

# Pulaski Academy & Central School District Student Code of Conduct

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## Introduction

The Pulaski Academy & Central School District Board of Education is committed to providing a safe and orderly learning environment for students and staff. Responsible behavior by students, teachers, other Pulaski Academy & Central School District personnel, parents and other visitors is essential to achieving this goal. Pulaski Academy & Central School District has a long-standing set of expectations for conduct on school property and at its functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, integrity, and the belief in the educational mission of the organization.

The Board recognizes the need to clearly define these expectations for acceptable conduct on Pulaski Academy & Central School District property, identify the possible consequences of unacceptable behavior, and to see to it that discipline, when necessary, is administered promptly and fairly. To this end, the Board of Education adopts this Code of Conduct.

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

## I. Definitions

For purposes of this Code, the following definitions apply.

### Disruptive Student

Any student who is substantially disruptive of the educational process or substantially interferes with district employees' authority.

### Parent

The biological, adoptive or foster parent, legal guardian or person in parental relations to a student.

### Pulaski Academy & Central School District Property

In or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the District's elementary or secondary schools, or in or on a school bus; and a school function shall mean a school-sponsored extracurricular event or activity regardless of where such event or activity takes place, including those that take place in another state.

### Pulaski Academy & Central School District Function

Any Pulaski Academy & Central School District sponsored extracurricular event or activity including but not limited to off-site events.

### Violent Student

Any student who may be described by any of the clauses below:

1. Commits an act of violence upon a Pulaski Academy & Central School District employee.
2. Commits, while on Pulaski Academy & Central School District property or at a Pulaski Academy & Central School District function, an act of violence upon another student or any other person lawfully on Pulaski Academy & Central School District property or at a Pulaski Academy & Central School District function.
3. Possesses while on Pulaski Academy & Central School District property or at a Pulaski Academy & Central School District function a weapon.
4. Displays, while on Pulaski Academy & Central School District property or at a Pulaski Academy & Central School District function, what appears to be a weapon.
5. Threatens, while on Pulaski Academy & Central School District property or at a Pulaski Academy & Central School District function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any Pulaski Academy & Central School District employee or of any person lawfully on Pulaski Academy & Central School District property or at a Pulaski Academy & Central School District function.
7. Knowingly and intentionally damages or destroys Pulaski Academy & Central School District property.

### Weapon

A firearm as defined in 18 USC 921 for purposes of the Gun Free Schools Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, 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 serious physical injury or death when used as a weapon.

## II. Student Rights and Responsibilities

### A. Student Rights

Pulaski Academy & Central School District is committed to safeguarding the rights given to all students under state and federal law. In addition to those rights, all Pulaski Academy & Central School District students have the right to:

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

### B. Student Responsibilities

All Pulaski Academy & Central School District students have the responsibility to:

1. Contribute to maintaining a safe and orderly learning environment that is conducive to learning and to show respect for other persons and to property.
2. Be familiar with and abide by all Pulaski Academy & Central School District policies, rules and regulations dealing with student conduct.
3. Attend classes every scheduled day unless legally excused, and to be on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and all other Pulaski Academy & Central School District personnel in a respectful, positive manner. Work to develop mechanisms to control their anger.
6. Ask questions when they do not understand.
7. Seek help in solving problems that might lead to discipline.
8. Dress appropriately for class and Pulaski Academy & Central School District functions.
9. Accept responsibility for their action.
10. Conduct themselves as representatives of Pulaski Academy & Central School District when participating in or attending Pulaski Academy & Central School District sponsored extracurricular events and to hold themselves to the highest standards of conduct.
11. Maintain the confidentiality of their locker combination(s) and to know that school officials have the legal right to inspect lockers or to search a student's person or belongings on school property. Police K9 units may be used to search school property, including student lockers, to maintain the safety of students.

## III. Responsibilities of the Essential Partners in Education

### A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the educational community.
2. Send their children to educational programs ready to participate and learn.
3. Ensure their children attend class regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain

a safe, orderly environment.

7. Know Pulaski Academy & Central School District rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and Pulaski Academy & Central School District.
9. Monitor student progress through academic progress reports, report cards, and online grading programs, where available.
10. Build good relationships with teachers, 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. Be familiar with the District's Code of Conduct, which is posted on the District website.

## B. Teachers

All district teachers are expected to exhibit a high level of professionalism through:

1. Maintaining 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 student's self-concept and promote confidence to learn.
2. Being prepared to teach.
3. Demonstrating interest in teaching and concern for student achievement through the use of best practices.
4. Awareness of the Pulaski Academy & Central School District policies and rules, and enforcing them in a fair and consistent manner.
5. Maintain confidentiality in conformity with federal and state law.
6. Communicating to students and parents:
  - Course objectives and requirements
  - Marking/grading procedures
  - Assignment deadlines
  - Expectations for students
  - Classroom discipline plan
7. Inputting and documenting grades according to building guidelines.
8. Communicating regularly with students, parents and other teachers concerning student growth and achievement.
9. Participating in school-wide efforts to provide adequate supervision in all school spaces, in conformity with the Taylor Law.
10. Addressing issues of harassment or 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.
11. Addressing personal biases that may prevent equal treatment of all students in the school or classroom setting.

## C. School Counselors/School Psychologists

All school counselors/school psychologists are expected to exhibit a high level of professionalism through:

1. Maintaining 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, and gender of sex.
2. Assisting students in coping with peer pressure and emerging personal, social, academic, and emotional problems.
3. Collaborating with school-based services.

4. Participating in teacher, student, counselor conferences and parent–teacher, student, counselor, administrator conferences; as a way to resolve problems.
5. Reviewing students' educational progress and career plans (at appropriate grade levels).
6. Organizing and administering tests as needed.
7. Providing information to assist students with career planning (at appropriate grade levels).
8. Encouraging students to benefit from the curriculum and extracurricular programs.
9. Maintaining confidentiality in accordance with federal and state law.
10. Making known to students and families the resources in the community that are available to meet their needs.
11. Participating in school-wide efforts to provide adequate supervision in all school spaces.
12. Addressing issues of harassment or 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. Addressing personal biases that may prevent equal treatment of all students.

#### D. Other School Personnel

All other school personnel are expected to exhibit a high level of professionalism through:

1. Maintaining 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.
2. Maintaining confidentiality in accordance with federal and state law.
3. Being familiar with the Code of Conduct which is posted on the District website.
4. Helping children understand the district's expectations for maintaining a safe, orderly environment.
5. Participating in school-wide efforts to provide adequate supervision in all school spaces.
6. Addressing issues of harassment or 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.
7. Addressing personal biases that may prevent equal treatment of all students.

#### E. Principals/Administrators

All administrators are expected to exhibit a high level of professionalism through:

1. Promoting 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.
2. Supporting active teaching and learning through the use of best practices and professional development.
3. Ensuring that students and staff have the opportunity to communicate regularly with the principal/administrators and have access to the principal/administrators for redress of grievances.
4. Maintaining confidentiality in accordance with federal and state law.
5. Facilitating regular communications (including the redress of grievances) among the principal, staff, parents, students, and community.
6. Evaluating on a regular basis all instructional programs.
7. Providing support in the development of the Code of Conduct, when called upon. Disseminate the Code of Conduct and anti-harassment policies.
8. Supporting the development of and student participation in appropriate extracurricular activities.
9. Being responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly, fairly and uniformly.
10. Participating in school-wide efforts to provide adequate supervision in all school spaces.
11. Addressing issues of harassment of 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.

12. Addressing personal biases that may prevent equal treatment of all students and staff.

#### F. The Dignity Act Coordinator

The Dignity Act Coordinator will exhibit a high level of professionalism through:

1. Promoting 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.
2. Identifying curricular resources that support infusing civility in classroom instruction and provide guidance to staff as to how to access and implement those resources.
3. Being responsible for monitoring and reporting on the effectiveness of the district's bullying prevention policy.
4. Addressing issues of harassment or 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.
5. Addressing personal biases that may prevent equal treatment of all students and staff.

#### G. Superintendent

The Superintendent is expected to exhibit a high level of professionalism through:

1. Promoting 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.
2. Informing the Board about educational trends relating to student discipline.
3. Supporting active teaching through the use of best practices and by providing time for professional development opportunities.
4. Reviewing with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
5. Informing the Pulaski Academy & Central School District Board of Education about educational trends relating to student discipline.
6. Working to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
7. Working with district administrators to enforce the code of conduct and see that all cases are resolved promptly, fairly, and uniformly.
8. Maintaining confidentiality in accordance with federal and state law.
9. Participating in school-wide efforts to provide adequate supervision in all school spaces.
10. Addressing issues of harassment or 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.
11. Addressing personal biases that may prevent equal treatment of all students and staff.

#### H. Board of Education

The Board of Education is expected to exhibit a high level of professionalism through:

1. Promoting 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 of sex.
2. Maintaining confidentiality in accordance with federal and state law.
3. Collaborating with students, teachers, administrators, parent organizations, and Pulaski Academy & Central School District personnel to develop a code of conduct that clearly defines expectations for the conduct of students, Pulaski Academy & Central School District personnel and visitors on Pulaski Academy & Central School District property and at Pulaski Academy & Central School District functions.

4. Adopting and reviewing at least once each year the Pulaski Academy & Central School District code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
5. Leading by example by conducting Board meetings in a professional, respectful, courteous manner.
6. Addressing issues of harassment or 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.
7. Addressing personal biases that may prevent equal treatment of all students and staff.

## IV. Student Dress Code

1. The responsibility of student dress and general appearance rests with the individual student and parent. However, the Board of Education requires students to attend school in appropriate dress that meets health and safety standards and does not interfere with the learning process or contradict the educational mission of the school.
2. The Board of Education sets the following standards for student dress and expects school staff to reinforce acceptable attire and guide students in developing an understanding of appropriate appearance in the educational setting.
3. Each Building Principal shall be responsible for informing all students and their parents of the student dress code within the first 30 school days of each academic year, or upon entering school.
4. Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item, and if necessary or practical, replacing it with an acceptable item. Any student who refuses to modify their appearance shall be subject to discipline.
5. The Pulaski & Academy Central School District prohibits the wearing of attire bearing any expression or insignias which are obscene or offensive, or which advocate racial or religious prejudice, or items that denigrate others, display sexually suggestive language or promote alcohol, drug or tobacco use. This includes clothing, buttons, jewelry, bags, or backpacks which promote or advertise illegal drugs, alcohol, or tobacco or that promote violence.
6. The District further prohibits the wearing of attire that has the potential of interfering with the safe and healthy environment of the school. Examples include roller shoes, capes, sunglasses, excessively long or heavy chains. Proper footwear must be worn at all times.
7. The District prohibits the wearing of attire that has the potential of interfering with the educational process. Examples include clothing which exposes undergarments, buttocks, or breasts. Hats and hoods are not allowed in the auditorium.

## V. Rules of Conduct

The Board recognizes the need to make its expectations for student conduct while on Pulaski Academy & Central School District property or engaged in a Pulaski Academy & Central School District sponsored 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 will not accept responsibility for their own behavior and who violate these rules will be required to accept the penalties for their conduct.

Students may be subject to disciplinary action, up to and including suspension from Pulaski Academy & Central School District programs when they:

**A. Engage in conduct that is disorderly. Examples of disorderly conduct may include but are not limited to:**

1. Engaging in any act which disrupts the normal operation of the school community, running in hallways,

making unreasonable noise, and using language or gestures that are profane, lewd, vulgar, abusive, intimidating, or that incite others.

2. Obstructing vehicular or pedestrian traffic.
3. Engaging in any willful act, which disrupts the normal operation of the Pulaski Academy & Central School District community.
4. Trespassing. Students are not permitted in any Pulaski Academy & Central School District building, other than the one they regularly attend, without permission from the administrator in charge of the building.
5. Unauthorized use of personal electronic devices/equipment (i.e., cell phones, MP3 or iPod devices, and other personal electronic devices deemed inappropriate by the administration).
6. Unauthorized use of personal computer, laptop and/or other computerized information resources through the Pulaski Academy & Central School District computer system is prohibited.

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

1. Failing to comply with the lawful directions of Pulaski Academy & Central School District employees or otherwise demonstrating disrespect.
2. Lateness for, missing or leaving Pulaski Academy & Central School District property without permission.
3. Skipping detention.
4. Lying to Pulaski Academy & Central School District personnel.

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

1. Failing to comply with the lawful directions of Pulaski Academy & Central School District employees.
2. Endangering the health and safety of other students or staff or interfering with classes or District activities by means of inappropriate appearance or behavior as per the District Code of Conduct.
3. Being late for school or class.
4. Being unprepared for class.

**D. Engage in conduct that is violent. Examples of violent conduct include:**

1. Threatening or committing an act of violence (such as hitting, kicking, and punching), unless otherwise related to their disability, upon any Pulaski Academy & Central School District employee.
2. Threatening or committing an act of violence (such as hitting, kicking, and punching), unless otherwise related to their disability, upon another student or any other person lawfully on Pulaski Academy & Central School District property.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on Pulaski Academy & Central School District property or at a Pulaski Academy & Central School District function. "Weapon" means a gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, metal knuckle knife, box cutters, cane sword, electronic dart gun, stun gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other dangerous instrument that can cause physical injury or death.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. Intentionally or recklessly damaging or destroying the personal property of any district employee or any person lawfully on Pulaski Academy & Central School District property, including graffiti or arson.
7. Intentionally or recklessly damaging or destroying school district property.
8. Communication by any means, including oral, written or electronic (such as through the Internet or e-mail) off school property, where the content of such communication (a) can reasonably be interpreted as a threat to commit an act of violence on school property; or, (b) results in material or substantial disruption to the educational environment.



- E. Engaging in any conduct in violation of the tobacco or drug and alcohol policies of the Pulaski Academy & Central School District.
1. Possession and/or use of tobacco products (including but not limited to a cigarette, electronic cigarette or electronic smoking device, cigar, pipe, lighter, matches or chewing/smokeless tobacco) on school property.
  2. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either, "illegal substances" including synthetic cannabinoids, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look- alike drugs, and any substances commonly referred to as "designer drugs".
  3. Possessing or distributing prescription, over-the-counter drugs, and herbal and dietary supplements.
- F. Engage in theft by stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
- G. Engage in misconduct while on a school bus.
1. It is crucial for students to behave appropriately while riding on Pulaski Academy & Central School District buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Since students are considered to be on school property while on the bus they are required to conduct themselves in a manner consistent with established standards for classroom behavior.
- H. Engage in any form of academic misconduct. Examples of academic misconduct may include but are not limited to:
1. Plagiarism. "Plagiarism" is the use or close imitation of the language and ideas of another author and representation of them as one's own original work. This includes copying from electronic sources (from the World Wide Web), even with minor alterations.
  2. Cheating
  3. Copying
  4. Altering a grade, or other student record, on paper or in electronic form.
  5. Assisting another student in any of the above actions.
- I. Engage in any conduct that endangers the safety, morals, physical or mental health or welfare of others. Examples of such conduct may include but are not limited to:
1. Falsely reporting an incident.
  2. Unjustified activation of any fire alarm, or any other safety or security device or alarm on school property, school transportation, or at any school related function.
  3. Bomb threats of any type.
  4. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them. This can include posting or publishing videos, audio recordings or pictures online.
  5. Discrimination, which includes the use of actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, religion, religious practice, ethnic group, sex, gender (identity and expression), weight or disability to deny rights, equitable treatment or access to facilities available to others.
- J. Engaging in discrimination and harassment against any student, by employees or students on school property or at a school function, that creates a hostile environment by conduct, with or without physical contact and/or verbal threats, intimidation or abuse, of such a severe nature that:
1. Has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; or
  2. Reasonably causes or would reasonably be expected to cause a student to fear for his/her physical

safety.

3. Such conduct shall include, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender as defined in Education Law Section 11(6), or sex; provided that nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a person's gender that would be permissible under Education Law Sections 3201-a or 2854(2) (a) and Title IX of the Education Amendments of 1972 (20 USC Section 1681 et permissible under 504 of the Rehabilitation Act of 1973.

K. Engaging in bullying or harassment of any student, staff member, or visitor to the Pulaski Academy and Central School District as set forth by the Board of Education Policy.

1. Acts of sexual harassment
2. Selling, using or possessing obscene or pornographic material
3. Acts of hazing
4. Acts of bullying
5. Acts of cyberbullying

L. Engaging in misuse of school devices as detailed in the Board of Education Policy 7315 Student Use of Computerized Information Resources (Acceptable Use Policy)

## VI. Reporting Violations of the Code of Conduct

Any student observing a student possessing a weapon, alcohol or illegal substance on Pulaski Academy & Central School District property or at a Pulaski Academy & Central School District function shall report this information immediately to a Pulaski Academy & Central School District employee. Any weapons, alcohol or illegal substances found shall be confiscated immediately, followed by notification to the parent of the student involved and the appropriate disciplinary action taken, up to and including permanent suspension and referral for prosecution. Failure to report an incident to a Pulaski Academy & Central School District employee may result in disciplinary action.

The Building Principal must notify the Superintendent as well as appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal learns of the violation. The notification may be made by telephone, followed by a letter mailed within 24 hours of the notification. The notification must identify the student(s) and explain the behavior that violated the Code of Conduct.

## VII. Disciplinary Procedures and Penalties

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. Pulaski Academy & Central School District 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. This means that a student's subsequent violations will usually merit a stiffer penalty than the first violation.

If the conduct of a student is related to a disability or suspected disability, a manifestation determination hearing will be held before additional consequences are rendered. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

### Consequences

Students who are found to have violated the Pulaski Academy & Central School District Code of Conduct may be subject to the following penalties, either alone or in combination with one another. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Verbal warning – any member of the Pulaski Academy & Central School District staff
2. Written warning – bus driver, lunch monitors, teaching assistants, teachers, building administrators, superintendent
3. Written notification to parent – bus driver, lunch monitors, teaching assistants, teachers, building administrators, superintendent
4. Lunch Detention – teachers, building administrators, superintendent
5. Detention – teachers, building administrators, superintendent
6. Saturday Detention - building administrators, superintendent
7. Suspension from transportation – building administrators, superintendent, transportation supervisor
8. Suspension from social or extracurricular activities – building administrators, superintendent
9. Suspension from Interscholastic Athletics - building administrators, superintendent, Athletic Director
10. Suspension of other privileges – building administrators, superintendent
11. In-School Suspension – building administrators, superintendent
12. Removal from classroom by teacher – teachers, building administrators, superintendent
13. Short-term (five days or less) Suspension from school –principal, superintendent, Board of Education
14. Long-term (more than five days) Suspension from school – superintendent, Board of Education
15. Permanent Suspension from school – superintendent, Board of Education
16. Notification of authorities – building administrators, superintendent, transportation supervisor

### Procedures

Personnel authorized to impose penalties must let the student know what misconduct the student is alleged to have committed, and must investigate the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the Pulaski Academy & Central School District personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

## Teacher

A disruptive student is one who negatively affects a teacher's ability to teach and makes it difficult for other students in the classroom to learn. In many instances the classroom teacher can control disruptive student behavior by using good management techniques. Occasionally, however, it may be necessary for a teacher to remove a disruptive student from the classroom to ensure that the other students continue to learn.

If the student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student, before the student is removed, with an explanation for why he or she is being removed. The student must also be given the opportunity to present his or her version of the relevant events. Only after this informal discussion may a teacher remove a student from class.

If the student does pose a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately to in-school suspension or the principal's office. 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 Pulaski Academy & Central School District established referral form, when appropriate, to explain the behavior that caused the removal from class. The referral form should be turned in to the appropriate administrator by the end of the school day.

Nothing in this section of the Code of Conduct abridges the customary right or responsibility of a principal to suspend a student. Further, nothing in this code abridges the customary right and responsibility of a teacher to manage student behavior in the classroom. Short-term, time-honored classroom management techniques, such as "time-out" in an elementary classroom or in an administrator's office, or sending students briefly into the hallway, are not considered removals from class. The removal process should not become a substitute for good classroom management.

## Bus Driver

A disruptive student is one who negatively affects a bus driver's ability to safely operate the Pulaski & Academy Central School District bus or poses a danger to another student. In most instances, the bus driver can control disruptive student behavior by using good management techniques, and implementing verbal and written communication with students and parents.

The bus driver must complete a Pulaski Academy & Central School District established referral form as soon as possible to explain the behavior that caused the removal from the bus. The referral form should be turned into the appropriate administrator by the end of the bus route.

## IX. Suspension of Students

Within 24 hours after the student's removal, the principal, or another Pulaski Academy & Central School District administrator designated by the principal must notify the student's parent, 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, supervisor, or the designated administrator to discuss the reasons for the removal and behavior modification(s) to remedy the cause 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 parent. Where possible, notice should also be provided by telephone if Pulaski Academy & Central School District has been provided with a telephone number(s) for the purpose of contacting parents.

## Minimum Suspension Periods for Students Who are Repeatedly Substantially Disruptive

A student who is removed from class on three or more occasions throughout the school year may be subject to disciplinary action ranging from a Saturday detention to an out-of-school suspension. Such removals need not be by the same teacher. The discipline may be increased or reduced on a case-by-case basis by the superintendent, or his/her designee, consistent with law.

## Minimum Suspension Periods for Students Who are Violent

Students who are deemed to be “violent pupils” as defined by Education Law Section 214(2-a)(a) may be subject to a minimum out-of-school suspension of at least five days. The suspension period may be increased or reduced on a case-by-case basis by the superintendent, or his/her designee, consistent with law.

## Procedures to Inform Law Enforcement Officials of a Crime and Filing Criminal Complaints

When a violation of this code constitutes a crime, the superintendent has established the following procedures to report the incident to the appropriate law enforcement agency and to follow through with filing a criminal/juvenile delinquency complaint:

1. Any individual who believes that he/she has witnessed a crime either on school premises or at a school function should report it to the appropriate building principal or his/her designee. The principal/designee will gather the necessary information to determine whether he/she believes that a crime has been committed. If so, the appropriate local law enforcement agency will be contacted immediately. If not, the principal/designee will take whatever disciplinary steps may be necessary, consistent with the code. These procedures should be followed in all circumstances except for reporting “child abuse in an educational setting” where the procedure for reporting such incidents is set forth in the statute.
2. If the school district is deemed (by law enforcement) to be the appropriate entity to file a criminal/juvenile delinquency complaint against a code violator, the appropriate school official (e.g. building principal) will be expected to file such a complaint. Where the victim of the crime is an individual, whether a student, teacher, staff member, visitor, etc., the crime victim will be strongly encouraged to file such a complaint.

## PINS (Persons in Need of Supervision) Petition/Referral to Human Services Agencies

The superintendent has established the following procedures for filing PINS petitions or for the referral of pupils to the appropriate human service agency.

1. Where a student does not attend school in accordance with the Education Law or is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent or other lawful authority or who violates provisions of Section 221.05 of the Penal Law (unlawful possession of marijuana), the building principal having authority over the student will be responsible for filing a PINS proceeding against that student. Being incorrigible, ungovernable or habitually disobedient and beyond the lawful control of a parent or other lawful authority has the same definition as that provided in Article 7 of the Family Court Act. These petitions may also be filed by guidance counselors, or other certified staff members, but must be done in consultation with the building principal. Prior to commencing any such proceedings, the building principal should review the matter with the superintendent, who may consult with the school district’s attorney.
2. The superintendent will make available to all building principals a list of appropriate human services agencies located in or near the district. When, in the discretion of the building principal, referral to such an agency is appropriate, such referrals will be made. This does not, however, affect the mandatory reporting requirements of all school district employees to make referrals for suspected child abuse.

## Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities are entitled to certain procedural protections whenever school authorities intend to impose a removal or suspension that changes their educational placement. The Board is committed to providing these procedural protections when disciplining these students. 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 law and regulations.

### 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 administrators and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in “in-school suspension”. “In-school suspension” is the temporary removal of students from the classroom and their placement in another area of the school.

A student subjected to an in-school suspension is not entitled to a full 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 district official imposing the in-school suspension to discuss the conduct and the penalty involved.

## X. Public Conduct on School Property

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school function including students, teachers and district 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 district recognizes that free inquiry and free expression are indispensable to the objectives of the district. 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 a school property or attending a school function are expected to be properly attired for the purpose they are on school property.

### Prohibited Conduct

No person either alone or with others shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee, or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs, or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass, or discriminate against a person on the basis of actual or perceived race, color, creed, national origin, ethnic group, religion, religions practice, sex, gender, sexual orientation, weight or disability.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.

7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations, or other restrictions on vehicles.
9. Possess, consume, sell, distribute, or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance, or board policy while on school property or while at a school function.
16. Engage in any conduct that endangers the safety, physical or mental health or welfare of others. Examples of such conduct include, but are not limited to:
  - Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
  - Harassment, which includes a sufficiently severe action or persistent pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing or demeaning. Harassment is also the creation of a hostile environment.
  - Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
  - Bullying, this may be a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror.
  - Hazing, this includes an induction, initiation or membership process involving harassment.
  - Inappropriately using or sharing prescription and over-the-counter drugs.
  - Gambling.
  - Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
17. Engage in off-campus misconduct that interferes with, or can reasonably be expected to substantially disrupt the educational process in the school or at a school function. Examples of such misconduct include, but are not limited to:
  - Cyberbullying (i.e., inflicting willful and repeated harm through the use of electronic text).
  - Threatening or harassing students or personal over the phone or other electronic medium.

## 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 the 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 immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and 4 above – They shall be subject to warning reprimand, suspension or dismissal as the facts may warrant in accordance with any legal

rights they may have.

### Enforcement

The Superintendent or his/her designee shall be responsible for enforcing the conduct required by this code. When the Superintendent or his/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 Superintendent or his/her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Superintendent or his/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 Superintendent or his/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 district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.



