

Gloversville Enlarged School District Code of Conduct Summary

The Gloversville Enlarged School District Board of Education ("Board" or "District") is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other District personnel, parents and other visitors is essential to achieving this goal.

The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity. These expectations are clearly defined in the District's Code of Conduct ("Code"). The Code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

The following is a summary of the Code. You may obtain a copy of the full Code or another copy of this summary from the main office of each District school building, and at the District's central offices.

Student Rights and Responsibilities

A. Student Rights

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

1. Take part in all district activities on an equal basis regardless of race, color, creed, national origin; religion; gender or sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and; when necessary, receive an explanation of those rules from school personnel.

B. Student Responsibilities

All District students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all 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 their highest level of achievement possible.
5. React 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 and report honestly when questioned.
9. In accordance with standards set by the Board of Education, dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

C. Other Members of the School Community

Parents, teachers, administrators, other District personnel and the Board of Education all play an important role in the school community as well. They are expected to work together and with students to promote a safe, orderly and stimulating school environment.

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 district 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, including hair style/color, jewelry, make-up and nails, shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate. All shorts and skirts must be long enough to reach the tips of the student's longest finger when his/her arms are held to their sides.
3. Ensure that underwear is completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not include the wearing of hats in the classroom except for a medical or religious purpose.
6. Not include items that are vulgar, obscene, libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
7. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
8. Not include clothing with colors, symbolism, or insignias which suggest illicit behavior, gang affiliation, harassment or abuse.
9. Not include spike jewelry, belts, bands, or collars; and chains longer than 12 inches (except fine jewelry).
10. Not include outerwear, including jackets and coats, in the classroom at any time or in the hallways during the school day.

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 do so shall be subject to discipline, up to and including out-of-school suspension.

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, district personnel and other members of the school community, and for the care of school facilities and equipment. Students who will 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:
1. Running in hallways.
 2. Making unreasonable noise.
 3. Using language or gestures that are profane, lewd, vulgar or abusive.
 4. Obstructing vehicular or pedestrian traffic.
 5. Engaging in any willful act which 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 district's acceptable use policy.
 8. Utilization or possession of walkman, pagers, cell phones and laser pointers during school hours or on school property during school related activities are prohibited.
- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include:
1. Failing to comply with the reasonable directions of teachers, teaching assistants, aides, school administrators, bus drivers, monitors, or other school employees, or otherwise demonstrating disrespect.
 2. Lateness for, missing or leaving school without permission.
 3. Skipping detention or in-school suspension.
- C. Engage in conduct that is disruptive. Examples of disruptive conduct include:
1. Failing to comply with the reasonable directions of teachers, school administrators, bus drivers, monitors, or other school personnel in charge of students.
- D. Engage in conduct that is violent. Examples of violent conduct include:
1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, teaching assistant, aide, administrator, bus drivers, monitor, or other school employee or attempting to do so.
 2. 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.

3. 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.
 4. Displaying what appears to be a weapon.
 5. Threatening to use any weapon.
 6. Intentionally damaging or destroying, or attempting to damage or destroy the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
 7. Intentionally damaging or destroying school district property.
- E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include:
1. Lying to school personnel.
 2. Stealing school property or the property of other students, school personnel or any other person lawfully on school property or attending a school function.
 3. 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.
 4. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.
 5. Harassment, which includes a sufficiently severe action or a 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.-
 6. Intimidation, (bullying) which includes engaging in actions or statements that put an individual in fear of bodily harm.
 7. Hazing, which includes 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.
 8. Selling, using or possessing obscene material.
 9. Using vulgar or abusive language, cursing or swearing.
 10. Possessing or smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco or possessing matches or a lighter.
 11. Possessing, consuming; selling, distributing or exchanging alcoholic beverages or illegal substances or drug paraphenali or being under the influence of either drugs or illegal substances. "Illegal substances" include;

- but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
12. Inappropriately using, or possessing prescription and over-the-counter drugs. Students should be aware that the New York State Penal Law defines as a felony the criminal sale of drugs within any school building, school grounds, or within 1000 feet of the real property line comprising such school district. (Drug-Free School Zone)
 13. Gambling.
 14. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
 15. Initiating a report warning of fire, bomb, or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- F. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district 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:
1. Plagiarism.
 2. Cheating.
 3. Copying.
 4. Altering records.
 5. Assisting another student in any of the above actions.

Reporting Violations

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the superintendent.

All District staff who is authorized to impose disciplinary sanctions is expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of 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.

Disciplinary Penalties, Procedures and Referrals

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

Penalties

Students who are found to have violated the District's 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 - any member of the district staff
2. Written warning - bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, deans, principals, superintendent
3. Written notification to parent - bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, principal, superintendent
4. Working off damage to property
5. Loss of academic credit-teacher, principal
6. Detention-teachers, principal, superintendent
7. Suspension from transportation- director of transportation, principal, superintendent
8. Suspension from athletic participation - coaches, supervisor of health, physical education and athletics, principal, superintendent
9. Suspension from social or extracurricular activities - activity director, deans, principal, superintendent
10. Suspension of other privileges -deans, principal, superintendent
11. In-school suspension-deans, principal, superintendent.
12. Removal from classroom -teachers, principal
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.

Procedures

1. Detention

Teachers, deans, principals and the superintendent may assign students to use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. After school detention will be imposed only after parental notification by the assignors of detention and confirmation that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

3. Suspension from athletic participation, extra curricular activities and other privileges

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a 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 suspension to discuss the conduct and the penalty involved.

4. In-school suspension

Building principals 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." 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.

5. Teacher disciplinary removal of disruptive students

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.

Within 24-hours after the student's removal, the principal or another District 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.

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 district's 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 the principal makes a final determination, or the period of removal expires, whichever is less.

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

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.

Suspension from school may be short-term (5 days or less), long-term (more than 5 days) or permanent. Parents and students shall receive written notice of a suspension and shall be offered the opportunity for an informal conference. At the informal conference, parents shall be permitted to ask questions of complaining witnesses under the principal's supervision. If a District administrator determines that a suspension for more than five days is warranted, the student and the student's parents shall receive written charges and a notice of hearing before the Superintendent or a hearing officer appointed by the District. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses and the right to present witnesses and other evidence on his or her behalf. A superintendent's determination after a hearing may be appealed to the Board of Education. Students who bring a weapon to school may be suspended for up to one calendar year. Students who commit violent acts other than bringing a weapon to school are subject to a suspension from school for a least five days. Students who are repeatedly and substantially disruptive of the educational process are subject to a suspension from school for at least five days, after they have been removed from the classroom by a teacher on four or more occasions.

7. Alternative Instruction

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student.

Referrals

1. Counseling

The Guidance Office, the Child Study Team, the Committee on Special Education, and the administration shall handle referrals of students to counseling.

2. PINS Petitions

The District may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. 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.
- c. Knowingly and unlawfully possesses marijuana in violation of Penal Law §221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.

3. Juvenile Delinquents and Juvenile Offenders

The superintendent is required to 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).

The superintendent is required to refer students age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

Discipline of 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 enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring 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 law and regulations.

Please see a copy of the complete Code for details on the Board's policy for disciplining students with disabilities.

Corporal Punishment

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden. However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used by District employees.

Student Searches and Interrogations

Any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of "Miranda" type warning, before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student.

In addition, the Board authorizes the superintendent, building principals, the school nurse and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct. Searches will be limited to the extent necessary to locate the evidence sought. Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

Student Lockers, Desks and other School Storage Places

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

Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Been invited by school officials.

Child Protective Services Investigations

Consistent with the District's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the District will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

Visitors to the Schools

The complete Code outlines the District's expectations of visitors and other members of the public who participate in District activities or visit District buildings. As a general rule, members of the public who attend a school function or visit a school building are expected to act in a respectful and orderly manner. Failure to follow District rules may result in the removal of the individual from the school function and/or District property.