacceptable and the harm it has caused
- Understand what they could have done differently in the same situation
- Take responsibility for their action
- Be given the opportunity to learn pro-social strategies and skills to use in the future
- Understand the progression of more stringent consequences if the behavior reoccurs

Every reasonable effort should be made to correct student misbehavior through interventions and other school-based resources and the least severe disciplinary responses. Interventions are essential because inappropriate behavior may be symptomatic of more serious problems that students are experiencing. It is, therefore, important that school personnel be sensitive to issues that may influence the behavior of students and respond in a manner that is most supportive of their needs.

Appropriate disciplinary responses should emphasize prevention and effective intervention, prevent disruption to students' education, and promote the development of a positive school culture.

INAPPROPRIATE AND DISRUPTIVE BEHAVIORS: LEVELS OF RESPONSE

When students are disruptive or act inappropriately, school staff and principals respond logically, appropriately and consistently. Kingston City School District Jefferson Code of Conduct describes four levels of possible response to inappropriate and disruptive behavior. Each inappropriate or disruptive behavior is assigned to one or more of these levels of intervention and response. Principals and school staff should use only the levels suggested for each behavior.

If the inappropriate or disruptive behavior is assigned to two or more levels, then, wherever possible, the lowest level of disciplinary response should be used first. For example, if a student refuses to follow directions, school staff and principals should first use intervention strategies and then responses in Level 1.

When principals and school staff respond to student behavior, they are expected to take into account numerous factors. (See prior page for a comprehensive list.)

LEVELS OF INTERVENTIONS AND RESPONSES

INAPPROPRIATE AND DISRUPTIVE BEHAVIORS: LEVEL 1

1. Unexcused tardiness to school/class
2. Lewd, foul or offensive language or gesture
3. Wearing attire or displaying symbols that encourage illegal activity or will cause a substantial disturbance or interfere with the educational process (wearing clothing that will insult a person or group or otherwise not be proper for school) (Refer: Educational Community Standard of Dress Policy #5340)
4. Inappropriate affectionate behavior in a public place
5. Using items in a manner which will cause a substantial disturbance or interfere with the core educational mission of the District (for example: blowing a loud horn in class).
6. Disruptive behavior on school property or at a school sponsored activity
7. Causing minor damage to school property
8. Littering
9. Loitering
10. Eating or drinking in prohibited areas
11. Failure to wear the district issued identification badge
12. The use of electronic devices that causes a minor disturbance (such as, but not limited to, audio, text, photo, etc.), will likely cause a disturbance, compromise safety, or interfere with the educational process during regular school hours

Example of Classroom Interventions and Responses

These interventions aim to teach correct and alternative behavior so students can learn and demonstrate safe and respectful behavior. Teachers are encouraged to try a variety of teaching and classroom management strategies. Teachers should use these responses in a graduated fashion, when age appropriate.

- Establish relationships with students
- Parents and guardians accompany student to school
- Contact parent via telephone, e-mail or text message
- Daily progress sheet on behavior
- Verbal correction
- In-class time out
- Reminders and redirection (e.g. role play)
- Establish buddy teacher system
- Written reflection or apology
- Loss of classroom privileges
- Seat change
- Teacher or student conference

- Parent or guardian conference
- Detention

Confiscated items will be returned to parents and guardians .

INAPPROPRIATE AND DISRUPTIVE BEHAVIORS: LEVEL 2

1. Insubordinate absence from class/school, provided that students will not be suspended out of school for truancy
2. Misrepresentation of a signature (forgery)
3. Being disrespectful to staff
4. Use and/or possession of tobacco, nicotine and/or paraphernalia (such as, but not limited to, e-cigarettes, vaporizers in any shape or form, other smoking or delivery devices) lighters, matches and incendiary devices on school premises or during school-sponsored activities (Public Health Law & District Policy)
5. Intentional misuse or unauthorized use of school district property
6. Possession, distribution, or use of unauthorized medicines (including over-the-counter medicines)
7. Unauthorized sale or vending on school property
8. Continuing or repeating Level I offenses after prior corrective measures have been taken

Examples of Administrative Interventions and Responses

These interventions can involve the school administration and aim to correct behavior by stressing the seriousness of the behavior while keeping the student in school. Staff should use these responses in a graduated fashion.

- Restorative justice strategies
- Change in schedule or class
- Reprimand by appropriate administrator
- Parent or guardian notification
- Revision to IEP (for students with disabilities)
- Loss of privilege
- Restitution
- Assignment of work projects
- Academic Sanction (e.g. reduced grade, a grade of zero, inability to make-up the test or assignment)
- Detention of over 5 days possible
- Up to three days assignment to the in-school suspension program
- Out-of-school suspension
- Mentoring
- Conflict resolution
- Peer Court
- Potential PINS petition

INAPPROPRIATE AND DISRUPTIVE BEHAVIORS: LEVEL 3

1. Harassment and/or bullying based on someone's actual or perceived race, color, body type, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, including gender identity and gender expression, sex, political, social, socio-economic and lifestyle differences. (Policy #5320 Harrassment and Bullying Prevention and Intervention)
2. Foul or offensive language or gestures used in a confrontational manner
3. Insubordination (deliberate and/or defiant refusal to follow a reasonable rule and/or request)
4. Intentional plagiarism, inclusive of AI (using someone else's work and claiming it as your own, lack of attribution) (academic sanction only)
5. Giving, requesting or obtaining test information, cheating on tests not involving theft (academic sanction only).
6. Behavior, which interferes with the operation of a school bus
7. Confrontations involving physical contact

8. Stealing
9. Reckless or intentional conduct or unauthorized use of school district property, which causes significant damage
10. Gambling
11. Extortion (a threatening demand for goods or services)
12. Student-to-person threat, bullying and/or harassment
13. Giving false information concerning school-related offenses (lying)
14. Lewd or sexual behavior on school premises or during school-sponsored activities
15. Reckless or intentional conduct, which could cause physical injury
16. Intentional misuse of any school district computer hardware/software in any fraudulent or destructive manner, including but not limited to sending a harmful or threatening message, unauthorized entry into a file, altering software programs vandalizing hardware or software components. (Refer District Computer & Internet Use)
17. Forcing someone to commit a dangerous or demeaning act (hazing including initiations)
18. Willful actions or language that substantially disrupts the normal operations of school
19. Aiding and/or abetting in any level three offenses
20. Defacement of ID badges which alters photo, student name, student number, and/or barcode
21. Vandalism
22. The use of electronic devices and/or social media that causes a substantial disturbance and/or compromises safety (such as, but not limited to, audio, video, text, photo, etc.)
23. Willful and deliberate attempt to leave or actually leaving the KHS campus during the school day without authority.
24. Continuing or repeating Level II offenses after prior corrective measures have been taken

Examples of Suspension and Referral Responses

- Parents and guardians notification
- Referral to Committee on Special Education (CSE) team or 504 committee (students with disabilities)
- In-school suspension
- Short-term suspension (one to five days)
- Develop Functional Behavioral Assessment and Behavior Improvement Plan
- Referral to Student Support Team (SST) for potential pre-referral interventions

These interventions may involve the short-term removal of a student from the school environment because of the severity of the behavior. The duration of the short-term suspension, if issued, is to be limited as much as practicable while adequately addressing the behavior. Staff should use these responses in a graduated fashion.

Intervention Plan

- Referral to substance abuse counseling
- Referral to community organizations, including community
- Referral to the Credit Recovery Program, conferencing and community mediation
- Restorative Justice strategies, including voluntary school and community service

INAPPROPRIATE AND DISRUPTIVE BEHAVIORS: LEVEL 4

1. Bringing and/or possessing unauthorized weapons or explosives to school or a school-sponsored activity
2. Making a bomb scare/false alarm
3. Burglary
4. The willful or reckless setting of a fire
5. Distribution, sale or manufacture of controlled substances, illegal substances, synthetic substances (“designer drugs”), or the inappropriate use of prescriptions and/or over-the-counter medicines on school property or at a school-sponsored activity
6. Falsification of official school documents (any document bearing the official school seal, such as, but not limited to, transcripts, diplomas, or attendance records)

7. Conduct which causes physical, emotional, or psychological injury
8. Upon investigation by school officials, there is a serious and validated student to staff threat
9. Possession, use, or being under the influence of a controlled substance, illegal substance, synthetic substance, whether or not illegal (“designer drugs”) inappropriately used prescription and/or over-the-counter medicine, alcohol, or being in possession of drug paraphernalia on school property or at a school-sponsored event, whether on or off of school premises.
10. Aiding and/or abetting in any level four offense
11. Conduct so serious that it requires more than Level III consequences

Example of Long-Term Suspension and Referral Responses

These interventions involve the removal of a student from the school environment because of the severity of the behavior. They may involve the placement of the student in a safe environment that provides additional structure to address behavior. These interventions focus on monitoring the safety of the school community and ending self-destructive and dangerous behavior. Staff should use these responses in a graduated fashion.

- Parents and guardians notification
- Alternative education placement by the Central Administration
- Long Term Suspension
- Functional Behavioral Assessment
- Behavioral Intervention Plan
- Community conferencing
- Community mediation
- Referral to community organizations
- Referral to substance abuse counseling
- Expulsion (serious behavioral infractions)
- Referral to Committee on Special Education (CSE) team/504 team (students with disabilities)
- Restorative Justice strategies, including school and manifestation determination, community service

RIGHTS AND RESPONSIBILITIES OF THE SCHOOL COMMUNITY

Dignity for All Students

The Dignity for All Students Act (The Dignity Act) and Board Policy ensure that no student is subject to discrimination or harassment (including bullying and cyberbullying), based on a person’s actual or perceived race, color, body type, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity/gender expression, sex political, social, socio-economic and lifestyle differences by school employees, students or third parties on school property, on a school bus, at a school function, whether or not on school grounds, or that is initiated off school grounds and continued at school.

Harassment may include, among other things, the use, both on and off school property, of information technology, including, but not limited to email, instant messaging, blogs, chat rooms, pages, cell phone, gaming systems and social media websites, to deliberately harass or threaten others. This type of harassment is generally referred to as “cyber-bullying.”

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

1. Expect a school environment that is conducive to learning
2. Be treated respectfully by those in the school community
3. Take part in all District activities on an equal basis regardless of race, color, creed, national origin, religion, gender, sexual orientation, disability or other discriminatory classifications (consistent with the District’s Anti-Bullying Prevention and Intervention Policy 5320)

4. Be provided with school rules, and when necessary, receive an explanation of those rules from school personnel
5. Present their version of the relevant events to school personnel authorized to impose a disciplinary consequence, in connection with the imposition of the consequence

STUDENT RIGHTS AND RESPONSIBILITIES

Students have the right to:

1. To attend school in the district in which one's legal parent or legal guardian resides and receive a free and appropriate public education from age 5 to 21, as provided by law.
2. To expect that school will be a safe, orderly and purposeful place for all students to gain an education and to be treated fairly.
3. To be respected as an individual and treated courteously, fairly and respectfully by other students and school staff.
4. To express one's opinions verbally or in writing.
5. To dress in such a way as to express one's personality in accordance with the Educational Community Standard of Dress Policy 5340.
6. To be afforded equal and appropriate educational opportunities.
7. To take part in all school activities on an equal basis regardless of race, color, creed, body type, religion, religious practices, sex, sexual orientation, gender, including gender identity and gender expression, national origin, ethnic group, political affiliation, age, marital status, disability, social, socio-economic and lifestyle differences.
8. To have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance to students with serious personal problems.
9. To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, body type, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity and expression, sexual orientation, disability, political, social, socio-economic and lifestyle differences by employees or students on school property or at a school sponsored event, function or activity, whether on or off of school property.

Students have the responsibility to:

1. To attend school daily, regularly and on time, perform assignments, strive to do the highest quality work possible, be prepared to learn, and be granted the opportunity to receive a good education.
2. To accept responsibility for they/their actions.
3. To be aware of all rules and expectations regulating student's behavior and conduct themselves in accordance with these guidelines.
4. To respect everyone in the school community and to treat others in the manner that one would want to be treated.
5. To express opinions and ideas in a respectful manner so as not to offend, slander, or restrict the rights and privileges of others.
6. To obey school rules and regulations made by school authorities.
7. To respect school property and help keep it free from damage.
8. To recognize that teachers and administrators assume the role of a surrogate parent in matters of behavior and discipline when at school, as well as during any school-sponsored activities.

9. To dress appropriately in accordance with the dress code, so as not to endanger physical health, safety, limit participation in school activities or be unduly distracting.
10. To be aware of available educational programs in order to use and develop one's capabilities to their maximum.
11. To work to the best of one's ability in all academic and extracurricular activities, as well as being fair and supportive of others.
12. To be aware of the information and services available and to seek assistance in dealing with personal problems, when appropriate.
13. To respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. To report and encourage others, to report any incidents of intimidation, harassment or discrimination.
14. To use their own ideas, works, creations and knowledge in completing examinations, projects and reports. Students who cheat and/or plagiarize, including the use of AI, (use the ideas or words of another without full acknowledgment or attribution) will receive an academic sanction, which may include a reduced grade or a grade of zero on the examination or assignment, requiring the completion of a replacement examination or assignment or not permitting the making up of the examination or assignment).

PARENT AND GUARDIAN RIGHTS AND RESPONSIBILITIES

Parents and guardians have the right to:

1. Be actively involved in their children's education.
2. Be treated courteously, fairly and respectfully by all school staff and principals.
3. Receive information about the policies of the Kingston City School District Board of Education and procedures that relate to their children's education.
4. Receive regular reports, written or oral, from school staff regarding their children's academic progress or behavior, including but not limited to report cards, behavior progress reports and conferences.
5. Receive information and prompt notification of inappropriate or disruptive behaviors by their children and any disciplinary actions taken by principals or school staff.
6. Receive information about due process procedures for disciplinary matters concerning their children, including information on conferences and appeals.
7. Receive information from school staff about ways to improve their children's academic or behavioral progress, including but not limited to counseling, tutoring, after school programs, academic programs, and mental health services within the Kingston City School District and the community.
8. Receive information about services for students with disabilities and English language learners, when applicable.
9. Receive communication through provided translators.

Parents and guardians have the responsibility to:

1. Make sure their children attend school regularly and on time and, when children are absent, let schools know why.
2. Tell school officials about any concerns or complaints in a respectful and timely manner and to cooperate with them in jointly resolving any school-related problem.
3. Work with principals and school staff to address any academic or behavioral problems their children may experience.

4. Support Kingston City School District by being a role model for their children, talking with their children about school and expected behavior.
5. Read and become familiar with the policies of the Board of Education.
6. Give updated contact information to Kingston City School District and their children's individual school.
7. To inform school officials about changes in the home situation that may affect student conduct or performance.
8. Give their children a space to complete their homework or allow participation in after-school programs that permit the completion of homework.
9. Be respectful and courteous to staff, other person(s) in parental relation(s) and students while on school premises and at school activities.
10. To foster a feeling of pride in their child for their school.
11. Teach their children respect and dignity for themselves and other students regardless of actual or perceived race, color, body type, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity and expression, sex, political, social, socio-economic and lifestyle differences which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act.

RIGHTS AND RESPONSIBILITIES OF THE SCHOOL COMMUNITY

PRINCIPAL AND SCHOOL STAFF RIGHTS AND RESPONSIBILITIES

Principals and school staff have the right to:

1. Work in a safe and orderly environment.
2. Be treated courteously, fairly and respectfully by students, parents and guardians and school staff.
3. Communicate concerns, suggestions and complaints to Kingston City School District's central office.
4. Receive supportive professional development and training.
5. Receive the necessary resources to deliver quality instruction.
6. Modify instruction, if consistent with the policies of the Kingston City School District's Board of Education and with system regulations.

Principals and school staff have the responsibility to:

1. Attend work daily, be punctual and use well-planned, creative and engaging instructional plans every day.
2. Maintain safe and orderly schools by using prevention and intervention strategies, and by following the Kingston City School District's policies and Code of Conduct.
3. Be respectful and courteous to students and parents and guardians, serving as role models for students.
4. Be knowledgeable about the policies of the Board of Education and administrative regulations and rules, and enforce them fairly and consistently.
5. Be knowledgeable about federal and state laws and regulations about the disciplinary process for students with disabilities.
6. Communicate policies, expectations and concerns, and respond to complaints or concerns from students and parents and guardians in a timely manner and in a language they understand.
7. Make sure that students are referred to the appropriate committees, departments, offices, divisions, agencies or organizations when outside support is necessary.
8. Keep parents and guardians informed of student academic progress and behavior, create meaningful opportunities for their participation, and provide regular communication in a language they understand.

9. Provide make-up work for students with lawful absences, including those students who are absent for disciplinary reasons.
10. Participate in required professional development opportunities.
11. Maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, body type, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity and expression, sex, political, social, socio-economic and lifestyle differences with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
12. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
13. Address personal biases that may prevent equal treatment of all students and staff in the school or classroom setting.
14. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the attention of the teacher, school counselor, student support services personnel, or other staff, to the building administrator and/or Dignity Act Coordinator (DAC), in a timely manner.
15. Principals: Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC). Names and contact information for the DACs in each school building can be found on the district website www.kingstonschools.org and posted in each school building.
16. Maintain confidentiality in accordance with State and Federal laws.
17. Comply with state laws and regulations regarding corporal punishment, mandated reporting of suspected child abuse in the domestic setting and in the educational setting.

DISTRICT ADMINISTRATOR RESPONSIBILITIES

Kingston City School District Administrators have the responsibility to:

1. Create and implement policies and procedures that encourage safe and orderly schools for all students, school staff and principals.
2. Protect the legal rights of school staff, principals, students and parents and guardians.
3. Be courteous, respectful and fair with students, parents and guardians, school staff and principals.
4. Provide a broad-based and varied curriculum to meet individual school needs.
5. Inform the community, students, parents and guardians, school staff and principals about policies of the Board of Education.
6. Ensure the protection of legal rights of students with disabilities.
7. Provide staff who are trained to meet the needs of students.
8. Provide support and professional development training to principals and school staff to help them support students.
9. Support principal and school staff in the fulfillment of their disciplinary responsibilities.
10. Contact and involve parents and guardians on disciplinary issues.
11. Maintain confidentiality in accordance with State and Federal laws.
12. Address personal biases that may prevent equal treatment of all students and staff in the school or classroom setting.
13. Comply with state laws and regulations regarding corporal punishment, mandated reporting of suspected child abuse in the domestic setting and in the educational setting.

Kingston City School District Superintendent also has the responsibility to:

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

BOARD OF EDUCATION RESPONSIBILITIES

The Board of Education has the responsibility to:

1. Collaborate with students, teachers, administrator and parent organizations, school safety personnel, other school personnel and the community to develop a Code of Conduct that clearly defines expectations for the conduct of students, District personnel and other persons on school property and at school functions.
2. Adopt and annually review the District's Code of Conduct to evaluate the Code's effectiveness and the fairness and consistency of its implementation. Update the Code of Conduct as necessary.
3. Appoint a Dignity Act Coordinator in each school building and a Districtwide Dignity Act Coordinator(s). The Dignity Act Coordinators will be thoroughly trained to handle human relations in the areas of race, color, body type, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, sex, political, social, socio-economic and lifestyle differences. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.
4. Lead by example by conducting Board meetings in a professional, respectful, courteous manner. It is further expected that, the Board of Education will take appropriate measures where violations of the Code of Conduct occurs.
5. Maintain confidentiality in accordance with State and Federal laws.
6. Address personal biases that may prevent equal treatment of all students and staff in the school or classroom setting.
7. Comply with law and regulations regarding mandated reporting of suspected child abuse in an educational setting.

SCHOOL VOLUNTEER RESPONSIBILITIES

The Board of Education recognizes that the use of volunteers strengthens school/community relations through positive participation, builds an understanding of school programs among interested citizens, and can assist District employees in providing more individualized and enriched opportunities in instruction. The Board encourages volunteers from all backgrounds and age groups who are willing to share their time, training, experience or personal characteristics to benefit the students of the District. Volunteers may be involved in many facets of school operation from mentor/tutor relationships to clerical tasks. Volunteers will not be used to provide transportation services.

School personnel who are responsible for tasks or projects that involve the use of volunteers will identify appropriate tasks, time schedules, and space for such volunteer activities, as well as make provisions for adequate supervision and evaluation.

Persons who wish to volunteer must contact the supervising administrator. All volunteers must sign the school's volunteer agreement and expectations form, while only Tier 2 and Tier 3 volunteers [see below] must also complete a volunteer application. The volunteer application form will require the volunteer applicant to disclose any criminal convictions and identify two non-family member personal references. The supervising administrator will be responsible for verifying that the individual is of good moral character, and for ensuring both references are contacted before the volunteer begins rendering volunteer services. The supervising administrator will identify the volunteer activity as Tier 2 or Tier 3 on the volunteer application form.

- Tier 1-Someone who volunteers occasionally and in a highly public setting with little or no contact with students and who are under constant supervision by KCS D personnel will not be required to complete a volunteer application, although they will need to sign the school's volunteer agreement and expectations form. A volunteer fitting this example might be someone working at a school field day or fundraising event or someone working in the concession stand or making an occasional classroom visit.
- Tier 2-Regular volunteers during the typical school day/academic setting with student contact under constant supervision of KCS D personnel must complete a volunteer application and agreement acknowledging district expectations for volunteers. A volunteer fitting this example might include a room parent, class readers, front office volunteers and single day field trip chaperones.
- Tier 3- Regular volunteers outside the typical school/academic setting with student contact under the direct supervision of KCS D personnel must complete a volunteer application and agreement acknowledging district expectations for volunteers and have a background check performed. A volunteer fitting this example might include assisting with extra, co-curricular clubs/activities and athletics that meet regularly.

Copies of all volunteer applications must be sent to the personnel office. Tier 2 and Tier 3 volunteers must be approved by the Board of Education. However, the Superintendent, or they/their designee, may grant emergency approval for volunteers, pending future board approval. Tier 3 volunteers must have a background check done. All background checks will be done at district expense.

The District will retain a complete record of all information obtained through the application process for the same period of time it retains information regarding District employees.

All volunteers are required to act in accordance with the volunteer agreement and expectations, District policies, regulations and school rules. Any staff member who supervises volunteers will report any volunteer who violates District policies, regulations or school rules to the supervising administrator, who may ask the volunteer to leave school grounds.

Each supervising administrator will be responsible for maintaining a current and complete list of all active volunteers and their assignments and will forward same to the Personnel office.

This policy is not intended to apply to student volunteers.

EDUCATIONAL COMMUNITY STANDARD OF DRESS (POLICY #5340)

The Kingston City School District recognizes that decisions regarding dress and grooming require a careful balance of the right of self-expression against the District's obligations to ensure an appropriate educational environment for the provision of the health, safety, and welfare of the school community. It is within the responsibility of the Board of Education to set a standard of dress appropriate for our educational community. In order to be certain that these provisions are reflective of the community standards, they have been developed collaboratively with teachers, administrators, students, and parents.

This Standard of Dress is to be followed in school and on school grounds during regular school hours and at school functions, whether or not on school premises. The principal or they/their designee may waive application of parts of the Dress Standard for special events.

Members of the educational community are expected to be clean and well-groomed in their appearance. They represent our District and community, but more importantly, each represents himself or herself as an individual. Teachers, District personnel, and parents should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

The following are deemed to be inappropriate, either because they interfere with the health and safety of our students and staff, or because they are not appropriate to the educational setting, or are disruptive to the educational process:

- Any dress or appearance which is vulgar, obscene, libelous, or advocates discrimination or denigrates others on the basis of race, color, body type, religion, creed, national origin, sex, gender/gender identity and expression, sexual orientation, disability, political, social, socio-economic and lifestyle differences.
- Any dress or appearance which advocates or encourages illegal activities, violent crimes, or gang related activity and/or colors.
- Any dress with messages that encourage or advocate sexual activity, the use of controlled substances, illegal drugs, alcohol and/or tobacco.
- Headwear: Caps, doo-rags, bandanas, sports caps, stocking caps, visors, hoods of hooded sweatshirts – This does not include hair adornment of a utilitarian nature (barrettes, hair bands, scrunchies), or headwear worn for religious or medical reasons.
- Jewelry: jewelry which can injure the student or others.
- Sunglasses
- Shirts (including blouses and tops): shirts, blouses, and tops which extend below the fingertips either at the sleeve or in overall length; shoulder straps must be the wearer's second and third fingers or more in width; exposure of bare midriffs, backs, or cleavage (front and back), e.g., halter tops, strapless tops.
- Skirts/Shorts/Pants: Skirts, shorts, and pants with inappropriate messages/sayings on the rear of the clothing. Skirts, shorts, and skirt slits shorter than one inch beyond the wearer's fingertips;
- Outerwear: Any form or article of clothing designed primarily for outdoor use while attending class or before/after school indoor activities (e.g., parkas, rain or trench coats, vests, jackets, gloves, mittens).
- Sleepwear/Undergarments: Visible undergarments; Sleepwear, including bedroom slippers, and any dress similar in nature to sleepwear.
- Clothing that reveals or exposes to sight the private parts of the body (e.g., extremely plunging necklines or waist lines)
- Bathing Suits

In Addition to the above the following apply:

- Footwear: Footwear must be worn at all times to ensure personal safety and the safety of others. (Flip-flops are permitted).
- Protective Clothing: Students must be dressed in appropriate clothing and protective equipment as required for physical education classes, participation in athletics, science laboratories, home and career skills classes, and recess/playground activities.

Students who violate the dress code will be required to modify their appearance by covering or removing the offending item, and if necessary and/or practical, replacing it with an acceptable item. Any student who refuses to do so may be subject to discipline in accordance with the Code of Conduct.

Dress code violations warrant either a Level 1 or Level 2 response; students should not be suspended or otherwise removed from their educational program because of a dress code violation.

Any student who refuses to comply will be subject to discipline, up to and including school suspension. Any student who repeatedly fails to comply will be subject to further discipline, up to and including out of school suspension.

STANDARDS FOR PORTABLE ELECTRONIC DEVICES

ELECTRONIC DEVICES

The possession and use of electronic devices (E-Devices) is a privilege, not a right on the KHS campus. The school may revoke the privilege of possessing and using E-Devices at any time at its sole discretion. E-Devices include devices used to communicate, receive, send, store, record or listen to voice, text digital, audio, video, photo, electronic or internet/cyberspace data, images and/or information which will include, but not limited to, cellular phones, iPods, personal digital assistants (PDAs), MP3 players, cameras, video cameras, GPS, iPads/tablets, etc. The school is not responsible for lost or stolen E-Devices or any damage to the E-Device, its programs or its contents.

- E-Devices may be carried by students during the school day, but must be carried in an off or silent mode.
- E-Devices will not be used to connect to district electronic equipment or district electronic networks at any time.
- E-Devices may be used as followed:
 1. Grade 9 students may not use electronic devices in the Scholars' Academy. Students in Grades 10-12 may use only 1 visible earbud in the hallways during passing times and before 7:50 am or after 3:00 pm, but doing so will be in violation of this policy if it results in a disruption to the educational environment or any school activity or impairs the morale or good conduct of other students.
 2. E-Devices may be used, viewed or listened to (with 1 earbud) by all students during the students' assigned lunch periods, but doing so will be in violation of this policy if it results in a disruption to the educational environment or any school activity or impairs the morale or good conduct of other students.
 3. Students may not make phone calls; take photographs, record video and/or audio of any kind during passing times in the hallways.
 4. Teachers may use their discretion on what is allowable in their classroom, as it relates to the educational outcomes of their specific curricular needs. Videotaping and photography using E-Devices must be approved by department administrators.
 5. No camera or video-capable E-Device may be used in the locker rooms or restrooms at any time
 6. Students who use their E-Devices in violation of the school Jefferson Code (cheating, bullying, disruptive, harassment, confrontation, etc.) will be held to the appropriate level of consequences as identified in the code.
 7. Students violating the E-Device policy may subject their electronic device to the possibility of confiscation and search by administration in accordance with the law. Confiscated E- devices may either be returned to the student or a parents and guardians dependent on the severity of the violation.
 8. The school district is not responsible for lost or stolen electronic devices, or for any communication bill associated with the authorized or unauthorized use of said devices.
 9. 5. Police, Law/Enforcement Officials of a Government Agency, School Safety/Security and School Administrative Staff have authorization to possess and operate communication equipment for the conduct of appropriate business

Note: The District may authorize appropriate use of a cell phone in class, when it is used for educational purposes ONLY.

REPORTING STUDENT VIOLATIONS

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

All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, 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 must report this information immediately to a teacher, the building principal, the principal's designee or the Superintendent.

Any weapon, alcohol or illegal substance found will be confiscated immediately, if possible, followed by notification to the parent of the student involved, and the appropriate disciplinary sanction, which may include permanent suspension and referral for prosecution.

The building principal or his or her designee should only notify law enforcement when there is a violation of the Code of Conduct that requires referral to the police.

The building principal or his or her designee must notify appropriate law enforcement of those violations which constitute or may constitute a crime, and which, in his or her judgment, substantially affect the order or security of a school, its students and/or its staff, as soon as practicable. The notification may be made by telephone or direct report, and may be followed by a letter. The notification must identify the student and explain the conduct which violated the Code of Conduct and which constitutes or may constitute a crime.

Extreme Risk Protection Orders ("The Red Flag Law")

When district staff members or any other person have reason to believe, either personally or through information received by others, that a currently-enrolled or recently-enrolled (within the last six months) student (hereinafter "student") is likely to engage in conduct that would result in serious physical harm to him/herself or others, they are encouraged to report their concerns to the Building Principal or they/their designee. This is in keeping with employees' general responsibility for student safety, as well as their own interests for maintaining a safe working and learning environment.

When a Building Principal receives concerns from persons, or has they/their own concerns about a student, they/their must immediately notify the Superintendent of Schools. The Superintendent will contact the school attorney, and both will assist the Building Principal in determining the appropriateness of petitioning the court for an extreme risk protection order.

When determining whether it is appropriate to petition the court for an extreme risk protection order, the district will consider, among other things, the following factors as they relate to the student, making the determination based upon the totality of the circumstances:

:

1. Threats or acts of violence or physical force made against him/herself or another person;

2. Violating or allegedly violating orders of protection (i.e., restraining orders);
3. Pending criminal convictions or charges involving weapons;
4. Recklessly using, displaying, or brandishing a firearm, rifle or shotgun;
5. Violating previous extreme risk protection orders;
6. Evidence of recent or current drug or alcohol abuse in addition to other referenced indicators; and
7. Evidence that the student has recently acquired a firearm, rifle, shotgun, other deadly weapon (including but not limited to knives, clubs, and metal knuckles), dangerous instrument (including items capable of causing death or serious physical injury, when used for that purpose), or ammunition.

The Superintendent or they/their designee is directed to take appropriate steps to notify district staff of the provisions of this law. This includes ensuring that employees are trained annually and knowledgeable about when and how to properly utilize the law to best protect the school from violence. Staff will be notified of who is designated to file extreme risk protection orders in the building or district.

STUDENT CONSEQUENCE PROCEDURES

A. Imposition of Consequences

Students who are found to have violated the District’s Code of Conduct may be subject to the following consequences, either alone or in combination. The school personnel identified after each consequence are authorized to impose that consequence, consistent with the student’s right to due process. The person selecting the consequence will give all consideration to age appropriateness.

1. Oral warning or admonition – any member of the District staff
2. Written warning – bus drivers, hall and lunch monitors, teacher aides, coaches, guidance counselors, teacher, assistant principal, vice principal, principal, Superintendent
3. Written notification to parent – bus driver, hall and lunch monitors, teacher aides, coaches, guidance counselors, teachers, assistant principal, vice principal, principal, Superintendent
4. Detention – teachers, assistant principal, vice principal, principal, Superintendent
5. Suspension from transportation – principal, Superintendent
6. Suspension from athletic participation – coaches, principal, Superintendent, Athletic Director
7. Suspension from social or extracurricular activities – activity sponsor, assistant principal, vice principal, principal, Superintendent
8. Suspension of other privileges – principal, Superintendent
9. Academic sanction (for academic violations) - teacher, principal
10. In-school suspension – assistant principal, vice principal, principal, Superintendent
11. Removal from classroom – teachers, assistant principal, vice principal, principal, Superintendent
12. Short-term (five days or less) suspension from school – principal, acting principal, Superintendent, Board of Education
13. Long-term (more than five days) suspension from school – Superintendent, Board of Education.

B. Procedures

The amount of due process a student is entitled to receive before a consequence is imposed depends on the consequence being imposed. In all cases the school personnel, authorized to impose the consequence, must

inform the student of the alleged misconduct and must reach a determination concerning the facts surrounding the alleged misconduct. All students will be afforded an opportunity, if requested, to present their version of the facts to the school personnel imposing the disciplinary consequence.

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

- 1. Detention.** Teachers, principal and the Superintendent may use after school detention as a consequence for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention must be served within one school day from the date of issuance. Exceptions can be made for illness or extenuating circumstances and the student and/or parent notifies the appropriate person, if circumstances allow. Detention takes precedence over extra-curricular activities, athletic practices or events and student employment. Detention will be imposed as a consequence only after the student's parent has been notified to confirm there is no parental objection to the consequence and that the student has appropriate transportation home following the detention. Failure to serve detention will result in another day of detention or in-school or out-of- school suspension unless an exception to extenuating circumstances applies.
- 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. Students may have their riding privileges suspended by their principal, vice principal, assistant principal, 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.

If suspension from transportation will result in the student not being able to attend school, the transportation suspension will be revoked and another Intervention consequence will be used with the Level of offense.

A student subjected to a suspension from transportation is not entitled to a hearing pursuant to Education Law §3214 (unless the suspension from transportation will amount to a suspension from attendance). However, the parents will be given notification of such action as soon as possible, and 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 consequence involved. Should the suspension from transportation amount to a suspension from attendance at school; the procedures of §3214 will be followed.

- 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 hearing pursuant to Education law §3214. However, the parents will be given notification of such action, as soon as possible, and 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 consequence involved.
- 4. Academic Sanctions.** The consequences for academic violations such as for plagiarism, cheating, reusing one's own paper/project can affect the student's grade (lowering the grade or assigning a grade of zero), require the student to complete a replacement test or assignment or not permit the student to make-up a test or assignment.
- 5. 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 and the Superintendent to place students who would

otherwise be suspended from school as the result of the Standards for Community-wide Conduct and Intervention Supports violation in an “in-school suspension.”

A student subjected to an in-school suspension is not entitled to a hearing pursuant to Education Law §3214. However, the parents will be given notification of such action as soon as possible, and 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 consequence involved.

- 6. Teacher 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 sit in a designated area of the room or briefly leaving the classroom to give the student an opportunity to regain his or her composure/self-control under the supervision of an aide or other adult supervisor. Use of classroom management techniques such as these does not constitute disciplinary removal for purposes of these Standards, so long as the student is not sent to the care or custody of someone other than the classroom teacher.

On occasion, a student’s behavior may become disruptive. For purposes of these Standards, 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, i.e., interrupts or interferes with a student’s ability to learn or impedes or interferes with a teacher’s ability to teach or to maintain order in the classroom. A substantial disruption of the educational process or substantial interference with a teacher’s authority occurs when a student demonstrates a persistent and/or vociferous unwillingness to comply with the teacher’s instructions or repeatedly violates the teacher’s classroom behavior rules in a manner which interferes with the process of instruction in the class. Examples include repeated and/or severe instances of speaking loudly or disrespectfully to the teacher or others, speaking out of turn, leaving his or her seat without permission, physical contact with another or throwing items.

A classroom teacher may remove a disruptive student from class for up to four days (including the day on which the removal occurs) when other behavior management techniques have been used but have not been successful in eliminating the disruptive conduct, or the conduct is so severe that such techniques cannot feasibly be used. The removal from class, only applies to the class of the removing teacher. Removal of a student with a disability, under certain circumstances, may cause a change in the student’s placement.

Accordingly, any special education student who has received nine previous days of suspension and/or removal, may be removed only with verification from the principal or Chairperson of the Committee on Special Education, such that removal will not violate the student’s rights under state or federal law.

If the disruptive student does not pose a danger or ongoing 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. However, 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 within 24-hours.

The teacher must document the removal of the student in writing, and verbally notify the Principal immediately to explain the circumstances of the removal and to present the removal letter.

Within 24-hours after the student's removal, the principal must notify the student's parents that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal to discuss the reasons for the removal.

The principal may require the teacher who ordered the removal to attend the informal conference within working hours. If at the informal meeting the student denies the charges, the principal must explain why the student was removed and give the student and the student's parent 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 may overturn the removal of the student from class, if the principal finds any one of the following:

1. The charges against the student are not supported by substantial evidence.
2. The student's removal is in violation of law, including the District's Standards for Community-wide Conduct and Intervention Supports.
3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

Where an informal conference has been requested, the principal is to issue their/their decision by the close of business on the day following the 48-hour period for the informal conference. 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 occurs first.

Any disruptive student removed from the classroom by the classroom teacher will be offered continued educational programming and activities, alternative means of instruction, until they/their is permitted to return to the classroom. The alternative instruction will be provided by personnel in the school. The alternative instruction will begin as soon as practicable, but in no event later than the second day of removal. Mechanisms for the provision of such services at each school will be developed, and the principal will be responsible for assuring that alternative instruction is provided to each eligible student. A day of removal will not be counted as a day of absence for purposes of the District's attendance policy (unless the student fails to attend the alternative instruction which is provided).

Each teacher must keep a written log (on a District provided form) for all cases of removal of students from his or her class. The principal must keep a written building log (on a District provided form) of all removals of students from class.

The principal may designate another administrator to carry out his or her duties under this section, and the term "principal" as used in these removal procedures will be deemed to include any such designee.

- 7. Suspension from school.** Suspension from school is a significant consequence, which may be imposed upon students who violate the Code of Conduct and warrant a Level 3 or Level 4 response.
 - (a.) Are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others;
 - (b.) Engage in off-campus conduct (not at school or while not under the supervision of school authority or any employee or board member of the district), that adversely affects the educative process or endangers the health, safety or morals of students, or poses a threat of harm to him or herself, or to school property.

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 principal that a student be suspended. 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. All recommendations and referrals will 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, and in no event later than the end of the next school day.

These procedures are also applicable where the student is suspended by an administrator from only one (or more) classes rather than from his or her entire educational program.

C. Short Term Suspension Process

Any suspension from school less than five school days will be considered a short-term suspension.

Prior to a proposed suspension from school for between one and five days by a Building Principal or an acting Principal in the absence of the Building Principal, the student and they/their parent(s)/guardian(s) will be notified, in writing, by personal delivery, express mail or overnight service, and by telephone, if possible, within 24 hours of the decision to propose suspension.

Such written notice will include a description of the incident(s) resulting in the suspension and will inform the parent(s)/guardian(s) of their right to request an immediate informal conference with the Principal at which the student and/or they/their parent may present the student's version of the event and ask questions of complaining witnesses. Upon such request, an informal conference with the Principal and other parties involved will be convened as soon as possible, [at which time questions may be asked of complaining witnesses by the parent(s)/guardian(s).] The right to an informal conference with the Principal will also extend to a student if 18 years of age or older. The notice and informal conference will be in the dominant language or mode of communication used by the parent. If the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, the notice and opportunity for an informal conference will take place as soon after the suspension as is reasonably practicable.

D. The Long-term Suspension Process: Suspension for More than Five School Days

Any suspension from school in excess of five school days will be considered a long-term suspension. Unless there is an agreement between the person requesting the suspension and the parent, a long-term suspension may be done only after the Superintendent of Schools or the Board of Education has conducted a hearing.

When a student is subject to a long-term suspension, a hearing will be conducted by the Superintendent if the Building Principal, acting Building Principal or the Superintendent has made the original suspension, or before the Board where that body has made the original suspension. The Superintendent of Schools or Board of Education may designate a Hearing Officer to make findings of fact with respect to the charges of infractions under this Code of Conduct, as well as consequence recommendation pursuant to the consequence parameters described herein.

E. Hearing Procedures

Any appeal brought by the parent or student over the age of 18 of a Principal's suspension must be presented to the Board of Education prior to filing any further appeal.

In the event of the suspension of a student over the age of 18, the notice, as described above, will be delivered or

mailed to the student, as well as to the student's parent(s), if any. Emancipated minors will be entitled to the same notice rights as a student beyond the age of 18 years.

- **Notice of Hearing.** In the event of the suspension of a student under the age of 18 years, the notice of suspension will be mailed or delivered to the parent(s)/guardian(s), who will have a minimum of 48 hours' notice of the time and place of the hearing, as well as the nature of the charge(s) and the facts, sufficiently stated so that a proper defense may be placed upon the record on behalf of the student. All notices of long-term suspension hearings will contain provisions indicating that the student has the right to be represented by an attorney or lay counsel, that a transcript of the hearing will be which designated him/her immediately upon the conclusion of the long-term suspension hearing.

The Superintendent or Board, whichever designated the Hearing Officer, will make its own findings of fact and consequence decision, by adopting those of the designated Hearing Officer, where applicable, in whole or in part, or by reaching independent findings of fact and consequence determinations. This process will be concluded within the five school day period from the time of the initial suspension if the student is to be continuously suspended. The decision may be communicated to the student's representative and/or student (where over the age of 18) beyond the five school day period in cases where the student has been reinstated to attendance in school pending the final determination on the charges and consequence by the Superintendent or the Board, in cases to be decided by them, respectively.

- **Alternate instruction.** When a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the District will take steps to provide continued educational programs and activities, by alternative means of instruction, for the student. The alternative instruction may be provided by personnel in the school, or at an alternative school, by home instruction, or by a school suspension instruction program. The alternative instruction will begin as soon as practicable, but in no event later than the third day of suspension. Mechanisms for the provision of such services at each school will be developed by the District, and the principal will be responsible for assuring that alternative instruction is provided to each eligible student. When a student above compulsory attendance age is suspended from school, the District will consider providing alternative instruction on a case-by-case basis.

F. Minimum Period of Suspension

1. Students who bring a weapon to school.

Any student, including students with disabilities pursuant to Federal and State Laws and Commissioner's Regulations Part 200 and 201, found guilty of bringing a weapon, including, but not limited to, a knife, rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, air gun, spring gun, BB gun (Commissioner's Decision No. 14,733, No. 15,041); onto school property will be subject to suspension from school for at least one calendar year. Any student found guilty of bringing an imitation gun onto school property may be subject to the same consequence. 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 consequence, the Superintendent may consider the following:

- 1) Age, health, and disability or special education status of the student
- 2) Appropriateness of student's academic placement
- 3) Student's prior conduct and record of behavior
- 4) Student's understanding of the impact of their behavior attitude
- 5) Student's willingness to repair the harm caused by their behavior
- 6) Seriousness of the behavior offense and the degree of harm caused
- 7) Impact of the incident on overall school community

- 8) Whether the student's violation threatened the safety of any student or staff member
- 9) The likelihood that a lesser intervention would adequately address the violation
- 10) The Superintendent may recommend that a threat assessment, special intervention, health examination, or mental health examination be completed by a certified District employee or designee in order to determine if a student suspended for bringing a weapon to school pursuant to the Code of Conduct is eligible for a return to school from a long-term suspension prior to the original date of return and/or to determine and promote the educational interests of the student.

2. Violent students who commit an act(s) other than bringing a weapon to school.

Any student, other than a student with a disability, who is found to have committed an act which makes him a violent student as defined in these Standards, other than bringing a weapon onto school property, will be subject to suspension from school for at least five days. If the proposed consequence is the minimum five school day suspension, the student and the student's parent 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 consequence exceeds the minimum five school day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The suspending authority has the authority to modify the minimum five school day suspension on a case-by-case basis. In deciding whether to modify the consequence, the Superintendent may consider the factors considered in modifying a one-year suspension for possessing a weapon.

3. Students who are repeatedly substantially disruptive of the educational process or who 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 the 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 these Standards on four or more occasions during a semester. If the proposed consequence is the minimum five-day suspension, the student and the student's parent 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 consequence exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The suspending authority has the authority to modify the minimum five-day suspension on a case-by-case basis.

In deciding whether to modify the consequence, the suspending authority may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

G. Referrals to Outside Organizations

1. Counseling and Human Services Agencies

KCSD staff may be a resource to parents for referrals of students to counseling and human services agencies.

2. Person in Need of Supervision (PINS) Petitions

The District may in appropriate cases seek the assistance of the Family Court through a PINS petition when students exhibit a pattern of unexcused absences, in accordance with the District's Attendance Policy. In addition, any student who is found to have brought a weapon to school, any violent student or any student who commits criminal acts on school property will be referred to the proper law enforcement agency in accordance with the terms of these Standards.

3. Juvenile Delinquents and Criminal Offenders

The Superintendent is required to refer the following students to the County Attorney or District Attorney, as appropriate for a juvenile delinquency proceeding before the Family Court or proceedings before the appropriate criminal court:

- (a) Any student who is found to have brought a weapon to school, or
- (b) Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).
- (c) Any student committing an offense against the District, the school or any school personnel.

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities who violate the district's student code of conduct, and/or to temporarily remove a student with disabilities from his or her current placement because maintaining the student in that placement is substantially likely to result in injury to the student or to others. The Board also recognizes that students with disabilities deemed eligible for special education services under the IDEA and Article 89 of New York's Education Law enjoy certain procedural protections that school authorities must observe when they decide to suspend or remove them. Under certain conditions those protections extend, as well, to students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for discipline purposes.

Therefore, the Board is committed to ensuring that the district follows suspension and removal procedures that are consistent with those protections. The code of conduct for students is intended to afford students with disabilities and students presumed to have a disability for discipline purposes the express rights they enjoy under applicable law and regulations.

DEFINITIONS

For purposes of this portion of the code of conduct, and consistent with applicable law and regulations, the following definitions will apply:

Behavioral Intervention Plan (BIP) means a plan that is based on the results of a functional behavioral assessment and that, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior.

Controlled substance means a drug or other substance abuse identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c)).

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, because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another.

Illegal drug means a controlled substance, illegally used or misused prescription drugs, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional, or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of federal law.

Interim alternative educational setting (IAES) means a temporary educational placement, other than the student's current placement at the time of the behavior precipitating the IAES placement. An IAES must allow a

student to continue to receive educational services that enable him or her to continue to participate in the general curriculum and progress toward meeting the goals set out in the student's individualized education program; as well as to receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

Manifestation review means a review of the relationship between the student's disability and the behavior subject to disciplinary action required when the disciplinary action results in a disciplinary change of placement, and conducted in accordance with requirements set forth later in this policy.

Manifestation team means a district representative knowledgeable about the student and the interpretation of information about child behavior, the parents and guardians, and relevant members of the committee on special education as determined by the parents and guardians and the district.

Removal means a removal of a student with a disability for disciplinary reasons from his or her current educational placement, other than a suspension; and a change in the placement of a student with a disability to an IAES.

School day means any day, including a partial day, that students are in attendance at school for instructional purposes.

Serious bodily injury means bodily injury which involves a substantial risk of death, extreme physical pain, protracted obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

Student presumed to have a disability for discipline purposes means a student who, under the conditions set forth later in this policy, the district is deemed to have had knowledge was a student with a disability before the behavior that precipitated the disciplinary action.

Suspension means a suspension pursuant to §3214 of New York's Education Law.

Weapon means the same as the term "dangerous weapon" under 18 USC §930(g)(2) 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.

Authority of School Personnel to Suspend or Remove Students with Disabilities

The Board, District Superintendent, Superintendent of Schools or a Building Principal with authority to suspend students under the Education Law 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.

The Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed ten consecutive school days inclusive of any period in which the student has been suspended or removed for the same behavior pursuant to the above paragraph, if the Superintendent determines that the student's behavior warrants the suspension. The Superintendent also may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misconduct, as long as the suspensions do not constitute a disciplinary change of placement.

In addition, the Superintendent may order the placement of a student with a disability into an IAES, another

setting or suspension for a period in excess of ten consecutive school days if the manifestation team determines that the student's behavior was not a manifestation of the student's disability. In such an instance, the Superintendent may discipline the student in the same manner and for the same duration as a non-disabled student.

Furthermore, the Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability to an IAES to be determined by the committee on special education for a period of up to 45 school days if the student either:

1. Carries or possesses a weapon to or at school, on school premises or to a school function, or
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the district's jurisdiction, or
3. Has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the district's jurisdiction.

The Superintendent may order the placement of a student with a disability to an IAES under such circumstances, whether or not the student's behavior is a manifestation of the student's disability. However, the committee on special education will determine the IAES.

Procedures for the Suspension or Removal of Students with Disabilities by School Personnel

1. In cases involving the suspension or removal of a student with a disability for a period of five consecutive school days or less, the student's parent or persons in parental relation to the student will be notified of the suspension and given an opportunity for an informal conference in accordance with the same procedures that apply to such short term suspensions of non-disabled students.
2. The suspension of students with disabilities for a period in excess of five school days will be subject to the same due process procedures applicable to non-disabled students, except that the student disciplinary hearing conducted by the Superintendent or a designated hearing officer will be bifurcated into a guilt phase and a consequence phase. Upon a finding of guilt, the Superintendent or the designated hearing officer will await notification of the determination by the manifestation team as to whether the student's behavior was a manifestation of his or her disability. The consequence phase of the hearing may proceed after receipt of that notification. If the manifestation team determined that the behavior was not a manifestation of the student's disability, the student may be disciplined in the same manner as a non-disabled student, except that he or she will continue to receive services as set forth below. However, if the behavior was deemed a manifestation of the student's disability, the hearing will be dismissed, unless the behavior involved concerned weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, in which case the student may still be placed in an IAES.

Limitation on Authority of School Personnel to Suspend or Remove Students with Disabilities

The imposition of a suspension or removal by authorized school personnel may not result in a disciplinary change of placement of a student with a disability that is based on a pattern of suspensions or removals as set forth above in the *Definitions* section of this policy, unless:

1. The manifestation team determines that the student's behavior was not a manifestation of the student's disability, or
2. The student is removed to an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury as set forth above. School personnel will consider any unique circumstances on a case-by-case basis when determining whether a disciplinary change in placement is appropriate for a student with a disability who violates the district's code of conduct.

In addition, school personnel may not suspend or remove a disabled student in excess of the amount of time that a non-disabled student would be suspended for the same behavior.

Parents and guardians Notification of a Disciplinary Change of Placement

The district will provide the parents and guardians of a student with a disability notice of any decision to make a removal that constitutes a disciplinary change of placement because of a violation of the student code of conduct. Such notice will be accompanied by a copy of the procedural safeguards notice.

Authority of an Impartial Hearing Officer to Remove a Student with a Disability

An impartial hearing officer may order the placement of a student with a disability to an IAES for up to 45 school days at a time if he or she determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others. This authority applies whether or not the student's behavior is a manifestation of the student's disability.

Manifestation Review

A review of the relationship between a student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the student's disability will be made by the manifestation team immediately, if possible, but in no case later than 10 school days after a decision is made by:

1. The Superintendent to change the placement of a student to an IAES;
2. An impartial hearing officer to place a student in an IAES; or
3. The Board, the Superintendent, or Building Principal to impose a suspension that constitutes a disciplinary change in placement. The manifestation team must determine that the student's conduct was a manifestation of the student's disability if it concludes that the conduct in question was either:
 - a. Caused by or had a direct or substantial relationship to the student's disability, or
 - b. The direct result of the district's failure to implement the student's individualized education program. The manifestation team must base its determination on a review of all relevant information in the student's file including the student's individualized education program, any teacher observations, and any relevant information provided by the parents and guardians .

If the manifestation team determines that the student's conduct is a manifestation of the student's disability, the district will:

1. Have the committee on special education conduct a functional behavioral assessment of the student and implement a behavioral intervention plan, unless the district had already done so prior to the behavior that resulted in the disciplinary change of placement. However, if the student already has a behavioral intervention plan, the CSE will review the plan and its implementation, and modify it as necessary to address the behavior.
2. Return the student to the placement from which he or she was removed, unless the change in placement was to an IAES for conduct involving weapons, illegal drugs or controlled substances or the infliction of serious bodily injury, or the parents and guardians and the district agree to a change in placement as part of the modification of the behavioral intervention plan. If the manifestation team determines that the conduct in question was the direct result of the district's failure to implement the student's individualized education program, the district will take immediate steps to remedy those deficiencies.

Services for Students with Disabilities during Periods of Suspension or Removal

Students with disabilities who are suspended or removed from their current educational setting in accordance with the provisions of this policy and applicable law and regulation will continue to receive services as follows:

1. During suspensions or removals of up to 10 school days in a school year that do not constitute a disciplinary change in placement, the district will provide alternative instruction to students with disabilities of compulsory attendance age on the same basis as non-disabled students. Students with disabilities who are not of compulsory attendance age will receive services during such periods of suspension or removal only to the same extent as non-disabled students of the same age would if similarly suspended.
3. During subsequent suspensions or removals of up to 10 school days that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, the district will provide students with disabilities services necessary to enable them to continue to participate in the general education curriculum and to progress toward meeting the goals set out in their respective individualized education program. School personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed to comply with this requirement. In addition, during such periods of suspension or removal the district will also provide students with disabilities services necessary for them to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.
3. During suspensions or removals in excess of 10 school days in a school year that constitute a disciplinary change in placement, including placement in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, the district will provide students with disabilities services necessary to enable them to continue to participate in the general curriculum, to progress toward meeting the goals set out in their respective individualized education program, and to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so it does not recur. In such an instance, the committee on special education will determine the appropriate services to be provided.

Students Presumed to Have a Disability for Discipline Purposes

The parents and guardians of a student who is facing disciplinary action but who was not identified as a student with a disability at the time of misconduct has the right to invoke any of the protections set forth in this policy in accordance with applicable law and regulations, if the district is deemed to have had knowledge that the student was a student with a disability before the behavior precipitating disciplinary action occurred and the student is therefore a student presumed to have a disability for discipline purposes.

If it is claimed that the district had such knowledge, it will be the responsibility of the Superintendent, Building Principal or other authorized school official imposing the suspension or removal in question for determining whether the student is a student presumed to have a disability for discipline purposes. The district will be deemed to have had such knowledge if:

1. The student's parents and guardians expressed concern in writing to supervisory or administrative personnel, or to a teacher of the student that the student is in need of special education. Such expression may be oral if the parents and guardians does not know how to write or has a disability that prevents a written statement; or
2. The student's parents and guardians has requested an evaluation of the student; or
3. A teacher of the student or other school personnel has expressed specific concerns about a pattern of behavior demonstrated by the student directly to the district's ^{SEL} director of special education or other supervisory personnel.

Nonetheless, a student will not be considered a student presumed to have a disability for discipline purposes if notwithstanding the district's receipt of information supporting a claim that it had knowledge the student has a disability,

1. The student's parents and guardians has not allowed an evaluation of the student; or
2. The student's parents and guardians has refused services; or
3. The District conducted an evaluation of the student and determined that the student is not a student with a disability. 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 the district receives a request for an individual evaluation while the student is subjected to a disciplinary removal, the district will conduct an expedited evaluation of the student in accordance with applicable law and regulations. Until the expedited evaluation is completed, the student will remain in the educational placement determined by the district which can include suspension.

Expedited Due Process Hearings

The district will arrange for an expedited due process hearing upon receipt of or filing of a due process complaint notice for such a hearing by:

1. The district 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;
2. The district 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 educational placement during such proceedings;
3. The student's parents and guardians regarding a determination that the student's behavior was not a manifestation of the student's disability; or
4. The student's parents and guardians relating to any decision regarding placement, including but not limited to, any decision to place the student in an IAES. The district will arrange for, and an impartial hearing officer will conduct, an ^[1]_[SEP]expedited due process hearing in accordance with the procedures established in Commissioner's regulations. Those procedures include but are not limited to convening a resolution meeting, and initiating and completing the hearing within the timelines specified in those regulations. When an expedited due process hearing has been requested because of a disciplinary change in placement, a manifestation determination, or because the district believes that maintaining the student in the current placement is likely to result in injury to the student or others, the student will remain in the IAES pending the decision of the impartial hearing officer or until the expiration of the period of removal, whichever occurs first, unless the student's parents and guardians and the district agree otherwise.

Referral to Law Enforcement and Judicial Authorities

Consistent with its authority under applicable law and regulations, the district will report a crime committed by a student with a disability to appropriate law enforcement and judicial authorities. In such an instance, The Superintendent will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration to the appropriate authorities to whom the crime is reported, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

CORPORAL PUNISHMENT/PHYSICAL RESTRAINT (5335)

The Board of Education of the Kingston City School District prohibits the use of corporal punishment against a student by any teacher, administrator, officer, employee or agent of this School District.

As used in this policy, corporal punishment means any act of physical force upon a student for the purpose of punishing that student, except as otherwise provided herein.

In situations in which alternative procedures and methods not involving the use of physical force cannot reasonably be employed and after issuing a verbal command to attempt to stop the objectionable conduct against persons or property, any of the above-enumerated persons may use reasonable physical force for the following purposes:

1. To protect oneself from physical injury;
2. To protect another student or teacher or any person from physical injury;
3. To protect the property of the school or others; or
4. To restrain or remove a student whose behavior is interfering with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to comply with the request to refrain from further disruptive acts.

Whenever a school employee uses physical force against a student, the school employee will report the incident to the building principal within the same school day. The building principal will immediately investigate the incident and will make a report to the Superintendent describing in detail the circumstances and the nature of the action taken, if any.

The Superintendent of Schools will submit a written report semi-annually to the Commissioner of Education, with copies to the Board of Education, setting forth the substance of each complaint about the use of corporal punishment received by the School District during the reporting period, the results of each investigation, and the action, if any, taken by the School District in each case.

STUDENT SEARCHES AND INTERROGATIONS (5330)

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 consequence 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 will tell all students why they are being questioned.

In addition, the Board authorizes the Superintendent of Schools, a Deputy Superintendent of Schools, Building Principals, Vice Principals, Assistant Principals, the school nurse and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable individualized suspicion to believe that the search will result in evidence that the student violated the law or the District Code of Conduct. The Board directs that no student be searched by school officials unless there exists reasonable individual suspicion, that the search will reveal evidence that the student has violated or is violating either the law or the District Code of Conduct.

The reasonableness of the search will depend upon: the student's age; the student's history and record in school; the prevalence and seriousness of the problem to which the search is directed; the urgency requiring an immediate search; and the probative value and reliability of information used as justification for the search.

The request for a search of a student or a student's possessions will be directed to the Building Principal who if the requester has furnished a reasonable suspicion basis for a student search will seek voluntary consent from the student to conduct the search and may also attempt to obtain an admission from the student of possession of the contraband or illegal property.

Whenever practicable, the search should be conducted in the presence of the student, where applicable and in the privacy of the Principal's office with another adult staff member being present. The search will be limited in scope to the extent necessary to locate the illegal contraband or illegal property.

The Principal will be responsible for the prompt recording in writing of each student search. Such writing should include the reasons for the search, information received that established the need for the search and the name of the informant (informants other than school district employees will be considered reliable if they have previously supplied information which was accurate and verified), the persons present when the search was conducted, any substances or objects located, and the disposition of such substances or objects. The Principal will be responsible for the custody, control, and disposition of any illegal or dangerous contraband or illegal property taken from a student. The police will be immediately notified whenever school officials come into possession of illegal substances and/or illegal weapons in order to receive direction regarding the disposition of such items.

A search based upon the reasonable suspicion that the health and safety of others is immediately threatened may be conducted with as much speed as is required to protect persons and property.

Desks, school lockers, storage spaces, and computers are the property of the School District and, therefore, students have no reasonable expectation of privacy in such locations. Students will be informed by the administration that desks, lockers, storage spaces and computers are not their private property, but are the property of the School District and, as such, may be opened and subject to inspection at any time by school officials. Further, the School District may invite the police with K-9 units for the purpose of detecting the presence of illegal drugs and/or other illegal substances in such spaces. Police dogs will not be brought to search the persons present (sniffing students and other persons in our schools).

No police officer will perform a student search unless authorized by a search warrant or court order or upon demonstrating probable cause to establish that the commission of an illegal act is occurring on school premises (hot pursuit doctrine).

When authorized to search by a warrant, the Principal will first attempt to inform the student's parents and guardians of the police demand to search in order to afford the parents and guardians an opportunity to be present at the search. In the event that the parents and guardians cannot be contacted prior to a police search, the parent or guardian will be informed of the search in writing by the Principal immediately thereafter.

Student Lockers, Desks and other School Storage Places

The rules regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

Personal Searches

A personal search is a search that requires a student to remove not only outer clothing but also inner clothing that may reveal the private parts of their anatomy. If an authorized school official believes it is necessary to conduct a personal search of a student, the school official may do so only if the search is authorized in advance by the Superintendent or Deputy Superintendent in his absence, after consultation with the school attorney. The Superintendent of Schools or Deputy Superintendent in his absence may

determine to call the police to conduct the search. If the personal search is to be conducted by school officials it must be based upon a heightened degree of reasonable suspicion and the reasonableness of its scope giving due consideration to the necessity to conduct a personal search based upon the danger posed by the suspected contraband or illegal property and must be conducted by two administrators and/or nurses of the same sex as the student. The only exception to this rule requiring advance authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others.

Documentation of Searches

The authorized school official conducting the search will be responsible for promptly recording the following information about each search:

- Name, age and grade of student searched.
- Reasons for the search.
- Name of any informant(s).
- Purpose of search (that is, what item(s) were being sought).
- Type and scope of search.
- Person conducting search and his or her title and position.
- Witnesses, if any, to the search.
- Time and location of search.
- Results of search (that is, what items(s) were found). Disposition of items found.

Time, manner and results of parental notification

The Principal or the Principal's designee will be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The Principal or his or her designee will clearly label each item taken from the student and retain control of the item(s), until the item is turned over to the police. The Principal or his or her designee will be responsible for personally delivering dangerous or illegal items to police authorities.

Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search warrant; or
2. An arrest warrant; or
3. Probable cause to believe a crime has been committed on school property or at a school function;
or
Before police officials are permitted to question or search any student, the Principal or his or her designee will first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior

to the police questioning or search, the questioning or search will not be conducted. The Principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function are entitled to be afforded by the police the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

Child Protective Services (“CPS”) Investigations

The District must give CPS workers and members of a CPS multidisciplinary team access to and an opportunity to interview “any child named as victim in a report of suspected abuse or maltreatment” as well as “any sibling or other child residing in the same home as the named victim” without parental permission or a court order. All requests by CPS to interview a student on school property should be made to the Building Principal who will require that CPS workers and other members of a multidisciplinary team who accompany a CPS worker, provide professional identification and also identify the specific children they are seeking to access and/or interview.

The Building Principal may authorize a District staff member to observe the interview either from the same or a different room.

CPS and/or the CPS multidisciplinary team must also comply with all visitor policies or procedures of the school or school district which would not unreasonably interfere with CPS interviews or investigation. For example, this might include building procedures such as “sign-in and sign-out”, keeping cell phones on vibrate so as not to disrupt instruction, or similar procedures.

The parent or guardian should not be called prior to or following the CPS interview.

A CPS worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

VISITORS TO THE SCHOOL (1300)

The Board encourages parents and other 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, 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:

The Board of Education and staff of the School District welcome parents and other interested citizens in visiting our schools periodically during the course of the school year.

The Superintendent of Schools is directed to establish regulations which will encourage and permit access of authorized persons to the school, and at the same time safeguard the educational program from disruptions and distractions and maintain safety and security.

For the purpose of this policy, a visitor is defined as employees/students outside of their home school, Board members, parents, other adults, other residents, and non-students. Furthermore, principals are authorized to establish additional rules or other procedures to define regulations about visitors in their schools, as long as those rules do not conflict with Board policies or the Superintendent's regulations or directions.

The Board recognizes that many visitations will occur as part of scheduled open community events or specifically inviting a particular category of visitors, e.g., open houses, parent-teacher conference meetings, athletic or music events, parent-teacher organization meetings, etc. At these times it is impractical to have everyone sign in at the office, although there may be a requirement that visitors are asked to sign in elsewhere.

All visitors must report immediately to the office or reception area upon entering a school building. All visitors who stay are expected to sign a ledger and wear appropriately the designation as a visitor.

Any unauthorized person on school property, anyone engaging in questionable or inappropriate conduct, or an individual where a question exists about their visitor status will be immediately reported to an administrator, a security officer or other responsible staff member.

Visits to school buildings will be in accordance with Board policies, administrative regulations and school-based rules. Signs directing visitors to the office/reception area where copies of such procedures will be readily available are to be posted in conspicuous places around the building.

Board of Education members who visit schools of their own volition have no more authority than any other citizen and are expected to follow this policy as any other visitor. The Board of Education realizes its responsibility to protect the rights of students to teach, teachers to teach and of all persons associated with providing School District service to perform their duties free from undue interference. The professional and educational activities of the School District can flourish only in a safe and secure environment where the behavior of individuals is characterized by respect, civility, following established rules and self-restraint.

Parents or guardians may wish to visit their child's classroom at other than regularly scheduled times. This kind of visitation may be scheduled after talking with the principal and/or the teacher to discuss how to best accommodate and schedule the request. Parents should realize that teachers' first obligation is to the students, therefore, lengthy discussion or conferences must be scheduled for another time. Such visits are encouraged.

Visitors are expected to have a purpose and a particular designation in mind and, therefore, are not free to roam school property, unescorted.

Persons not following this policy, administrative regulations, or school-based rules/procedures will be asked to leave by school personnel. Any individual who refuses will be considered as trespassing and the police will be contacted.

Enforcement for Persons Other Than Students

For all persons other than students, violation of this Code will be subject to the following provisions.

A. Consequences

Persons who violate these Standards will be subject to the following consequences:

- 1. Visitors.** Their authorization, if any, to remain on school grounds or at the school function will be withdrawn and they will be directed to leave the premises. If they refuse to leave, they will be subject to ejection, or to arrest and prosecution, at the discretion of the Principal and the police. Where warranted, they may be excluded from school property and/or functions in the future.

2. **Tenured faculty members and administrators.** They will be subject to disciplinary action, up to and including discharge, as the facts may warrant in accordance with Education Law §3020-a and any other legal and contractual rights that they may have.
3. **Staff members in the classified service of the Civil Service entitled to the protection of Civil Service Law §75.** They will be subject to disciplinary action, up to and including discharge, as the facts may warrant in accordance with Civil Service Law §75 and any other legal and contractual rights that they may have.
4. **District employees other than those described in subdivisions 2 and 3.** They will be subject to warning, reprimand, suspension, dismissal or other disciplinary action, as the facts may warrant in accordance with any legal and/or contractual rights they may have.

B. Enforcement

Each building principal or his or her designee will 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 will tell the individual that the conduct is prohibited and ask the individual to stop such behavior. The principal or his or her designee will also warn the individual of the consequences 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 will have the individual removed immediately from school property or the school function. If necessary, KCS D security and/or law enforcement authorities will be contacted to assist in dealing with the person.

Following such an incident, the building principal or his or her designee will report the incident to security and to local law enforcement, if they have not already been notified.

The District will consider violations of these Standards as a possible basis for disciplinary action against any staff member. In addition, the District reserves its rights to pursue a civil or criminal legal action against any person violating these Standards and/or the law at or in connection with school.

The building principal or his or her designee must notify the appropriate local law enforcement agency of the standards violations which constitute or may constitute a crime and which, in his or her judgment, substantially affect the order or security of a school its students and/or its staff, as soon as practicable. The notification may be made by telephone or direct report, and may be followed by a letter. The notification must identify the student and explain the conduct which violated the code of conduct and which constitutes or may constitute a crime.

TRAINING

Staff training will be provided as needed to ensure that the disciplinary practices in each school are effective and that relevant policies and procedures are equitably applied.

Training may include such topics as child and adolescent development and psychology; age-appropriate responses; culture competence; restorative justice techniques; special accommodations for students with disabilities; practices proven to improve school climate, and the creation of safe spaces for lesbian, gay, bisexual, transgender, and questioning students.

ANNUAL DATA COLLECTION AND REVIEW

Schools will annually review their school climate and submit a publicly available written report. Based on the review, schools will make changes consistent with the intent of this and other policies.

The review will include the following:

- a. Overall Enrollment – Three-Year Trend
- b. Racial/Ethnic Distribution by School
- c. Accountability Subgroups Distribution by School
- d. Free & Reduced Lunch Enrollment
- e. Four Year Graduation Rate – Three-Year Trend
- f. Traditional Regents Exam % of Students at Each Performance Level
- g. AP Exams% of Students at Each Performance Level
- h. Grade 3 – 8 ELA, Math & Science Performance Trends
- i. School Accountability Status

DISSEMINATION AND REVIEW

The Board of Education will review the Code of Conduct regularly and update as necessary. In conducting the review, the Board will consider how effective the Standard’s provisions have been and whether the Standards have been applied fairly and consistently. The Board may appoint an advisory committee to assist in reviewing the Code of Conduct and the District’s response to violations. The committee will be made up of representatives of student, teacher, administrator, parents and community-based organizations, school safety personnel and other school personnel. Revisions to the Code of Conduct will be made only after at least one public hearing, which provides for the participation of school personnel, parents, students and any other interested party.

The District will post the complete Code of Conduct on the District website. The District will file a copy of the Code of Conduct and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.

1st Reading: January 9, 2019

Public Hearing & Adoption : January 23, 2019