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Code of Conduct

I. Introduction

The Orleans/Niagara Board of Cooperative Educational Services (hereinafter sometimes referred to as “BOCES” or “the BOCES” or “the Board”) board of education (“board”) is committed to providing a safe and orderly school environment where students may receive and BOCES personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other BOCES personnel, parents and other visitors is essential to achieving this goal.

The BOCES has a long-standing set of expectations for conduct on school property and at school functions. Those expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The board recognizes the need to clearly define those expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the board adopts this code of conduct (“the code”).

Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

II. Definitions

For the purposes of this code, the following definitions apply unless otherwise stated.

"Disruptive student" means an elementary or secondary student under the age of 21 who substantially disrupts or interferes with the educational process or with a staff member’s authority.

"Parent" means parent, guardian or person in parental relation to a student.

"School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142.

“School function” means any school-sponsored extracurricular event or activity.

“Student” means an elementary or secondary student, unless otherwise specified herein.

“Violent student” means a student under the age of 21 who:
1. Commits an act of violence upon a school employee, threatens to do so or attempts to do so.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any
school employee or any person lawfully on school property or at a school
function.
7. Knowingly and intentionally damages or destroys BOCES property.
8. Engages in other conduct that is determined to be violent.

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

III. Student Rights and Responsibilities

A. Student Rights

GENERAL RIGHTS OF STUDENTS
I. To be treated with respect by school personnel.

II. To receive a quality education.

III. To have an environment in which personal respect for self, others, and
property can be developed.

SPECIFIC RIGHTS OF STUDENTS
I. To be treated with respect by school personnel. Every student has the right to:

   A. Be treated fairly.
   B. Know the rules.
   C. Know the consequences of one's own behavior.
   D. Be treated as an individual.
   E. Have pleasant interactions with adults.
   F. Be told when he/she is doing well.
   G. Confidentiality, to the extent practicable and appropriate, in reports and
discussions of personal and academic performance.
   H. Express one's own view in a constructive manner.
I. Take part in all activities on an equal basis regardless of, and be free from
discrimination or harassment of the basis of, actual or perceived race,
weight, color, creed, national origin, ethnic group, religion, religious
practice, gender, sex, sexual orientation or disability. Terms in the
preceding sentence shall be defined as provided for in Article Two (2) of
the Education Law.
J. Present his or her version of relevant events to school personnel authorized to impose a disciplinary penalty, in connection with the imposition of the penalty.

K. Access school policies, regulations, and rules and, when necessary, receive an explanation of those rules from school personnel.

II. **Right to quality education.** Every student has a right to:

A. A free, appropriate, public education.
B. Attend school.
C. Know what the school’s expectations are.
D. Appropriate and current materials.
E. Participate in the IEP conference as per special education policy and add to the IEP.
F. Participate in regular educational activities to the extent of his/her ability.
G. Have questions answered honestly.
H. Receive academic and personal help.
I. Help plan their own activities and instruction.
J. A variety of instructional activities.
K. Choose participation in extracurricular courses and/or activities, contingent upon meeting requirements for eligibility.
L. An orderly school.
M. Be active in student government, where it exists.

III. **Right to an environment in which they can develop respect for self/others/property.** Every student has a right to:

A. Have his/her mistakes considered by adults as opportunities for the student to learn.
B. Have a classroom that is conducive to learning.
C. Have clear communication channels to one's teachers and with others in authority.
D. Be exposed to appropriate adult models.
E. Ask questions.
F. Due process.
G. Feel safe and comfortable in one's environment in order to learn.
H. Freedom from prohibited discrimination.

**B. Student Responsibilities**

**GENERAL RESPONSIBILITIES OF STUDENTS**

Every student has the responsibility to make a reasonable effort to develop:

I. Respect for oneself.
II. Respect for others and for the school.

III. Respect for property.

IV. Respect for learning and knowledge.

SPECIFIC RESPONSIBILITIES OF STUDENTS

All BOCES students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning, and to show respect for other persons and property.
2. Be familiar with and abide by all BOCES policies, rules and regulations (and, when appropriate, district policies, rules and regulations) dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible.
5. Respond to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the BOCES when participating in or attending school-sponsored extracurricular events, and hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

IV. Essential Partners

A. Parents

It shall be the responsibility of parents to:

1. Send their children to school ready to participate and learn.
2. Make certain their children's attendance at school is regular and punctual and that all absences are properly excused.
3. Insist that their children are clean and dressed and groomed in compliance with the dress code and reasonable directives of school personnel and in a manner that will not disrupt classroom procedures.
4. Guide their children from the earliest years to develop socially acceptable standards of behavior, to exercise self-control and to be accountable for their actions.
5. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
6. Teach their children, by word and example, respect for law, for the authority of the school, and for the rights and property of others.
7. Know and understand school rules, help their children understand those rules, be aware of the consequences for any violation of those rules, and accept legal responsibility for their children’s actions.
8. Instill in their children a desire to learn; encourage a respect for honest work and an interest in exploring broader fields of knowledge.
9. Convey to their children a supportive attitude toward education and the BOCES. Become acquainted with their child's school, its staff, curriculum and activities. Attend parent-teacher conferences and school functions.
10. Build positive, constructive relationships with school faculty and staff, other parents, and their children’s friends.
11. Help their children deal effectively with peer pressure.
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Provide a place for study and ensure homework assignments are completed.
14. Support the goals of the BOCES instructional program.

B. Teachers and Staff

It shall be the responsibility of the teachers and staff to conduct themselves as follows:

1. Reflect a personal enthusiasm for teaching and learning, and a genuine concern for the individual student.
2. Guide learning activities so students learn to think and reason, assume responsibility for their actions, and respect the rights of others.
3. Participate in the establishment of school rules and regulations regarding student behavior; explain those rules to students and require observance of them.
4. Be fair, firm and consistent in enforcing school rules in classrooms, hallways, restrooms, school buses, on school grounds and at all school sponsored activities.
5. Give positive reinforcement for acceptable behavior.
6. Demonstrate, by word and personal example, respect for law and order and self-discipline.
7. Refer to a counselor, school psychologist, school social worker or administrator, any student whose behavior requires special attention.
8. Inform parents regarding student achievement and behavior; and consult with parents whenever practicable.
9. Require and be knowledgeable of effective classroom management and instruction.
10. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, which will strengthen students’ self-concept and promote confidence to learn. Terms in the
preceding sentence shall be defined as provided for in Article Two (2) of the Education Law.

C. Administrators

It shall be the responsibility of the administrators in the exercise of authority delegated by the Board and District Superintendent to conduct themselves as follows:

1. Create the best teaching-learning situation possible.
2. Require and be knowledgeable of effective classroom management and instruction.
3. Provide leadership in establishing reasonable rules and regulations for the well-ordered operation of the school.
4. Make those rules and regulations known to and understood by students, parents and all school staff.
5. Receive teacher, counselor, school psychologist and school social worker referrals of students with behavior problems; confer with those students; communicate with parents; and set up cooperative procedures for bringing about modification of the student's behavior.
6. Be fair, firm and consistent in all decisions affecting students, parents and staff.
7. Demonstrate, by word and personal example, respect for law and order, self-discipline and genuine concern for all persons coming under their authority.
8. Become acquainted with students by visiting classrooms and attending school activities.
9. Maintain open lines of communication between school and home.
10. Refer to the District Superintendent for consideration those disciplinary situations for which the recommended action would exceed the administrator’s legal authority.
11. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, which will strengthen students’ self-concept and promote confidence to learn. Terms in the preceding sentence shall be defined as provided for in Article Two (2) of the Education Law.

D. District Superintendent and Board of Education

It shall be the responsibility of the District Superintendent and the Board of Education to conduct themselves as follows:

1. Maintain a well-trained staff at all levels.
2. Inform the community regarding what is expected of students and the consequences if rules are violated.
3. Give full support to the staff charged with the responsibility for enforcing discipline in accordance with district policies and New York State Law.
4. Develop programs that provide for students with special needs.
5. Be fair and consistent in making the final decisions regarding those students whose behavior problems have been appealed to the District Superintendent or to the School Board.
6. Become acquainted with the schools, staff and students by visiting buildings regularly and by attending school activities.
7. Maintain professional and courteous interaction among Board members and between Board members and the District Superintendent.
8. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, which will strengthen students’ self-concept and promote confidence to learn. Terms in the preceding sentence shall be defined as provided for in Article Two (2) of the Education Law.

E. Dignity Act Coordinators

1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex, which will strengthen students’ self-concept and promote confidence to learn. Terms in the preceding sentence shall be defined as provided for in Article Two (2) of the Education Law.
2. Address incidents of bullying, harassment, or any situation that threatens the emotional or physical health or safety of any student.

V. Student Dress Code

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

A student’s dress, grooming and appearance shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
3. Not include items, displays, messages, or symbols that are vulgar, obscene, libelous or denigrate others. This shall include but not be limited to prohibition of items, displays, messages, and/or symbols that denigrate others based upon race, color, religion, ancestry, national origin, sex, sexual orientation, disability, or any other protected category or classification. Items, displays, messages, and/or symbols as described in the preceding two sentences are also prohibited on a student’s personal property.
4. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs, contain
sexual references or innuendo, and/or encourage other illegal or violent activities.
5. Meet fair standards of the field of employment.
6. Not include extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back), clothing that allows midriffs to be exposed, or see-through garments.
7. Not include extremely tight clothing.
8. Not include the unauthorized wearing of coats, jackets, or trench coats during the school day.
9. Not include the unauthorized wearing of head coverings in school, except for a bona fide medical or religious purpose.
10. Not include any attire that a BOCES administrator has designated as a gang or group identity that may become disruptive or intimidating.
11. Ensure that underwear is completely covered with outer clothing.
12. Not include pajamas or pajama-like clothing.

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

Any student who violates the dress code shall be subject to discipline, up to and including suspension from school.

VI. Prohibited Student Conduct

The board of education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, BOCES personnel and other members of the school community, and for the care of school facilities and equipment.

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

The BOCES recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who do not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school, when they:

A. Engage in conduct that is disorderly. Examples of disorderly conduct include but are not limited to:
1. Running in hallways.
3. Using language or gestures that are profane, lewd, vulgar or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act that disrupts the normal operation of the school community.
6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.

7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the BOCES’ acceptable use policy.

8. Unauthorized display, use, or carrying of personal electronic communication devices, including but not limited to cell phones, iPods, smartphones (i.e. iPhones and/or Android devices), tablet computers, digital cameras, and/or electronic cigarettes (e-cigarettes). Any display, use, or carrying of an electronic or communication device is prohibited unless expressly authorized by policy or expressly approved by a school administrator or other authorized school official. Authorized possession of an electronic or communications device at school or during the course of any school-related activity is a privilege that may be forfeited, relinquished, or rescinded if the student fails to comply with the provisions of this Code of Conduct.

9. Using (or attempting to use) any electronic, communication, or recording devices, (including but not limited to cameras, video cameras, tape recorders, cell phones, iPods, smartphones (i.e. iPhones and/or Android devices), web-enabled devices of any kind, tablets (i.e. iPads and similar devices), electronic readers (i.e. e-readers, Kindles, and similar devices), and/or electronic cigarettes (e-cigarettes)). Any display, use, or recording of an individual is prohibited, unless expressly approved by a school administrator or other authorized school official. Regardless of authorization, it is never permissible to use such devices in lavatories, locker rooms, shower facilities, or changing areas, or any other area where there is a reasonable expectation of privacy. Authorized possession of an electronic or communications device at school or during the course of any school-related activity is a privilege that may be forfeited, relinquished, or rescinded if the student fails to comply with the provisions of this Code of Conduct.
internet/intranet account; accessing inappropriate websites; or any other violation of the BOCES’ acceptable use policy. Authorized possession of an electronic or communications device at school or during the course of any school-related activity is a privilege that may be forfeited, relinquished, or rescinded if the student fails to comply with the provisions of this Code of Conduct.

10. Using an electronic or communication device (or threatening to do so) in a way that might reasonably cause to feel threatened, humiliated, harassed, embarrassed, or intimidated. Authorized possession of an electronic or communications device at school or during the course of any school-related activity is a privilege that may be forfeited, relinquished, or rescinded if the student fails to comply with the provisions of this Code of Conduct.

11. Any inappropriate display of affection.
12. Initiation of a report warning of fire or other exigency without valid cause, misuse of 911 or other emergency notice system or mechanism, causing a false alarm, or inappropriately discharging a fire extinguisher.
13. Stealing or attempting to steal the property of other students, school personnel or any other person.
14. Wearing, emitting, or releasing a scent that negatively impacts others.
15. Any other conduct that constitutes, causes, or promotes distraction from or disruption of the learning environment or undermines health or safety.

B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students; or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving school without permission.
3. Skipping detention.

C. Engage in conduct that is disruptive. Examples of disruptive conduct include but are not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
2. Unauthorized display, use, or carrying of personal electronic devices, including but not limited to cell phones, i-Pods, smartphones, other mobile computing devices, and/or digital (or other) cameras.
3. Wearing, emitting, or releasing a scent that negatively impacts others.
4. Any other conduct that constitutes, causes, or promotes distraction from or disruption of the learning environment or undermines health or safety.
D. Engage in conduct that is violent. Examples of violent conduct include but are not limited to:

1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee, or attempting to do so.
2. Subjecting another individual to indecent, lewd or unwanted physical contact.
3. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property, or attempting to do so.
4. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
5. Possessing or displaying what appears to be a weapon.
6. Possessing ammunition (or any look-alike object resembling ammunition) of any kind, whether used or unused and whether spent or unspent, including but not limited to bullets, shells, shell casings, rounds, explosives, arrows, other projectiles, et al.
7. Threatening to use any weapon or any item or instrument that appears to be a weapon.
8. Damaging or destroying the personal property of a student, teacher, administrator, other employee or any person lawfully on school property, including graffiti or arson.
9. Damaging or destroying school property.
10. Threatening the health and safety of others, whether or not the threat is made or uttered on school premises. This prohibition shall apply to, but shall not be limited in application to, bomb threats.

E. Engage in any conduct that endangers the safety, morals, health or welfare of others.

Examples of such conduct include but are not limited to:

1. Lying to school personnel.
2. Stealing or attempting to steal the property of other students, school personnel or any other person.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that demean and harm the reputation of the person or the identifiable group.
4. Discrimination, including the use of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex as a basis for treating another in a negative manner.
5. Harassment, which includes conduct directed at an identifiable individual or group that is intended to be or that a reasonable person would perceive to be ridiculing or demeaning, or that creates a hostile, abusive, or intimidating environment.
6. Intimidation, which includes engaging in actions or making statements that put an individual in fear of bodily harm.

7. Bullying, including but not limited to any hostile activity that harms, induces fear, creates a hostile, intimidating, or abusive environment, and/or creates terror. Bullying can be: Physical (including but not limited to hitting, kicking, spitting, pushing, and/or taking personal belongings); verbal (including but not limited to taunting, malicious teasing, name-calling, and/or making threats); and/or psychological (including but not limited to spreading rumors, manipulating social relationships, and/or engaging in social exclusion, extortion, or intimidation).

8. Hazing, which includes harassment or any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.

9. Cyberbullying, which includes but is not limited to any use of technology that constitutes harassment, teasing, intimidation, threatening, or terrorizing of another individual. Examples of such conduct include but are not limited to sending or posting inappropriate or derogatory e-mail or other electronic messages, instant messages, text messages, digital pictures or images, or Web site postings (including but not limited to blogs).

10. Selling, using or possessing obscene material.

11. Using vulgar or abusive language, cursing or swearing.

12. Possessing, using, or smoking a cigarette, a cigar, a pipe, tobacco, liquid nicotine, an electronic cigarette, electronic nicotine, a look-alike cigarette, a vaporizer, a vape delivery system, an inhalation device, vape juice, or any other device or paraphernalia that enables usage of an electronic cigarette.

13. Possessing, consuming, selling, transferring, distributing, exchanging, or being under the influence of any alcoholic beverages, any illegal or unauthorized drugs, or any illegal or unauthorized substances. “Illegal substances” include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs or substances, and any substances commonly referred to as “designer drugs”.

14. Unauthorized possession, use, sale, dissemination, exchange, or sharing of prescription or over-the-counter medications or drugs.

15. Possessing, selling, transferring, distributing, or exchanging any drug, drug-related, alcohol, or alcohol-related tools, equipment, paraphernalia, containers, and/or storage devices.


17. Indecent exposure, that is, exposure to sight of the private parts of the body or undergarments in a lewd or indecent manner. This paragraph encompasses and prohibits any and all indecent exposure, including but not limited to indecent exposure that is in-person or electronic (i.e. by possession or transmission of nude, obscene, pornographic or sexually explicit pictures, recordings, or messages).

18. Initiation of a report warning of fire or other exigency without valid cause, misuse of 911 or other emergency notice system or mechanism, causing a false alarm, or inappropriately discharging a fire extinguisher.

19. Subjecting any other student(s), school personnel, or any other person to danger
by engaging in conduct that creates a risk of injury or harm.

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

G. Engage in any form of academic misconduct. Examples of academic misconduct include but are not limited to:

1. Plagiarism.
2. Cheating.
3. Copying.
4. Altering records.
5. Assisting another student in any of the above actions.

H. Engage in any on-campus or off-campus conduct that: Endangers the safety, health, morals and/or welfare of any others; interferes with, disrupts, or negatively impacts the school environment or educative process; or can reasonably be expected to interfere with, disrupt, or negatively impact the school environment or educative process. As provided for in statute, the terms “bullying” and “harassment”, as used in this policy, shall mean: The creation of a hostile environment by conduct or by verbal threats, intimidation, or abuse that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities, or benefits, or mental, emotional, or physical well-being, including conduct, threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. Such conduct, verbal threats, intimidation, or abuse includes but is not limited to conduct, verbal threats, intimidation, or abuse based upon a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. The foregoing definition shall include acts of “bullying” and “harassment” that occur on school property, at a school function, or off school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property. Examples of such conduct include but are not limited to:

1. Cyberbullying, which includes but is not limited to any use of technology that constitutes harassment, teasing, intimidation, threatening, or terrorizing of another individual. Examples of such conduct include but are not limited to sending or posting inappropriate or derogatory e-mail or other electronic messages, instant messages, text messages, digital pictures or images, or Web site postings (including but not limited to blogs).
I. Students are prohibited from using or having on or in an operational mode any electronic device or electronic communication device at BOCES, on the school bus, or during any school activity, during instructional time, except as expressly permitted in connection with authorized use in classrooms. Students are prohibited from using any such devices in any manner that invades the privacy of students, employees, volunteers or visitors. Students are not permitted to use any form of information technology, including their own personal electronic devices, to intimidate, harass or threaten any others. That type of harassment is generally referred to as cyberbullying.

VII. Reporting Violations

All students are expected to promptly report violations of the code of conduct to a teacher, 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 shall report this information immediately to a teacher, the building principal, the principal’s designee or the district superintendent.

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

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

The building principal or his or her designee shall promptly notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of the school. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

VIII. Disciplinary Penalties, Procedures and Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the student’s ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student’s age.
2. The nature of the offense and the circumstances which led to the offense.
3. The student’s prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others, as appropriate.
6. Other extenuating circumstances.

As a general rule, discipline will be progressive, meaning that a student’s first violation will usually merit a lighter penalty than subsequent violations. If the conduct of a student is related to a disability or suspected disability, then the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability, to the extent that such discipline is prohibited by law.

The District Superintendent shall be authorized to establish rules and procedures to ensure compliance with any provisions of law relating to the provision of continued educational programming and activities (to include alternative educational programs appropriate to individual student needs) for students removed from the classroom, placed in detention or suspended from school.

A. Penalties or Remedies

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

1. Oral warning – member of the BOCES staff
2. Written warning – bus drivers, teacher aides, monitors, teachers, administrators, district superintendent
3. Written notification to parent – bus drivers, teacher aides, monitors, teachers, certificated support staff (including school psychologists, school counselors, school social workers, speech/language therapists and therapists for the visually impaired), administrators, district superintendent
4. Placement in alternative learning classroom or loss of privileges classroom – administrators (who may delegate such authority), district superintendent
5. Detention – teachers, certificated support staff (including school psychologists, school counselors, school social workers, speech/language therapists and therapists for the visually impaired), administrators, district superintendent
6. Suspension from social or extracurricular activities – activity directors, teachers, administrators, district superintendent
7. Suspension of other privileges – administrators, district superintendent
8. Suspension from transportation – administrators, district superintendent
9. In-school suspension – administrators, district superintendent
10. Removal from classroom by teacher – teachers, principal
11. Short-term (5 days or less) suspension from school – administrators, district superintendent, board of education
12. Long-term (more than five days) suspension from school – administrators, district superintendent, board of education
13. Permanent suspension from school – administrators, district superintendent, board of education

B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

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

1. Detention

Teachers, certificated support staff, administrators and the district superintendent may use after-school detention as a penalty for student misconduct where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student’s parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention. A student subjected to detention is not entitled to a full or formal hearing pursuant to Education Law §3214.

2. Suspension from transportation

If a student does not conduct himself/herself properly on the school bus, the bus driver is expected to bring such misconduct to the attention of a building or program administrator. Students who exhibit serious disciplinary problem(s) may have their riding privileges suspended by the building principal or the district superintendent, or one of 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.

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

3. Suspension from extracurricular activities and other privileges

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

4. In-school suspension

The board recognizes that 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 district superintendent to place a student who would otherwise be suspended from school as the result of a code of conduct violation in “in-school suspension.”

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

5. Teacher disciplinary removal of disruptive students

A student’s behavior can affect a teacher’s ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student’s behavior and maintain or restore control over the classroom by using good classroom management techniques. Those techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term “time out”; (2) sending a student into the hallway briefly; (3) sending a student to the main office for the remainder of the class time only; (4) sending a student to a counselor or other BOCES staff member for counseling; or (5) if authorized by the principal or his or her designee, placing a student in an alternative learning classroom or a loss of privileges classroom for less than a full school day. Time-honored classroom management techniques such as those do not constitute disciplinary removals for purposes of this code.

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

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

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.

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 complete a disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the completed removal form. If the principal or designee is not available by the end of the same school day, the teacher must either leave the form with the secretary or fax the form to the principal’s office, and meet with the principal or designee as soon as practicable -- preferably prior to the beginning of classes on the next school day.

Within 24 hours after the student’s removal, the principal or another BOCES administrator designated by the principal must notify the student’s parents, in writing, 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 or the principal’s designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student’s removal at the last known address for the parents. Where possible, notice shall also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.
The principal may require the teacher who ordered the removal to attend the informal conference.

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

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

1. The charges against the student are not supported by substantial evidence.
2. The student’s removal is otherwise in violation of law, including the BOCES code of conduct.
3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

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

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

Each teacher must retain a record (on a form prescribed by the BOCES) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class.

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

6. Suspension from school
Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the district superintendent and the school principals.

Any staff member may recommend to the district 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 district superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases, a written report is to be prepared as soon as possible by the staff member recommending the suspension.

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

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

When the district superintendent or principal (referred to as the “suspending authority”) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student’s parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice shall also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.
The notice and opportunity for an informal conference shall take place before the student is suspended unless the student’s presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student’s presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision.

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

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

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

To the maximum extent allowable by law, a parent or student may voluntarily, knowingly, and intelligently waive the right to a Superintendent’s hearing and/or other due process requirements.

The BOCES board of education delegates to the district superintendent the authority to condition a student’s early return from suspension (or other discipline) on the pupil’s voluntary participation in counseling or specialized classes, including anger management or dispute resolution, where applicable.

c. Permanent suspension
Permanent suspension is reserved for extraordinary circumstances such as where a student’s conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

Any discipline that is imposed by an administrator or employee below the rank of district superintendent may be appealed in writing to the district superintendent within thirty (30) days after notice of such discipline has been received.

Any discipline that is imposed or sustained by the district superintendent may be appealed in writing to BOCES board of education within thirty (30) days after notice of such discipline or affirning of such discipline has been received.

The foregoing deadlines for submission of appeals may be extended upon a finding that extraordinary circumstances prevented timely written submission of the appeal.

Final decisions of the BOCES board may be appealed to the Commissioner of Education within 30 days after notice of the decision is received.

C. Minimum Periods of Suspension

1. Students who bring a weapon to school

For the purposes of this Sub-paragraph C, the term “weapon” shall be defined only as that term is defined for the purposes of the federal gun-free schools act of 1994.

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The district superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the district superintendent may consider the following:

1. The student’s age.
2. The student’s grade in school.
3. The student’s prior disciplinary record.
4. The district superintendent’s belief that other forms of discipline may be more effective.
5. Input from parents, teachers and/or other.
6. Other extenuating circumstances.

A student with a disability may be suspended only in accordance with the requirements of state and federal law.
2. Students who commit violent acts other than bringing a weapon to school

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least one day. The district superintendent or principal has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the district superintendent or principal may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interferes 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 one day. For purposes of this code of conduct, “repeatedly is substantially disruptive” means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Educational Law §3214(3-a) and this code on four or more occasions during a semester, or three or more occasions during a trimester. The district superintendent or principal has the authority to modify the minimum one-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the district superintendent or principal may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

D. Referrals

1. PINS Petitions

The BOCES may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 upon any basis as authorized under the Family Court Act. Such authorized bases include any of the following:
1) Being habitually truant and not attending school as required by part one of Article 65 of the Education Law;
2) Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school;
3) Violating the provisions of section 230.00 of the penal law; or
4) Appearing to be a sexually exploited child as defined in paragraph (a), (c) or (d) of subdivision one of the Section 447-a of the social services law. but only if the child consents to the filing of a petition under this article.

2. Juvenile Delinquents and Juvenile Offenders
To the extent required by law, the district superintendent shall refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

a. Any student under the age of 16 who is found to have brought a weapon to school; or
b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20(42).

To the extent required by law, the district superintendent shall refer any student age 16 and older who is found to have brought a weapon, as defined for the purposes of the federal gun-free schools act of 1994, to school, or any student 14 or 15 years old who qualifies for juvenile offender status, to the appropriate law enforcement authorities.

3. The BOCES District Superintendent (or his or her designee) and/or the BOCES Principal (or his or her designee) shall report to the appropriate law enforcement agency a code of conduct violation that constitutes a crime.

IX. Discipline of Students with Disabilities

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

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

X. Visitors to the Schools

The board encourages parents and other district citizens to visit the district’s schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, 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 those reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.

2. All visitors to the school must report to the main office upon arrival at the school, unless otherwise directed by the District Superintendent or his or her designee or
by the principal or his or her designee. There they will be required to sign a visitor’s register and will be informed of any other procedure that must be followed while the visitor is in the school or on school grounds.

3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.

4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum.

5. Teachers are expected not to take class time to discuss individual matters with visitors.

6. Any unauthorized person on school property will be reported to the principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.

7. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

XI. Public Conduct on School Property

The BOCES is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school function including students, teachers and BOCES personnel.

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The BOCES recognizes that free inquiry and free expression are indispensable to the objectives of the BOCES. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose for which they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Injure any person or threaten to do so.
2. Damage or destroy school property or the personal property of a teacher, administrator, other BOCES employee or any person lawfully on school property, including graffiti or arson.

3. Disrupt the orderly conduct of classes, school programs or other BOCES activities.

4. Distribute or wear materials on school grounds or at school functions that are obscene, are discriminatory in nature, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.

5. Intimidate or harass any person, or discriminate against any person on the basis of a classification protected by law.

6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.

7. Violate the traffic laws, parking regulations or other restriction on vehicles.

8. Possess, consume, sell, distribute or exchange any alcoholic beverages or controlled substances, or be under the influence of either, on BOCES property or at a BOCES function or activity.

9. Possess or use any weapon in or on school property or at a BOCES function or activity, except in the case of law enforcement officers or except as specifically authorized by the BOCES.

10. Loiter on or about school property.

11. Gamble on school property or at school functions.

12. Refuse to comply with any reasonable order of identifiable school officials performing their duties.

13. Willfully incite any others to commit any of the acts prohibited by this code.

14. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

B. Penalties

Persons who violate this code shall be subject to the following penalties:
1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.

2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with any applicable due process requirements.

3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.

4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal or contractual rights that they may have.

5. Staff members other than those described in subdivisions 4 and 5. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights that they may have.

6. Violators of parking rules or regulations, or other restrictions on vehicles, will be subject to having their vehicle(s) towed or their access or parking rights revoked or restricted.

7. Any individual violating this code may be subject to a ban from BOCES premises.

C. Enforcement

The building principal or his or her designee shall be responsible for enforcing the conduct required by this code.

When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her designee shall also warn the individual of the 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 shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The BOCES shall initiate disciplinary action against any student or staff member, as appropriate, in accordance with the “Penalties” section above. In addition, the BOCES
reserves its right to pursue a civil or criminal legal action against any person violating the code.

**XII. Publication, Distribution and Review**

The board will work to ensure that the community is aware of this code of conduct by:

1. Providing copies of a summary of the code to all students at an assembly held at the beginning of each school year.
2. Making copies of the code available for review by students, parents, non-teaching staff and other community members.
3. Posting the complete code of conduct on the BOCES’ Web site.
4. Providing all current teachers and other certificated staff members with copies of the code, the parent summary and any amendments to the code as soon as practicable after adoption, and providing new teachers and other new certificated staff with copies of the current code and the parent summary upon their employment.

The board of education will review this code of conduct every year and update it as necessary. In conducting the review, the board will consider how effective the code’s provisions have been and whether the code has been applied fairly and consistently.

The board may appoint an advisory committee to assist in reviewing the code and the BOCES response to code of conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

Before adopting any revisions to the code, the board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

The code of conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

**XVIII. Construction and Administration of the Code of Conduct**
This code of conduct shall be construed in accordance with the laws of the State of New York.

The district superintendent shall be responsible for enforcement, publication, and/or dissemination of this code of conduct, and shall be authorized to promulgate any regulations, rules, guidelines, or forms that are consistent with the terms and provisions of this code and/or the provisions of law pursuant to which this code is adopted.