

# DISTRICT CODE OF CONDUCT

## Summary



Starpoint Central School District  
4363 Mapleton Road  
Lockport, NY 14094

*To review the full version of the Code of Conduct,  
visit <https://www.starpointcsd.org/Page/32>*

## **I. INTRODUCTION:**

The Board of Education is committed to providing a safe and orderly school environment. Responsible behavior by students, teachers, other district personnel, parents and visitors is essential. Board defined expectations for conduct is based on civility, mutual respect, citizenship, character, tolerance and honesty. The Board identifies the possible consequences of unacceptable conduct. This Board-adopted Code of Conduct applies to students, school personnel, parents and visitors on school property or at a school function.

In accordance with the *Dignity for All Students Act*, school district policy and practice must ensure that no student is subject to discrimination or harassment based on 11 protected classes: actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, and sex. A Dignity Act Coordinator (DAC) consisting of one or more staff members will be appointed by the Board of Education for each school. The DAC will be available to staff, students, and parents, as needed. The Superintendent, or designee, will be responsible for enforcing conduct required by this Code.

## **II. DEFINITIONS:**

**Controlled Substance** is a drug or substance having the appearance of a drug identified by the Controlled Substances Act.

**Cyber Violations** are inappropriate use of all technology, including but not limited to, cell phones, computers and/or the internet.

**Cyberbullying** means harassment or bullying as defined in this section where such harassment or bullying occurs through any form of electronic communication.

**Disruptive Student** is a student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

**Employee** means any person receiving compensation from the district or through a contracted service provider.

**Ethnic Group** means a group of people with a common heritage that includes language, culture, and often a shared or common religion or ideology that stresses ancestry.

**Gender** means actual or perceived sex and shall include a person's gender identity or expression.

**Gender Expression** is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice, or mannerisms.

**Gender Identity** is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.

**Harassment and Bullying** mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that: A) 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; B) Reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; C) Reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or, D) Occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying shall include, but not be limited to, acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. For the purposes of this definition, the terms "threats, intimidation or abuse" shall include verbal and non-verbal actions.

**Illegal Drugs** are the unlawful possession or use of controlled substances.

**Informal Conference** is a scheduled meeting between administrators, parents, and/or students.

**Interim Alternative Educational Setting** (students with disabilities) is a temporary educational placement for 45 days or less.

**National Origin** means a person's country of birth.

**Parent** is the biological, adoptive or foster parent, guardian or person in a parental relation to a student.

**PINS** means "persons in need of supervision."

**PINS Referral** can be filed in Family Court against a minor under the age of 18 who is alleged to be incorrigible, truant from school, and beyond the lawful control of his/her parents. Usually the referral is filed by a parent, guardian, or school official, but the referral can be filed by the police as well.

**Race** means a group of persons related by a common descent or heredity.

**Religion** means specific beliefs and practices agreed to by a group of people.

**Religious Practice** includes practices and observances; attending worship services, wearing specific clothing or displaying objects, praying, adhering to dietary rules, etc.

**Removal from Class** is teacher removal of a disruptive student from a specific class for up to two days.

**Removal from Class (as it relates to students with disabilities)** means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative setting (IAES) ordered by an impartial hearing officer or other appropriate party because the student poses a risk of harm to himself/herself or others.

**School Agenda/Student Handbook** is a booklet provided to students that explains the school day, programs, and student expectations.

**School Property** is anything that is owned, leased, or rented by the Starpoint Central School District, or a school bus.

**School Function** is any school-sponsored extra-curricular event or activity.

**Sexual Orientation** means actual or perceived heterosexuality, homosexuality or bisexuality.

**Sexual Harassment** is inappropriate visual, verbal or physical conduct. It is sexual in nature or gender based, unwanted, severe, persistent, or pervasive; and interferes with work or learning.

**Superintendent Hearing** is a formal meeting held in compliance with NYS Education Law.

**Suspension** is a severe penalty imposed upon students who are violent, insubordinate, disruptive, or whose conduct endangers the safety, morals, health or welfare of others.

**Violent student** is a student, under the age of 21, who:

- Commits an act of violence.
- Possesses, displays, or threatens to use a weapon or object.
- Damages or destroys school district or personal property.

**Weapon** is a firearm as defined in 18 USC Section 921 for purposes of the Gun Free Schools Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, metal knuckles, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or anything that gives the appearance of being harmful, or other device instrument, material or substance that can cause serious physical injury or death when used as a weapon.

### **III. PUBLIC CONDUCT ON SCHOOL PROPERTY:**

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

No person will:

- Injure or threaten a person
- Possess, threaten to use, or use weapons
- Intentionally damage or remove district property
- Be disruptive, rude, vulgar, or disrespectful
- Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed
- Violate traffic laws or parking regulations
- Have or use alcohol, drugs, or weapons
- Smoke a cigarette or any tobacco products, or use electronic cigarette/vaping paraphernalia
- Gamble
- Refuse to comply with lawful orders or incite others
- Violate the Acceptable Use of Technology procedures established by the district

Persons, other than students, who violate this Code may be subject to penalties, including the notification of proper authorities in the case of illegal behavior:

- Visitors: verbal warnings, loss of privileges to be on school property or attend school events.
- Faculty members, staff, and students: may be subject to disciplinary action.

### **IV. PROHIBITED STUDENT CONDUCT**

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

- Is disorderly
- Is insubordinate
- Is disruptive
- Is violent
- Endangers the safety, physical or mental health or welfare of others
- Is dangerous on a school bus
- Involves academic misconduct
- Takes place off-campus and interferes with the educational process in the school or at a school function

*Refer to student handbooks/agendas and full Code of Conduct for examples.*

## **V. STUDENT RIGHTS AND RESPONSIBILITIES:**

### ***It is the student's right to:***

- attend school in the district where their parent or legal guardian resides;
- express their opinions verbally or in writing without fear of retaliation;
- express their personalities through dress;
- feel safe and unthreatened in school;
- be given due process for disciplinary action;
- be represented by a student government selected by elections;
- have equal and appropriate educational opportunities;
- participate on athletic teams and in extracurricular activities;
- have their student records available for inspection by parents/legal guardian, or themselves (18 or older);
- be free from discriminatory practices, intimidation, or harassment based on race, color, weight, national origin, religion, religious practices, ethnic group, sex, gender/gender identity, sexual orientation or disability;
- district provided instruction in civility, citizenship and character education in accordance with DASA.
- be respected as an individual entitled to personal dignity and integrity.

### ***It is the student's responsibility to:***

- attend school daily, be punctual; and work to the best of their ability;
- express their opinions in a respectful manner;
- dress appropriately as to not distract;
- be aware of rules and expectations for behavior;
- follow school rules and cooperate with school staff;
- take an active part in student government;
- be aware of available educational programs;
- be physically fit, meet team standards; and be aware of rules and expectations of participation;
- be aware of the right to access student records and the guidelines for access;
- not participate in discriminatory practices in accordance with the Code of Conduct and the Dignity Act;
- to report and encourage others to report incidents of intimidation, harassment, and discrimination;
- attend and participate in instruction in civility, citizenship and character education
- appreciate the dignity and integrity of all persons.

## **VI. EXPECTATIONS OF PARENTS:**

- Recognize that education is the joint responsibility of the parent and the school.
- Send children to school ready to learn, to attend regularly and be on time, and dressed appropriately.
- Help children understand rules and necessity of rules.
- Build good relationships with teachers and school staff and maintain open and respectful communication.
- Keep school officials informed about home situations that may affect conduct or performance.
- Help children deal effectively with school issues.
- Teach children to have respect and dignity for themselves and others.
- Confront and report issues of discrimination and harassment to the building administrator and the Dignity Act Coordinator.

## **VII. EXPECTATIONS OF SCHOOL ADMINISTRATION, FACULTY AND STAFF:**

- Recognize that children’s education is the joint responsibility of the school and the parent/guardian.
- Expect students to participate and learn. Require that students attend regularly and are punctual.
- Insist that students dress and are groomed in accordance with the student dress code.
- Know school policies and rules and help students to understand the rules and necessity of rules.
- Convey a supportive attitude towards the school, district, and education.
- Build good relationships with parents, students, and school staff.
- Help students deal effectively with school issues.
- Work to maintain open and respectful communication.
- Be aware of home situations that may affect student conduct or performance.
- Provide a safe and appropriate learning environment.
- Teach students to have respect and dignity for themselves and others.
- Confront and report all issues of discrimination, bullying and harassment to the building administrator and the Dignity Act Coordinator, whether during or after school hours.

## **VIII. STUDENT DRESS CODE:**

All students are expected to exhibit cleanliness and to dress appropriately. Clothing should not disrupt or interfere with the educational process. A student’s dress shall:

- Be safe, appropriate, and not disrupt the educational process
- Ensure all undergarments are completely covered
- Include safe footwear at all times
- Not include the wearing of hats, bandanas, etc. except for a medical or religious purpose
- Not include items that are vulgar, obscene, or denigrate others based on their race, religion, national origin, gender, weight, sexual orientation, or disability
- Not promote the use of alcohol, tobacco, vaping, or illegal drugs
- Not conceal their head or face

Students who violate the dress code shall be required to modify their appearance by covering or removing the offending item. Any student who refuses to do so will be subject to discipline.

*Refer to student handbooks/agendas for further explanation and examples.*

## **IX. DISCIPLINARY PROCEDURES AND PENALTIES:**

Disciplinary action must be fair and consistent to be effective in changing student behavior. Discipline will usually be progressive; first violations frequently result in lighter penalties than subsequent violations, except when a violent act has been committed.

### **A. PENALTIES**

Violations of the district's Code of Conduct and the Dignity for All Students Act may be subject to penalties, including warnings, time-outs, detentions, suspensions, etc.

Consequences and disciplinary actions for staff members will be addressed through Board Policies, applicable collective bargaining agreement and New York State Law and Regulations.

## **B. PROCEDURES**

The amount of due process a student is entitled to depends on the type of imposed penalty. Students who receive penalties other than a verbal or written warning, or written notification to their parents, are entitled to additional due process rights before the penalty is imposed. School personnel must inform the student about the misconduct and investigate the facts. Students have the opportunity to present their version of the facts to school personnel.

## **C. MINIMUM PERIODS OF SUSPENSION**

1. Students who bring a weapon to school will be subject to suspension from school for at least one calendar year.
2. Students who commit violent acts, other than bringing a weapon, will be subject to suspension from school for at least five days.
3. Students who are repeatedly disruptive of the educational process or who interfere with the teacher's authority over the classroom will be subject to suspension from school for at least five days.

The Superintendent has the authority to modify these penalties on a case by case basis.

## **X. THE DIGNITY FOR ALL STUDENTS ACT:**

The Starpoint Central School District will not tolerate incidents of discrimination, intimidation, taunting, harassment, and bullying on school property, a school bus and/or at a school function by students and/or school employees.

The New York State Dignity for All Students Act (Dignity Act) was signed into law on September 13, 2010 and became effective July 1, 2012. This legislation amended State Education Law by creating a new Article 2 - Dignity for All Students. The Dignity Act states that NO student shall be subjected to harassment or discrimination by employees or students on school property or at a school function based on their actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

### **Dignity Act Coordinators**

In compliance with Education Law §13(3), at least one staff member at every school must be thoroughly trained in human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes a person's actual or perceived sex, and gender identity and expression), and sex. This staff member should be referred to as the Dignity Act Coordinator (DAC).

If you have been the target of such behaviors listed above or know someone who has, we encourage you to speak to a teacher, principal, or school employee.

### **Additional Resources from the NYS Education Department:**

Dignity for All Students Act Webpage: <http://www.p12.nysed.gov/dignityact/>

DASA Brochure: <http://www.p12.nysed.gov/dignityact/documents/DignityActBrochureUpdateFinal.pdf>

Staff members, parents, community members, and students should report violations of the Code of Conduct and the Dignity for All Students Act to the appropriate personnel at the level of occurrence.

#### **XI. DISCIPLINE OF STUDENTS WITH DISABILITIES:**

Students with disabilities have protections, consistent with the law regarding disciplinary actions. If the conduct is related to the disability, the Committee on Special Education will be notified and appropriate action will be taken.

#### **XII. STUDENT SEARCHES AND INTERROGATIONS:**

- School officials may question a student about a violation of law or of the district Code of Conduct or the Dignity for All Students Act. Students are not entitled to a "Miranda" warning before being questioned and school officials are not required to contact parents before questioning a student.
- School officials may conduct searches of students and their belongings if there is reasonable suspicion to believe that the search will result in evidence. Student lockers and desks are subject to search, without prior notice and without consent.
- Student searches may require a student to remove an outer coat, jacket, or shoes. All search information must be promptly recorded.
- Police have limited authority to interview or search students in school or at functions.

#### **XIII. PUBLICATION, DISTRIBUTION AND REVIEW:**

##### **A. Dissemination of Code of Conduct**

District personnel will:

- Discuss the Code of Conduct each year with the student body in an assembly.
- Post the Code of Conduct and a plain language summary on the district's website.
- Provide a copy of the Code of Conduct to all teachers and staff members.
- Make copies of the Code available in each school building for review by parents, students, and community members.

The Board will review the Code every year, update it, if necessary, and consider its effectiveness. An advisory committee will be appointed to assist in this review. Committee members will include students, teachers, administrators, PTA members, school safety personnel, and other school personnel.

##### **B. Public Hearing:**

A school board can only approve an amended Code of Conduct after at least one public hearing that provides for the participation of school personnel, parents, students, and any other interested parties. Amendments must be filed with the Commissioner of Education no later than thirty (30) days after adoption.