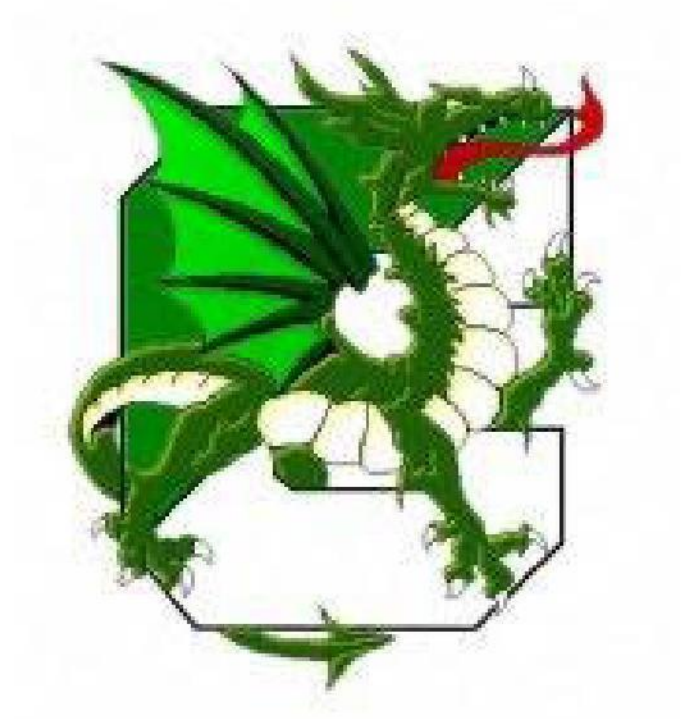


# **Cornwall Central School District**



## **Code Of Conduct**

**Adopted: September 24, 2007**

**Revisions Approved by Board of Education: August 11, 2025**

# **Cornwall Central School District**

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# Table of Contents

## INTRODUCTION

### **I. Definitions**

### **II. Student Bill of Rights and Responsibilities**

Rights of Students

Responsibilities of Students

### **III. Essential Partners**

The Role of Parents

The Role of Teachers and Staff

The Role of School Counselors and Support Staff

The Role of Building Administrator

The Role of District Administrator

The Role of the Board of Education

### **IV. Student Dress Code**

### **V. Prohibited Student Conduct**

### **VI. Disciplinary Procedures, Penalties Related to Prohibited Student Conduct**

A. Penalties

B. Procedures

1. Detention

2. Suspension from transportation

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

4. In-school suspension

5. Removal of student from the classroom

6. Suspension from School

C. Minimum Periods of Suspension

D. Referrals-(including outside agencies)

E. Alternative Instruction

F. Appeals Process

### **VII. Discipline of Students With Disabilities**

504/ADA Disabilities

IDEA Disability

Manifestation Determinations

Suspensions for Misconduct Involving Weapons and/or Drugs and/or Serious Bodily Injury

Dangerous Students

- VIII. Reporting Code Violations**
- IX. Child Protective Services Investigations**
- X. Corporal Punishment**
- XI. Student Searches and Interrogations**
  - Police Involvement in Searches and Interrogation of Students
- XII. Conduct of Visitors**
- XIII. Public Conduct on School Property**
  - Prohibited Conduct on School Property
  - Penalties and Procedures of Prohibited Conduct on School Property
  - Enforcement Program for Prohibited Conduct on School Property
- XIV. Additional Information**
  - School District Regulations for Computer Use, E-Mail and Internet Usage
  - Acceptable Computer Use
  - E-Mail
  - Internet Use
  - Cell Phone and Other Communication Devices
  - Gun-Free Schools Act
  - Individual Behavior Plan
  - Non School Sponsored Speech
- XV. Dissemination and Review**

## **APPENDIX**

**CCSD Elementary Schools Discipline Chart – CES, COH, WAES**  
**CCSD Middle School Discipline Chart – CCMS**  
**CCMS Attendance Policy for HS Bearing Courses**  
**CCSD High School Discipline Chart – CCHS**  
**CCHS Attendance Policy**  
**Conduct of a Cornwall Central Student Athlete and Extracurricular Participant**

## INTRODUCTION

The Cornwall Central School District is committed to maintaining a high standard of education for all students in our schools. The District believes that order and discipline are essential to effective education, thus, it is committed to creating and maintaining high behavioral standards and expectations. An orderly educational environment requires the cooperation and commitment of the entire school community. It also requires the development and implementation of a code of conduct that clearly defines individual responsibilities, describes unacceptable behavior, and provides for appropriate disciplinary options and responses. The Cornwall Central School District Code of Conduct pertains to in-person instruction, hybrid and remote learning models.

The District and BOE also believe that order and discipline must be a shared responsibility between school, home and community. This Code of Conduct was developed in collaboration with teachers, administrators, parents and other school-related personnel. Finally, it is our belief that in order to be effective, such a code must be clear in expectations, identify and recognize acceptable and unacceptable behavior, comply with State, Federal and NYS Education Regulations, and outline disciplinary responses to unacceptable actions. It is also our belief that to be effective the code must promote a close working relationship between the home and school, encourage a high regard for every person's rights, and outline procedures to ensure fair, firm, reasonable and consistent administration of all policies.

The District's primary concern in establishing a Code of Conduct is to enable our young people to become responsible, respectful and caring citizens within the school and community. The BOE is responsible for ensuring that essential regulations are established and adequate discipline is maintained in the operation of the schools. The safety of our students and staff, and the social and emotional growth of our students are of primary concern in the implementation of this code. To this end, we expect our parents/guardians to assume primary responsibility for the control of his or her child. The parent/guardian may be called upon to actively cooperate with the school in providing the necessary structure to promote his or her child's social and educational growth. In order to achieve the desired outcome, the school will foster a high degree of parent-school communication.

This Code of Conduct represents the Safe Schools Against Violence in Education legislation requirements. Project SAVE is located in Chapter 181 of the New York State Laws of 2000. It is the policy of the State of New York, as set forth in the Dignity for All Students Act ("DASA") as well as federal civil rights statutes, including Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 and all subsequent amendments, to afford all students in public schools an environment free from discrimination and harassment.

For the purpose of this Code, and under the guidelines of the Project SAVE legislation and the Dignity for All Students Act of 2012, the following definitions apply:

## **I. DEFINITIONS**

BOE – Board of Education

Bullying shall mean the creation of a hostile environment by conduct or verbal threats, intimidation or abuse 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; or (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety or (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. The harassing behavior (including verbal threats, intimidation or abuse) may be based on any characteristic, including but not limited to a person's actual or perceived:

- Race;
- Color;
- Weight;
- National Origin;
- Ethnic Group
- Religion;
- Religious Practice;
- Disability;
- Sex;
- Sexual Orientation; or
- Gender (including gender identity and expression)

For the purpose of this definition, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.

Cyberbullying shall mean harassment or bullying where such harassment or bullying occurs through any form of electronic communication

In New York State, the definition of cyberbullying is outlined in the Education Law under Section 11, which is part of the Dignity for All Students Act (DASA). The law specifically addresses bullying in the educational context, including cyberbullying.

According to New York State Education Law § 11 (effective from July 1, 2013):

- **Cyberbullying** is defined as "**harassment or bullying that occurs through any form of electronic communication.**" This includes, but is not limited to, communication through devices such as computers, smartphones, and other electronic means.
- The term "**electronic communication**" encompasses a range of platforms, including social media, emails, text messages, and other digital forms of communication that can be used to harass or intimidate.
- **Harassment or bullying** under DASA includes conduct that creates a hostile environment by interfering with a student's educational opportunities or benefits.

Cyberbullying applies to conduct that occurs on school grounds, during school-sponsored activities, and through electronic communications that affect the school environment.

#### Disability-

- (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques; or
- (b) a record of such an impairment; or
- (c) a condition regarded by others as such an impairment.

(1) In all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

### Discrimination-

Discrimination is the act 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 by verbal threats, intimidation or abuse of such a severe nature 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 and/or physical well-being; or
- (b) Reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety.

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 practice, disability, sexual orientation, gender or sex; provided nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a persons' 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 U.S.C. Sec. 1681, et seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under Section 504 of the Rehabilitation Act of 1973.

### Disruptive Student-

An elementary or secondary 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-

Any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title 9-B of Article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to the district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

### Gender –

Actual or perceived sex and shall include a person's gender identity or expression.

Harassment and bullying shall mean the creation of a hostile environment by conduct or verbal threats, intimidation or abuse 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; or (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety or (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. The harassing behavior (including verbal threats, intimidation or abuse) may be based on any characteristic, including but not limited to a person's actual or perceive:

- Race;
- Color;
- Weight;
- National Origin;
- Ethnic Group
- Religion;
- Religious Practice;
- Disability;
- Sex;
- Sexual Orientation; or
- Gender (including gender identity and expression);

For the purpose of this definition, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions.

Parent—the parent, legal guardian or person in parental relation to the student.

Removal—the act of a teacher in discontinuing the presence of the student in his or her classroom.

Sexual Orientation - Actual or perceived heterosexuality, homosexuality or bisexuality.

School Administrator- Superintendent of Schools and/or his/her designee including: Assistant Superintendents of Schools, Building Principals, Assistant Principals, Superintendent of Buildings and Grounds, Directors and Assistant Directors.

School Property – Means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus.

School Bus - Means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, or to/from school activities; or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

Suspension—the act of a Building Principal, Superintendent of Schools, District Superintendent or BOE in discontinuing the presence of a student from his/her regular class.

Vaping – Any electronic smoking device including e-cigarettes and vaping devices.

Violent Student—a student under the age of 21 who:

- Commits an act of violence upon a school employee, or attempts to do so.
- Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function, or attempts to do so.
- Possesses, while on school property or at a school function, a weapon.
- Displays, while on school property or at a school function, what appears to be a weapon.
- Threatens, while on school property or at a school function, to use a weapon.

Weapon—a firearm as defined in the Gun-Free Schools Act (18 USC Section 921) as well as any other gun, BB 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 cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used for such purposes.

## **II. STUDENT BILL OF RIGHTS AND RESPONSIBILITIES**

The Cornwall Central School District believes in the right of each child between the ages of five and 21 years, or until the child receives a high school diploma, whichever comes first, to receive a free and appropriate education. New York State students between the ages of six and the close of the school year in which he/she turns sixteen, are required by law to regularly attend school, either in the public schools, non-public schools that are approved for equivalency of instruction by the appropriate school authorities, or in the home in accordance with the Regulations of the Commissioner of Education.

The right to a free public school education extends to all students, including those with disabilities. However, this right is not unconditional. As long as due process of law requirements are met, a student may be removed from the classroom, suspended temporarily, or suspended permanently from school. Only students within the compulsory education ages (six years through the school year in which they turn sixteen) are entitled to alternative, equivalent instruction following a suspension.

### **RIGHTS OF STUDENTS**

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 students in the Cornwall Central School District are afforded the right to:

- Take part in all district activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation or disability unless suspended from instruction and participation for legally sufficient causes as determined in accordance with due process of law.
- Learn in an environment free from interruption, harassment, discrimination, intimidation and fear.
- Be informed of all school rules, and, when necessary, receive an explanation of those rules from school personnel.
- Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
- Be guided by a discipline policy which is fairly and consistently implemented.
- To be protected from intimidation, harassment or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender, including gender identity, sexual orientation or disability, by employees or students on school property or at a school sponsored event, function or activity.

## RESPONSIBILITIES OF STUDENTS

All district students have the responsibility to:

- Contribute to maintaining a safe and orderly school environment that is conducive to learning and promotes mutual respect and dignity for all.
- Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
- Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
- Accept responsibility for his or her actions.
- Appropriately secure all personal items
- Respect the rights of others, including his/her right to secure an education in an environment that is orderly and disciplined.
- Respect school property (such as lockers, desks, books, school issued chrome books etc.) and grounds and help to keep it free from damage.
- Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
- Respond to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
- Ask questions when they do not understand.
- Seek help in solving problems that might lead to discipline.
- Dress appropriately for school and school functions.
- 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.
- Actively discourage inappropriate behavior of other students and report the incidents to the administration.
- To respect one another and treat each other fairly and civilly in accordance with the District Code of Conduct and provisions of the Dignity for All Students Act, including the responsibility to conduct themselves in a manner that fosters an environment free from intimidation, harassment or discrimination.
- To report and encourage others to report any incidents of intimidation, harassment or discrimination. Reports can be made to one of the Dignity Act Coordinators in each school.

### III. ESSENTIAL PARTNERS

#### Essential Partners in creating a climate of mutual respect for all students:

The Board of Education recognizes the essential roles of all members of the school community, including parents, students, administrators and principals, teachers, guidance counselors, support staff and other school personnel in promoting a positive, healthy and harassment free environment. Collaboration is essential in promoting and fostering a school environment that promotes tolerance, respect and dignity for all persons within the school community. School administrators, teachers, staff and other school personnel are charged with providing an age appropriate and timely response to discourage and respond to incidents of discrimination and/or harassment on school property or at a school function.

The Role of Parents: A cooperative relationship between home and school is essential to each student's successful development and achievement. To achieve this wholesome relationship, parents are urged to:

- Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
- Cooperate with the school in jointly resolving any school related problem.
- Send their children to school ready to participate and learn.
- Ensure their children attend school regularly and on time.
- Ensure absences are excused.
- Insist their children be appropriately dressed and groomed in a manner consistent with acceptable community standards.
- Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
- Know school rules set forth in the Code of Conduct and help their children understand them.
- Convey to their children a supportive attitude toward education and the district.
- Build good relationships with teachers, other parents and their children's friends.
- Help their children deal effectively with peer pressure.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Provide a place for study and ensure homework assignments are completed.
- Educate and supervise children in the misuse of electronic devices that may be used to bully, harass and/or sexually offend others.
- Teach their children respect and dignity for themselves and for other students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, gender or gender identity or

sex, which will strengthen their child's confidence and help promote learning in accordance with the Dignity for All Students Act.

- Teach children to take care of district chrome books by charging them nightly, transporting them in a protective bag, and cleaning screens on a regular basis.

Parents should also be aware that they are responsible for any financial obligations incurred by their child in school. This includes lost books, damage to school issued chromebooks, another's personal property or school property, etc.

### The Role of Teachers and Staff:

Every teacher knows that he/she works every day with this community's most precious resource—the future generation. In view of this responsibility, the teacher must:

- Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
- Be prepared to teach.
- Demonstrate interest in teaching and concern for student achievement.
- Know and model the Code of Conduct, and enforce it in a fair and consistent manner.
- Communicate with students and parents:
  - Course objectives and requirements
  - Marking/grading procedures
  - Assignment deadlines
  - Expectations for students
  - Classroom discipline plan.
- Communicate regularly and promptly with students, parents and other teachers regarding growth and achievement and concerns.
- Utilize classroom routines which contribute to the total instructional program and to the student's development of civic responsibility.
- Seek to develop close cooperative relationships with parents for the educational benefit of the student.
- Distinguish between minor student misconduct best handled by the teacher and major problems requiring the assistance of the administrator.
- Handle individual infractions privately and avoid punishing the group for the misbehavior of one or two.
- Identify changing student behavior patterns and notify appropriate personnel.
- Educate students in the misuse of electronic devices that may be used to bully, harass or sexually offend other students.
- Confront issues of discrimination and 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.

- Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.

### The Role of School Counselors and Support Staff

- Assist students in coping with peer pressure and emerging personal, social and emotional problems.
- Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
- Review with students their educational progress and career plans.
- Provide information to assist students with career planning.
- Encourage students to benefit from the curriculum and extracurricular programs.
- Identify changing student behavior patterns and notify appropriate personnel.
- Educate and assist students in creating a climate of mutual respect and dignity for all students.

### The Role of Building Administrators:

As the educational leaders of the school, building administrators and directors set the disciplinary climate for the school, not only for students, but for staff as well. Therefore, they must:

- Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
- Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of grievances.
- Evaluate all instructional programs.
- Support the development of and student participation in appropriate extracurricular activities.
- Be responsible for modeling and upholding the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
- Develop programs and procedures which are targeted to reduce student misconduct.
- Work with students and staff to formulate school regulations.
- Work closely with parents, keeping the lines of communication

open.

- Educate students and staff to help create a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, gender or sex, which will help strengthen student confidence and promote learning.
- Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator.

#### The Role of District Administrators:

As the educational leaders of the school system, the Superintendent of schools and central administrators must:

- Promote a safe, orderly and stimulating school environment, by supporting active teaching and learning, and ensuring that it is free from intimidation, harassment and discrimination.
- Model and uphold the Code in its entirety;
- Reinforce and extend the indicated responsibilities of the Principals and make them applicable to the school system for grades K-12;
- Recommend to the BOE appropriate policy, regulations and actions to achieve optimum conditions for positive learning;
- Develop and implement an effective Code of Conduct supportable by students, parents, staff and community;
- Demonstrate desirable standards of behavior through personal example;
- Provide each teacher with a copy of the Code of Conduct.

#### The Role of the Board of Education:

As the elected officials in charge of our schools, the BOE:

- Recognizes, supports and upholds the Code in its entirety;
- Adopts the policies governing the District, including this Code of Conduct;
- Ensures that the Code contains clear behavioral expectations and disciplinary consequences for students, staff and visitors;
- Ensures that the Code is clearly communicated to students, parents, staff and the school community;
- Ensures that the Code is implemented and enforced in a consistent, reasonable, fair and equitable manner;
- Annual reviews the Code and updates it as necessary.

Appoint a Dignity Act Coordinator (DAC) in each school building. The Dignity Act Coordinator will be thoroughly trained to handle human relations in areas of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practices, disability, sexual orientation, gender and gender identity and sex. The Dignity Act Coordinator must be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.



## **IV. STUDENT DRESS CODE**

All students are expected to dress appropriately for school and school functions. Students and their parents/guardians 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 and appearance shall:

- Be safe, appropriate and not disrupt or interfere with the educational process;
- Not include clothing, dress, or appearance which displays a phallic symbol and/or sexual metaphors, as well as see-through garments, or any garments which expose to sight the private parts of the body;
- Ensure that undergarments are completely covered with outer clothing.
- Include footwear at all times. Footwear that is a safety hazard will not be allowed;
- Not include the wearing of headwear, including hoods, in the building except for a medical or religious purpose that has been previously approved by the administration;
- Not promote and/or endorse the use of alcohol, tobacco or drugs and/or encourage other illegal or violent activities;
- Not include clothing that is vulgar, obscene, discriminatory, contains sexual innuendo, is libelous or denigrates others on the basis of sex, race, color, weight, religion or religious practice, creed, sexual orientation, national origin, gender or gender identity, social class or disability;
- Not include sharp accessories, hanging straps or chains;
- Not include gang-related and/or what can be interpreted as gang-related apparel.

Students who are not dressed appropriately will be removed from classes until the item is changed. Repeat offenders will be considered insubordinate and are subject to disciplinary consequences.

## V. PROHIBITED STUDENT CONDUCT

The rules of conduct listed on the following pages are intended to 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 school rules, will be required to accept the penalties for their conduct. Disciplinary action, when necessary, will be firm, fair and consistent. This is most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

Disorderly Conduct: Examples include, but are not limited to:

- Running in hallways/classrooms/cafeteria;
- Pushing, shoving or blocking hallways;
- Making unreasonable noise;
- Using language, noises or gestures that are profane, lewd, vulgar or abusive, including epithets or slurs involving actual or perceived race, ethnicity, national origin, religion, religious practices, gender, gender identity and expression, sexual orientation, age or disability;
- Obstructing vehicular or pedestrian traffic;
- Engaging in any willful act that disrupts the normal operation of the school community;
- Trespassing— During the school day, 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;
- Computer / electronic communication misuse—including any unauthorized use of computers, software or Internet/Internet account, accessing inappropriate websites, or any other violation of the District's Acceptable Use Policy;
- Unless under the direction of authorized personnel, use of video/audio devices, including cell/camera phones, recorders, digital cameras and other electronic devices unless under the direction of authorized school personnel for the purpose of instructional activities;
- Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee, or any person lawfully on school property (includes graffiti);
- Intentionally damaging or destroying school property (includes graffiti);
- Harassment, which includes the creation of a hostile environment by conduct, intimidation, verbal threats or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or fear for his or her physical safety. Harassing behavior may be based on any characteristic including but not limited to actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender and gender identity.
- Congregating in unauthorized locations (lavatories, hallways, parking lots, locker rooms, etc.)

Insubordinate Conduct: Examples include, but are not limited to:

- Failing to comply with reasonable directions, or otherwise demonstrating disrespect for, teachers, school administrators, or other school employees in charge of students;
- Skipping or disregarding an assigned detention or other disciplinary consequence;
- Forgery of parent permission, or such documents;
- Pass misuse, including forgery of signatures;
- Unauthorized leaving of school grounds

Disruptive Conduct: Examples include, but are not limited to:

- Deliberately disrupting or preventing the peaceful and orderly conduct of classroom instruction and/or normal operations of the school.
- Encouraging or inciting others to act inappropriately

Violent Conduct: Examples include, but are not limited to:

- Committing, or attempting to commit, an act of violence upon a teacher, administrator, or other school employee;
- Committing, or attempting to commit, an act of violence upon another student, or any other person lawfully on school property;
- Displaying what appears to be a weapon;
- Threatening to use any weapon or object as a weapon;
- Threatening to cause bodily harm or injury.

Endangering the Safety, Morals, Health or Welfare of Self or Others:

Examples include, but are not limited to:

- Lying to school personnel and thus endangering the safety of the school building;
- Stealing the property of other students, school personnel, or any other person lawfully on school property or attending a school function;
- Defamation, which includes making false or inappropriate statements or representations about an individual or identifiable group or individuals that harm the reputation of their persons or group by demeaning them;
- 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;
- Harassment, which includes but is not limited to: bullying, intimidation, verbal threats, taunting, extortion or any sufficiently severe statement or action or a persistent pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be, or a reasonable person would perceive as ridiculing or demeaning;
- Sexual harassment, or any action or comment/conduct that any individual may deem as offensive such as inappropriate touching, verbal comments, sexual name-calling, spreading sexual rumors about, gestures, jokes, pictures, blocking the movement of, rape or attempted rape;
- 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;

- Selling, using or possessing obscene material;
- Using vulgar or abusive language, cursing or swearing;
- Possessing or using any tobacco product;  
vaping paraphernalia
- Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either;
- Inappropriately using or sharing prescription and over-the-counter drugs;
- Possession and/or use of prohibited items on school grounds including pocket knives, lighters, matches, laser pointers, fireworks, smoke bombs, stink bombs, snappers/poppers, weapon facsimiles including fake ammunition, e-cigarettes, vaping paraphernalia, etc.;
- Gambling;
- Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner;
- Inappropriate public displays of affection;
- Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher or fire alarm;
- Tampering with fire alarms or Automated External Defibrillators;
- Subjecting another person to danger by recklessly engaging in conduct that creates substantial risk of injury;
- Unauthorized skateboarders, rollerblading or stunt-bicycle riding on school property.

Misconduct on a School Bus: Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior to ensure their safety and that of the other passengers. Excessive noise, pushing, shoving and fighting will not be tolerated.

- Distracting the driver or interfering with the safe operation of the bus
- Standing or moving around while the bus is in motion
- Throwing objects inside or out of the bus
- Damaging bus seats or equipment
- Using loud, offensive, or abusive language

Academic Misconduct: Examples include, but are not limited to:

- Plagiarism;
- Cheating;
- Copying;
- Altering records;
- Assisting another in any of the above areas.
- AI (Artificial Intelligence) plagiarism—the use of generative AI to produce content that someone submits as their own work for assessment tasks

Engage in computer/electronics communications misuse.

- Use of the internet, telephones, cell phones or other technological means to threaten, harass or denigrate other students or school personnel is prohibited.
- As per Policy 5695 internet-enabled devices are defined as: any smartphone, tablet, smartwatch or other device capable of connecting to the internet and enabling the user to access content on the internet, including social media applications, but do not include any such device supplied by the district for educational purposes. Other personal electronic devices include devices which are not capable of connecting to the internet or accessing content on the internet, cell phones without internet, fitness trackers, wired or wireless headphones and earbuds, e-readers, calculators, voice recorders, cameras and music devices, portable gaming devices, any device capable of recording photographing or communicating . The District prohibits students from using all such personal devices during the instructional day without the permission of a staff member.
- The school district will not be held responsible for the loss and/or theft of any portable electronic device.
- Any unauthorized use of computer software or internet/intranet account, accessing inappropriate websites, sharing of passwords, downloading of non-educational material, altering and/or tampering with the computer system and/or computer setting or any other violation of the district's acceptable use policy.
  - a. Any unauthorized video/audio recordings and pictures are **not allowed** to be taken of students or staff at any time.
  - b. Laser pointers are **not allowed** to be allowed on school property.
- Use of Personal Electronic Devices on the School Bus:
  - a. Video/audio recordings and pictures are **not allowed** to be taken by students riding a district school bus.
  - b. Laser pointers are **not allowed** to be used on school buses at any time.
  - c. Students may not use their personal electronic devices to share content with other students that is profane, lewd, vulgar, or abusive.
  - d. Any electronic devices that are being misused may be confiscated by bus drivers and returned to the students when they depart the bus. If a student continues to violate these rules, the device may be confiscated and returned only to a parent/guardian.

## **VII. DISCIPLINARY PROCEDURES, PENALTIES RELATED TO PROHIBITED STUDENT CONDUCT**

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

- The student's age.
- The student's prior disciplinary record.
- The nature of the offense and the circumstances which led to the offense.
- The effectiveness of other forms of discipline.
- Information from parents, teachers and/or others, as appropriate.
- Other circumstances.

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 or Section 504 Committee, and disciplined as appropriate. Discipline for students with disabilities shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability. A student identified as having a disability shall not be disciplined for behavior which is a manifestation of his/her disability except as explained in Section VII herein.

### **Disciplinary Consequences/Remediation**

Even with prevention and education, instances of discrimination or harassment may still occur. Should such an instance arise, the individual engaging in the harassing or discriminatory conduct must be advised that their actions and conduct will not be tolerated and that their behavior must be changed immediately. Students who engage in harassing or discriminatory conduct will receive guidance on making positive choices and support to understand how their actions have negatively impacted other student(s) and must not continue. As appropriate, disciplinary action will be taken by the building principal or other authorized administrator in accordance with the district's Code of Conduct. If the discriminatory or harassing behavior rises to the level of criminal activity, law enforcement will be contacted.

Progressive discipline consequences will be considered in response to instances of discrimination or harassment and the individual imposing consequences shall consider the nature and severity of the misconduct, the developmental age of the student, and the student's history of problem behaviors, prior interventions and the student's response and must be imposed in a manner consistent with the district's Code of Conduct.

In addition to disciplinary measures, remedial responses should be considered to discern why the discrimination or harassment occurred and should be targeted to correct the problem behavior, prevent another occurrence of the behavior and protect the target of the act. Remedial measures may be appropriate on an individual or school-wide basis, depending on the nature of the underlying misconduct.

When appropriate, and agreed upon by the administration and guardian(s), students may be permitted to take part in mediation and/or counseling with school administration and counselors to prevent further occurrences.

#### A. 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 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.

- Verbal warning—any member of the District staff
- Written warning—any member of the District staff
- Written notification to parent—any member of the District staff
- Teacher detention — any member of the District staff
- Administrative detention—School Administrator, Superintendent
- Referral to OC BOE of Health—School Administrator or designee
- Suspension from transportation—School Administrator, Superintendent
- Suspension from athletic participation—School Administrator, Superintendent, Athletic Director
- Suspension from social or extracurricular activities—School Administrator, Superintendent
- Suspension of other privileges—School Administrator, Superintendent
- Suspension from or loss of privileges to attend events (graduation, prom, class trip, etc.) – School Administrator, Superintendent
- In-school suspension—School Administrator, Superintendent
- Removal from classroom—Teacher, School Administrator, Superintendent
- Short-term (5 days or less) suspension from school—Principal, Superintendent, BOE
- Long-term (more than 5 days) suspension from school— Superintendent, BOE
- Permanent suspension from school—Superintendent, BOE
- Confiscation of banned devices - any member of the District staff
- Restitution/payment - school administrator, Superintendent, BOE
- Law enforcement notification - School Administrator, Superintendent, BOE

## B. Procedures

The amount of due process a student is entitled to before a penalty is imposed will depend on the type of penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty 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 school personnel imposing the disciplinary penalty in connection with the imposition of the penalty. Students who are to be given penalties other than a verbal warning, written warning, written notification to their parents, or detention, are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

### 1. Detention

Teachers, School Administrators and the Superintendent may use detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Lunch detention or after-school detention is assigned at the discretion of the teacher or administrator imposing the penalty.

### 2. Suspension from transportation

If a student does not conduct him/herself properly on a bus, the bus driver is expected to bring such misconduct to the building administrator's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building administrator or Superintendent. A student subjected to a suspension from transportation 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 building Principal or the Principal's designee to discuss the conduct and the penalty involved.

### 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

The BOE 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 BOE authorized the building school administrator and the Superintendent to place a student who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension". "In-school suspension" is the temporary removal of students from the classroom and their placement in another area of the school building designated for such a suspension where students will receive substantially equivalent, alternative education. A student subjected to an in-school is not entitled to full hearing pursuant to Education Law 3215.



However, the student and the student's parents 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. Removal of a student from the classroom

The Cornwall Central School District has determined that certain acts of misconduct interfere with instruction and/or safety and welfare of students and staff. Although some incidents of misconduct may require removal from the classroom or suspension from school, efforts will be made to deal with misconduct without removal from the classroom or suspension from school. This is in keeping with the District goal of avoiding consequences that interrupt or interfere with learning. However, no child will be allowed to continue disrupting the instruction of the class or interfering with the safety of the school, its staff, students and visitors.

Time honored classroom management techniques such as speaking to a student in the hallway, short term time out in a classroom, or sending a student to the counselor or the Principal/Administrator to give a student the opportunity to regain his/her composure do not constitute disciplinary removals for purposes of this code.

In accordance with the provisions of the SAVE Legislation, teachers shall have the authority to remove a student from their classroom for up to 5 days whenever the student *substantially disrupts* the educational process or substantially interferes with the teacher's authority over the classroom. "*Substantially disruptive*" shall mean that the course of instruction has to be discontinued more than momentarily such that it breaks the continuity of the lesson. To address the disruptive conduct of the student who "*substantially interferes*" with the teacher's authority over the classroom shall mean that: the student has been insubordinate to the teacher in the presence of the class and has failed to obey the at least two of the teacher's directives to cease and desist.

If the disruptive student does not pose a danger or ongoing threat 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 to himself or others, the teacher may order the student to be removed immediately and the student should be referred to the administration. If the student presents an 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. Notwithstanding the above, in light of circumstances that warrant suspension, a Principal's suspension for substantially disruptive behavior may be implemented, in addition to, or in lieu of, removal of the student from the classroom by the teacher.

Prior to a teacher's removal of a disruptive student, the teacher shall:

- Speak to the student about the inappropriateness of the disruption;
- Warn student of the consequences of the disruption;
- Contact parents about the disruption;
- Assign a consequence for disruption.

As a pattern of disruption emerges, the teacher:

- Will utilize building level resources and interventions;
- Refer to appropriate staff (counselor, administrator, psychologist);
- Verifies with CSE member/ PPS administrator that a removal will not violate the rights of the classified student;
- Warns student and contacts parent regarding the removal upon the next incident.

The following procedures will be followed when implementing a removal:

Step 1: The teacher must confront the student in class (or within 24 hours of removal where the student presents an ongoing threat of disruption or a continuing danger at the time of removal to inform the student of the reason(s) for the removal.

Step 2: Prior to removal from the classroom (or within 24 hours of removal where the student presents an ongoing threat of disruption or a continuing danger at the time of removal), the teacher shall inform the student of the basis for the removal and allow the student to informally present his/her version of the relevant events.

Step 3: The teacher must complete a district-established disciplinary removal form. He/she must meet with the Principal or his/her designee as soon as possible, but no later than the end of the day, to explain the circumstances of the removal and to present the removal form. If the Principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the Principal or designee prior to the beginning of classes on the next school day.

Step 4: The building Principal or designee must inform the student's parent of the removal and the reasons therefore within 24 hours of the student's removal.

Step 5: Upon request, the student and his/her parent must be given the opportunity for an informal conference with the Principal or designee to discuss the reasons for removal. If the student denies the charge(s), the Principal or designee must provide an explanation of the basis for the removal. The student and/or his/her parent will be given the opportunity to present the student's version of the relevant events within 48 hours of the student's removal.

Step 6: The Principal's/designee's determination on whether or not to support the teacher's removal of the student shall be made by the close of business on the day succeeding the 48-hour period for the informal Principal's removal conference. The teacher who initiates the removal may be required to attend the Principal's conference at the Principal's discretion.

The District shall provide continued educational programming and activities for students who are removed from their classrooms. An appeal brought by the parent, or student over the age of 18, of a Principal removal decision must be presented to the Superintendent of schools prior to any further appeal.

## 6. Suspension from School

Suspension from school is a severe penalty which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others. The BOE retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the building Principal. Any staff member may recommend to the Superintendent or Principal that a student be suspended. All staff members must immediately report and refer a violent student to the Principal or the Superintendent for a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the Suspension.

There are three categories of suspensions from school and each is described below.

*Short term (5 days or less) suspension from school:* When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, email (in addition to personal delivery or express mail delivery, if needed) or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension, at the last known address for the parents.

Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parent of the right to request an immediate informal conference with the Principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witness under such procedures as the Principal may establish. The Principal shall promptly advise the parents in writing of his/her decision. The Principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent of Schools within 10 business days of the date of the decision, unless they can show extraordinary circumstances precluding them from doing so. If not satisfied with the decision of the Superintendent of Schools, they must file a written appeal to the BOE submitted to the District Clerk within 10 business days of the date of the Superintendent's decision. All appeals to the BOE must be made in writing and submitted to the District Clerk within 30 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances preclude them from doing so. Only final decisions of the BOE may be appealed to the Commissioner of Education within 30 days of the decision.

*Long term (more than five days) suspension from school*— When the Superintendent determines that a suspension for more than five days may be warranted, he/she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him/her, and the right to present witnesses and other evidence on his/her behalf. The Superintendent shall personally hear and determine the proceeding or may, at his/her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him/her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendation as to the appropriate measure of discipline to the Superintendent. The report of the hearing officer shall be advisory only, and the Superintendent may accept all or any part thereof. An appeal of the Superintendent's decision may be made to the BOE. The BOE will make its decision based solely upon the record before it. All appeals to the BOE must be made in writing and submitted to the District Office within 30 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The BOE may adopt in whole or in part, the decision of the Superintendent. Final decisions of the BOE may be appealed to the Commissioner of Education within 30 days of the decision.

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

### C. Minimum Periods of Suspension

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

- The student's age
- The student's grade in school
- The student's prior discipline record
- Input from parents/teachers or others
- Superintendent's belief that other forms of discipline may be more effective
- Other extenuating circumstances

The Superintendent is required to refer the following students to the County Attorney (or the County presentment agency if not 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.
- B. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law.

The Superintendent is required to refer students over the age of 16, or any student 14 or 15 years old who qualifies for juvenile offender status, to the appropriate law enforcement authorities. A student 14 or 15 years old who possesses a firearm, machine-gun, or loaded firearm (as defined in §26S.00 of Penal Law) on school grounds (as defined in §220.000(14) of the Penal Law) qualifies for juvenile offender status under §1.20 of the Criminal Procedure Law.

2. Students who commit violent acts other than bringing a weapon to school— Any student who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least one day. If the proposed penalty is the minimum one-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a short-term suspension. If the proposed penalty exceeds a five-day suspension, the student and the student's parents will be given the same notice and an opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one- year suspension for possessing a weapon.
3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere with the teacher's authority over the classroom may be removed from the classroom. Any student who engages in conduct which results in the student being removed from the classroom by teacher(s) on four or more documented occasions during a semester, or three or more documented occasions during a trimester, will be suspended from school for at least 1 day (Note: cumulative effect). If the proposed penalty is the minimum 1 day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a short-term suspension. If the proposed penalty exceeds a five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by- case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

#### D. Referrals- including outside agencies

##### 1. Counseling:

The school counselors, school social worker, psychologist or student assistance counselor shall handle all referrals of students for counseling services upon the recommendation of school administrators.

##### 2. PINS Petitions:

The district may file a PINS (Person in Need of Supervision) petition with probation 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 1 of Article 6S of the Education Law.
- b. Engaging in an ongoing or continual course of conduct that makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.
- c. Knowingly and unlawfully possesses a controlled substance in violation of Penal Law 221.OS. (A single violation of 221.OS will be sufficient basis for filing a PINS petition.)

##### 3. Juvenile Delinquent 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 16 who is found to bring a weapon to school.
- b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20(42)

#### E. Alternative Instruction

Pursuant to the Education Law, no student shall be suspended from school in his/her regularly scheduled classes without being provided alternative equivalent instruction, either in the form of home instruction or instruction in an alternative setting. Such instruction shall be of an equivalent nature to that provided in the student's regularly scheduled classes. A good faith effort shall be made to provide such alternative instruction immediately. In the event that a student within the compulsory education ages of six and the school year in which s/he becomes 16 is suspended from school in excess of five school days, alternative equivalent instruction shall be provided for the duration of the suspension period.

#### F. Appeals Process

The decision of the Superintendent with respect to the findings of fact sustaining charges in a long-term suspension hearing and/or penalty determination shall be subject to appeal (or may be appealed) to the BOE. The BOE shall review the record of the proceedings before the Superintendent or his/her designated hearing officer, including a review of the transcript of the proceedings, documentary evidence and written arguments of the representatives of the respective parties, if any. The BOE will not provide the representatives of the respective parties with the opportunity either to present evidence not previously in the record or to make arguments in person before the BOE.

## **VIII. DISCIPLINE OF STUDENTS WITH DISABILITIES**

### Suspension of Students with Disabilities

In the event that a student has a known disability or when school officials can be deemed to know, in accordance with law, that a student has a disability, the District will first proceed to conduct a §3214 disciplinary proceeding for any suspension of more than five days. The §3214 disciplinary proceeding will be held in two parts: first to determine the student's guilt or innocence on the charges and the second to determine the penalty.

If guilt is determined on a violation of a provision of the District's Code of Conduct, before a penalty may be imposed, the following rules shall apply:

### 504/ADA Disability

For a student solely with a disability under 504 of the Rehabilitation Act of 1973 (hereinafter referred to as (504)/Title II of the Americans with Disabilities Act (hereinafter referred to as the "ADA"), the 504 multi-disciplinary committee must make a determination regarding whether the conduct underlying the charges was a manifestation of the student's disability.

1. If a nexus is found between the disability and the conduct, no additional discipline shall be imposed and the record of discipline imposed to date shall be expunged.
2. If no nexus is found, yet nonetheless a disability is indicated or has been identified, discipline may be imposed upon remand to the §3214 hearing officer. A change in placement; i.e. a suspension, removal or transfer, in excess of 10 school days must be preceded by notice and an evaluation conducted by the 504 team.
3. Students with a recognized 504/ADA disability who are currently using or in possession of alcohol or drugs may be disciplined, regardless of their disability status in the same manner and to the same extent as non-disabled students, provided that same students are currently engaged in the illegal use of drugs or use of alcohol.

### IDEA Disability

For students classified or presumed to have disabilities under the Individuals with Disabilities Education Act (hereinafter referred to as "IDEA", a student with an educational disability), a Manifestation Team must make a Manifestation Determination prior to a student's suspension for 10 or more consecutive school days or prior to a suspension of 10 days or less, if it has been determined that a suspension for less than 10 consecutive school days would constitute a disciplinary change in placement.

A series of suspensions that are each 10 days or less in duration may create a pattern of exclusions that constitutes a disciplinary change in placement. That determination will be made on a case-by-case basis in accordance with applicable law and regulation. Among the factors considered in making this determination are: the length of each suspension, the proximity of the suspensions to one another, and the total amount of time the student is excluded from school. A student shall be presumed to have a disability if prior to the time the behavior occurred:

1. The student's parent/guardian has expressed, in writing, to supervisory or administrative personnel of the school or to a teacher of the student that the student is in need of special education, provided that such notification may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
2. The student's parent has requested an evaluation of the student; or
3. A teacher of the student or other personnel of the District has expressed specific concern about a pattern of behavior demonstrated by the student to supervisory personnel in the District in accordance with the District's child-find procedures.

A Manifestation Team, which shall include a representative of the school district knowledgeable about the student and the interpretation of information about child behavior, the parent and relevant members or the Committee on Special Education as determined by the parent and the school district. The parent must receive written notification prior to any Manifestation Team. A student shall not be presumed to have a disability for discipline purposes, despite satisfaction of one or more of the above criteria, if:

1. The student's parents have not allowed a relevant evaluation of the student by the Committee on Special Education (CSE);
2. The student's parents have refused special education services; or
3. It was determined by the CSE or Committee on Preschool Special Education (CPSE) that the student is not a student with a disability; or
4. It was determined that an evaluation was not necessary and the District provided appropriate notice to the parents of such determination.

### Manifestation Determinations

A Manifestation Team, which shall include a representative of the school district knowledgeable about the student and the interpretation of information about child behavior, the parent and relevant members or the Committee on Special Education as determined by the parent and the school district. The parent must receive written notification prior to any Manifestation Team meeting to ensure that the parent has an opportunity to attend and to inform the parent(s) of their right to have relevant members of the CSE participate at the parent's request.

1. When making a manifestation determination, the Manifestation Team shall review all relevant information in the student's file including the student's IEP, any teacher observations and any relevant information provided by the parents to determine if:
  - a. The conduct in question was caused by or had a direct and substantial relationship to the student's disability; or
  - b. The conduct in question was a direct result of the school district's failure to implement the IEP.

If either of the aforementioned criteria listed as "a" and "b" above are answered affirmatively, the conduct in question shall be deemed to be a manifestation of the student's disability.



When the Manifestation Team determines that the conduct in question was a manifestation of a student's disability, the CSE shall meet to recommend and conduct a functional behavioral assessment and implement a behavior intervention plan in accordance with 201.3 and 201.4(d)(2)(a) of the Commissioner's Regulations.

A meeting for the sole purpose of making a manifestation determination does not require five calendar days' notice to the student's parent/guardian. However, if the CSE meets to consider a change in placement in conjunction with the manifestation determination, the five-day notice requirement of 200.5(a)(3) of the Commissioner's Regulations is applicable and parental participation in all CSE meetings is expected and strongly encouraged.

#### Discipline of Students with Disabilities When the Manifestation Team Has Made an Affirmative Manifestation Finding

When an educationally disabled student's conduct is a manifestation of the child's disabling condition, a student classified under IDEA may only be suspended from school for more than 10 consecutive school days, if one of the following applies:

1. The CSE recommends a change in placement on the student's Individualized Education Plan (IEP) and/or Behavior Intervention Plan (BIP) and the parent/ guardian or eighteen-year or older student consents to such change in writing following receipt of their Procedural Safeguards Notice.
2. A court order or order from an impartial hearing officer of suspension/removal of a dangerous student pursuant to 201.8 of the Commissioner's Regulations is obtained.
3. The violation involves weapons, drugs or serious bodily injury.

#### Suspensions for Misconduct Involving Weapons and/or Drugs and/or Serious Bodily Injury

A student classified or deemed to be known as having an educational disability under IDEA may be suspended and placed in an Interim Alternative Educational Setting (IAES) for up to 45 school days (less if the discipline is for a non-disabled student would be less), if the student is found guilty of: 1) carrying or possessing a weapon while at school, on school property or at a school function; 2) knowingly possessing or using illegal drugs, or selling or soliciting the sale of a controlled substance while at school, on school premises or at a school function; or 3) inflicting a serious bodily injury to another person while at school or a school function.

1. The term "weapon" means "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2-1/2 inches in length."
2. The term "illegal drugs" means controlled substances but not those legally possessed or used under the supervision of a licensed health care professional or other permitted authority under the Federal Controlled Substances Act or under any other provision of Federal law. Controlled substances are drugs and other substances identified under schedules set forth in applicable Federal law provisions.
3. The term "serious bodily injury" means bodily injury which involves a substantial risk of death;

extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

Before a student is suspended and placed in an IAES for up to 45 school days for behavior involving weapons and/or drugs and/or serious bodily injury, the Manifestation Team must conduct a manifestation determination. Placement in an IAES as a result of conduct involving weapons and/or drugs and/or serious bodily injury is not contingent upon a Manifestation Team determination that the misconduct is not related to the student's disability.

1. If the student is or may be placed in an IAES, the CSE shall, as appropriate, recommend functional behavioral assessment and behavior intervention, or review any such pre-existing, plan for modification; and
2. A CSE shall determine and recommend an IAES reasonably calculated to enable the child to continue to receive educational services, participate in the general curriculum and progress toward meeting IEP goals and objectives during the period of suspension from instruction.

### Dangerous Students

To continue the suspension of a student classified or deemed to be known as having an education disability under IDEA for more than 10 consecutive school days, the School District may commence an expedited hearing before a special education impartial hearing officer to demonstrate that a student is Dangerous and is substantially likely to cause injury to him/herself or others if returned to his/her last agreed upon placement. An impartial hearing officer may order the placement of the student in an IAES for up to 45 school days in accordance with 201.8 and 201.11 of the Commissioner's Regulations.

1. The Manifestation Team must still conduct a manifestation determination within 10 consecutive school days of the initial disciplinary action.
2. If the student is or may be placed in an IAES, the CSE shall, as appropriate, recommend a functional behavioral assessment and behavior intervention plan, or review any such pre-existing, plan for modification; and
3. An impartial hearing officer's determination allowing a student's placement in an IAES as a result of dangerous behavior, it is not contingent upon a Manifestation Team's determination that the misconduct is not related to the student's disability.

### Discipline of Students with Disabilities When the Manifestation Team Has Made a No Manifestation Finding

Where a student with a disability's conduct is found not to be a manifestation of his/her disability he/she may be disciplined in the same manner and to the same extent as non-disabled students. In such instances, the CSE shall meet upon proper notice to determine any appropriate evaluations which must be performed, changes to a student's IEP and to recommend an appropriate IAES where the child can continue to receive educational services, although in another setting, that enable the child to participate in the general curriculum and progress toward meeting IEP goals and objectives during the period of suspension from instruction.

### Pendency Placement

An IAES shall be deemed the student's "stay put placement" for up to 45 school days, during the pendency of any expedited due process proceedings commenced by parents to contest 1) a finding that a student is not presumed to have a disability, and/or 2) a finding that the student's misconduct was not a manifestation of the student's disability, and/or 3) a decision to place a student in a CSE recommended IAES for misconduct involving weapons and/or drugs and/or serious bodily injury, and/or 4) the decision of an impartial hearing officer in a dangerousness hearing and/or 5) the appropriateness of an IAES program recommended by the CSE in the context of one of the four categories of action listed above.

## **VIII. REPORTING CODE VIOLATIONS:**

All students are expected to promptly report violations of the Code of Conduct to a teacher, school personnel, the building principal or his/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 or the building principal, the principal's designee, superintendent or other responsible adult.

Any student observing a student being harassed or discriminated against by another student or staff member shall report this information immediately to a teacher, the principal, the principal's designee, the Superintendent of schools or the Dignity Act Coordinator.

Staff who know or reasonably should know of possible harassment or discrimination must take immediate and appropriate action to report the incident to the principal, the principal's designee, the Superintendent of schools or the Dignity Act Coordinator. Following the report, the District shall investigate or otherwise determine what occurred and should take prompt and effective steps reasonably calculated to end the harassment or discrimination, eliminate any hostile environment and prevent the conduct from reoccurring.

All district staff who are authorized to impose disciplinary sanctions are 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.

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

The building principal or his/her designee must notify the 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. Any violent and disruptive incidents (SSEC – School Safety and Educational Climate) are reportable to the New York State Education Department according to their guidelines.

Non-Retaliation for Reporting or Participating in an investigation when acting in good faith.

Any act of retaliation against any person who reports or has filed a complaint of harassing or discriminatory behavior, is strictly prohibited and illegal, and therefore subject to disciplinary action. Likewise, retaliation against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing of a harassment or discrimination complaint is prohibited. For purposes of this policy, retaliation includes but is not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action, up to and including suspension or termination, as applicable.

Where incidents involve violations of civil rights, the victim and the alleged perpetrator have the right to be represented by a person of their choice, at their own expense, during investigations and hearings. In addition, victims have the right to register complaints with the U.S. Department of Education's Office for Civil Rights.

Employee victims also have the right to register complaints with the Federal Equal Employment Opportunity Commission and the New York State Division of Human Rights. Nothing in these regulations shall be construed to limit the right of the complainant to file a lawsuit in either state or federal court.

In addition, all complainants; those who participate in the investigation of a complaint in conformity with state law and district policies, or who are required to testify, participate or assist in the investigation procedure shall be free from retaliation of any kind and who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

**1. To School District Personnel**—Students, teachers and other District personnel are encouraged to report any violation of the Code of Conduct to the building Principal or, in his/her absence, the acting designee. Teachers and other District personnel shall immediately report violent students to the building Principal or Superintendent of schools.

**2. To Local Law Enforcement Agencies**—The District will report any acts of violence against persons that constitute a felony or misdemeanor and other violations of the Code of Conduct which constitute a misdemeanor or felony to the appropriate local law enforcement agency. When necessary, the district will file a complaint in criminal court against the actor.

**3. To Human Services Agencies**—The District will report any violations of the Code of Conduct

which constitute a crime when the actor is under the age of 16 to the appropriate human services agencies. When necessary, the district will file a juvenile delinquency petition or a person in need of supervision (PINS) petition in Family Court.

## **IX. 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, schools 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.

The building administrator or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his/her clothing in order for the child protective services worker to verify the allegations, the school nurse or other medical personnel must be present during that portion of the interview. No student may be required to remove his/her clothing in front of a child protective services worker or school district official of the opposite sex.

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

## **X. 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 to:

1. Protect oneself, another student, teacher or any person from physical injury. Protect the property of the school or others.
2. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain
3. The district will file all complaints about the use of corporal punishment with the commissioner of education in accordance with commissioner's regulations.

## **XI. STUDENT SEARCHES AND INTERROGATIONS**

The Cornwall Central School District is committed to ensuring an atmosphere on school **property and at school functions that is safe and orderly. To achieve this kind of environment**, any school official authorized to impose a disciplinary 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. However, school officials will tell all students why they are being questioned.

In addition, administrators will conduct searches of students and their belongings if the administrator has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct. An administrator may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An administrator may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified; they make an admission against their own interest; they provide the same information that is received independently from other sources; or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the administrator should attempt to get the student to admit that he or she possesses physical evidence that violates the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. Additionally, when practicable, the student's parents will be notified of the search prior to its occurrence.

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

**Lockers, desks, cubbies, etc. are property of the school district and may be searched at any time. As a result of the significant health and safety concerns posed by the use of illegal drugs, tobacco products, vaping products, or potentially misused legally obtained drugs, along with the relative lack of information available concerning certain substances, particularly those associated with vaping, any drug or vaping paraphernalia found will be subject to search by building administration and/or security staff, which may include conducting a field test to determine the contents of any substance possessed by a student that is associated with drug use or vaping. Please be advised, that students are responsible for any substance they have in their possession, whether the precise contents of such a substance are known or unknown to the student.**

## **POLICE INVOLVEMENT IN SEARCHES AND INTERROGATIONS OF STUDENTS**

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions. 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.
2. Probable cause to believe a crime has been committed on school property or at a school function.
3. Been invited by school officials.

Before police officials are permitted to question or search any student, the administrator shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the parent shall be informed of the questioning or search by the administrator as soon as possible. The administrator will also be present during any police questioning or search of a student on school property or at a school function.

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

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

## **XII. CONDUCT OF VISITORS**

In an effort to maintain a safe and healthy educational environment, all visitors entering the school building during school hours are required to enter the building through the main entrance, sign in, and state the reason for their visit. Anyone who is not a regular staff member or student of the school will be considered a visitor.

Visitors are expected to conduct themselves in a manner that does not disrupt the academic process and in accordance with the law and this Code of Conduct.

## **XIII. 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 type of 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.

The BOE recognizes that the primary purpose of the school district is to provide a superior atmosphere for learning and education. Any action by an individual or group(s) aimed at disrupting, interfering with or delaying the education process, or having such effect, is prohibited. The BOE also recognizes its responsibility to protect school property and declares its intent to take any and all legal action to prevent its damage or destruction. The BOE will also seek restitution from, and prosecution of, any person or persons who willfully damage school property.

These rules govern the conduct of students, parents, faculty and other staff, other visitors, licensees, invitees, and all other persons, whether or not their presence is authorized, upon district property, and also upon or with respect to any other premises or property (including school buses) under the control of the District and used in its instructional programs, administrative, cultural, recreational, athletic, and other programs and activities, whether or not conducted on school premises.

#### **PROHIBITED CONDUCT ON SCHOOL PROPERTY**

No person, either alone or with others, shall:

- 1.** Willfully injure any other person or threaten to do so;
- 2.** Willfully damage, destroy or remove district property or the personal property of a teacher, administrator, other district employee, or any other person lawfully on school property, including graffiti and arson;
- 3.** Disrupt the orderly conduct of classes, school programs or other school activities;
- 4.** Distribute or wear materials on school grounds which appear obscene, which advocate illegal action, discriminate against race, nationality, religion, or sexual orientation, appear libelous, disruptive to the school program or obstruct the rights of others;
- 5.** Intimidate, harass or discriminate against any person on the basis of race, color, religion, gender, sexual orientation, age or disability;
- 6.** Enter upon 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 these rules apply;
- 8.** Violate 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 any school-related function;
- 10.** Possess or use firearms and/or other weapons, including air guns, pistols, rifles, shotguns, ammunition, explosives, box cutters, knives, gas canisters, pepper spray or other noxious spray in or on school property (except in the case of law enforcement officers or except as specifically authorized by the school district);
- 11.** Loiter on or about school buildings or grounds;
- 12.** Gamble on school premises;



13. Refuse to comply with any lawful order of an identifiable school district official acting in the performance of his or her duties;
14. Willfully incite others to commit any of the acts herein prohibited; and/or
15. Violate any federal or state statute, local ordinance, or BOE policy.
16. Pets are not allowed on school property or at any school events.

Anyone who violates any of the provisions of these rules is subject to appropriate consequences, up to and including warning, suspension, ejection, arrest and/or prosecution.

#### PENALTIES AND PROCEDURES FOR PROHIBITED CONDUCT ON SCHOOL PROPERTY:

A person who shall violate any of the provisions of these rules shall be subject to the following penalties and procedures:

- Visitors- his/her authorization to remain upon the grounds or other property shall be withdrawn and s/he shall be directed to leave the premises. In the event of failure to do so, s/he shall be subject to removal. If the person is a trespasser or visitor without specific license or invitation, s/he shall be subject to removal and/or arrest.
- Students- shall be subject to disciplinary action as the facts of the case may warrant, as prescribed by Section §3214 of the Education Law and the Student Code of Conduct.
- Faculty members- shall be subject to disciplinary action as prescribed by and in accordance with procedures of the Education Law §3020-a and the collectively negotiated agreement and any relevant BOE policies.
- Staff members in the classified service of the civil service, described in Section 75 of the Civil Service Law -shall be subject to disciplinary actions as described in Section 75 of the N.Y. Civil Service Law, any relevant BOE policies and any collectively negotiated agreements.
- Staff members other than one described in the last two sections above, shall be subject to discipline in accordance with law and any applicable collectively negotiated agreement and any relevant BOE policies.

#### ENFORCEMENT PROGRAM FOR PROHIBITED CONDUCT ON SCHOOL PROPERTY

The Superintendent of Schools shall be responsible for the enforcement of these rules, and shall designate other personnel to take action in accordance with such rules when required or appropriate to carry them into effect.

The Superintendent of Schools, building Principal, other school administrator or his/her designee shall be responsible for enforcing the conduct required by this Code. When the administrator or his/her designee sees an individual engaged in prohibited conduct, which in his/her judgment does not pose any immediate threat of injury to persons or property, the administrator shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop.

The administrator 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 administrator 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.

**This Code and the penalties set forth herein are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any Federal or NY State law, or local ordinance, and the imposition of a fine or penalty provided for therein.**

## **XIV. ADDITIONAL INFORMATION**

### **School District Regulations for Computer Use, E-Mail, Internet Usage and Use of Personal Devices for Educational Purposes**

These regulations and procedures are established pursuant to the Cornwall Central School District's Technology Services, Equipment and Use policy and accompanying regulation.

The School District reserves the right to monitor all student and employee e-mail and Internet access at any time. Any unauthorized use is prohibited. No rights of privacy from use of School District computers are intended nor should they be expected by any user, including all students and employees.

Students and Staff shall be expected to abide by the following general rules regarding access to and use of District e-mail and internet:

#### **ACCEPTABLE USES**

1. All use of the Internet and District network must be in support of educationally related inquiry.
2. Network user ID's are ONLY to be used by the authorized owner of the account.
3. All use of messaging software, including e-mail, must be in support of educational-related inquiries.
4. Only school owned devices or personal devices used in connection with an educational related inquiry may connect to the network.

## UNACCEPTABLE USES

1. Sharing passwords or seeking passwords belonging to other individuals or making unauthorized entry into another individual's network account.
2. Impersonation - real names **MUST** be used, pseudonyms are not allowed.
3. Using profanity, obscenity or language that may be offensive to another user.
4. Personal attacks upon others, including attacks that may be interpreted as "bullying" or "cyber-bullying".
5. Illegal installation of copyrighted software on the District network. Users must respect all copyright issues regarding software, information, all media (i.e., music, video, intellectual property) and attributions of ownership. The unauthorized copying or transfer of copyrighted materials is not acceptable.
6. Downloading or uploading pirated or illegal software.
7. Publishing, accessing, distributing, downloading, forwarding, or sending any information which violates or infringes upon the rights of others or which would be considered abusive, profane or sexually or ethnically offensive.
8. Using the network for financial or commercial gain.
9. Downloading computer applications or installing software applications or computer hardware without first having the express permission from the Cornwall Central School District.
10. Using the network for illegal activities or political lobbying.
11. Accessing or processing pornographic materials, or inappropriate text files.
12. Accessing or processing files dangerous to the integrity of the network.
13. Creating any inappropriate documents or other digital content.
14. Degrading or disrupting equipment, software or system performance.
15. Disclosing or disseminating personal information regarding minors (i.e., address, phone number, pictures, social security number and academic standing).
16. Bypassing or attempting to bypass any security measures or software the District has in place including but not limited to, internet content filtering, desktop security and anti-virus software.
17. Loss, damage or destruction of district issued devices or auxiliary components (chargers, headsets, mouse, etc.)
18. Users shall not use system resources for any non-instructional purpose, including but not limited to: personal email account access (e.g. Yahoo, Gmail, etc.), personal instant messaging (chatting), direct messaging social networking sites (e.g. Instagram, Twitter, TikTok), online shopping, online gaming or personal use of streaming media such as online radio stations, music videos or video broadcasts.

Students and parents are encouraged to review Policy and Regulation 4526 in its entirety prior to using the District network and email.

## **PERSONALLY OWNED CELL PHONES, TABLETS, COMPUTERS and OTHER COMMUNICATION DEVICES**

As required by Education Law §2803, policy 5695 prohibits student use of [internet-enabled] devices during the school day (including all classes, homeroom periods, lunch, recess, study halls, and passing time) on school grounds (any building, structure, athletic playing field, playground, or land contained within the boundary of a school or district or BOCES facility), unless under an exception set forth in this policy. Internet-enabled devices are defined as: any smartphone, tablet, smartwatch or other device capable of connecting to the internet and enabling the user to access content on the internet, including social media applications, but do not include any such device supplied by the district for educational purposes. Other personal electronic devices include devices which are not capable of connecting to the internet or accessing content on the internet, cell phones without internet, fitness trackers, wired or wireless headphones and earbuds, e-readers, calculators, voice recorders, cameras and music devices, portable gaming devices, any device capable of recording photographing or communicating . The District prohibits students from using all such personal devices during the instructional day without the permission of a staff member.

1. At the elementary school level, students are discouraged from bringing devices to school. Any device that is brought to school must be silenced and kept in the classroom teacher's storage container; the student's personal cubby; the school office.
2. At the middle school level, students are discouraged from bringing devices to school. Any device that is brought to school must be silenced and stored homeroom device caddies; classroom-by-classroom device caddies; student lockers.
3. At the high school level, student devices must be silenced and stored in student lockers.

Devices are prohibited during the school day. All personal electronic devices must be turned from the first bell to the final dismissal bell and stored as instructed per level.

This rules applies to all students during regular school hours, including:

- All classroom instruction periods
- Passing periods between classes
- Study halls
- Lunch period
- Assembly periods
- Any time students are under school supervision during regular school hours

Use of internet-enabled devices must be permitted where included in a student's Individualized Education Program, Section 504 plan, or where required by law. Additionally, student use of otherwise prohibited devices during the school day on school grounds may be permitted:

1. If authorized by a teacher, principal, the Superintendent, or other personnel as the Superintendent may designate, for a specific educational purpose;
  2. where necessary for the management of a student's healthcare;
  3. in the event of an emergency, as determined by teachers or administrators;
  4. for translation services; or
  5. on a case-by-case basis, upon review and determination by a school psychologist, school social worker, or school counselor, for a student caregiver who is routinely responsible for the care and wellbeing of a family member.
- Parents may request an exception for their children to use internet-enabled devices during the school day as listed above. Requests must be made to the Building Principal, and for healthcare exceptions, must include documentation from an appropriate healthcare professional.
  - Students may contact their parents by coming to the main office at an approved time to contact them. The district will notify parents in writing of the communication protocol at the beginning of each school year and upon enrollment.
  - During the school day, to minimize distractions, parents (which, for purposes of this policy, includes persons in parental relation) may contact their children via the following methods: calling the school office. In emergencies, office staff will deliver messages to students and administration will facilitate immediate contact.

### GUN-FREE SCHOOLS ACT

Consistent with the Gun-Free Schools Act of 1994, any pupil who is determined (in accordance with the procedures provided in Education Law §3214) to have brought a weapon to school shall be suspended for a period of not less than one calendar year and referred to the appropriate legal and law enforcement agencies. The Superintendent of Schools shall have authority to modify this suspension requirement for all students on a case-by-case basis. The Superintendent's determination will be subject to review by the BOE in accordance with Education Law §3214(a) and thereafter to the Commissioner of Education pursuant to 310 of the Education Law. Nothing in this policy shall be deemed to authorize suspension of a student with a disability in violation of either the IDEA or Article 89 of the Education Law. The Superintendent shall refer a pupil under the age of sixteen who has been determined to have brought a weapon to school in violation of this subdivision to a presentment agency for a juvenile delinquency proceeding consistent with Article 3 of the Family Court Act. The Superintendent shall refer any pupil sixteen years of age or older who has been determined to have brought a weapon to school in violation of this subdivision to the appropriate law enforcement officials.

## INDIVIDUAL BEHAVIOR PLAN

Students who exhibit inappropriate behavior on a continuous basis may be required to have an Individual Behavior Management Plan. The administrator, counselor, teacher, student and parent/guardian develop these plans. The Plan is designed as a collaborative approach to improving student behavior. The Individual Behavior Management Plan becomes a part of the student's discipline file.

## NON-SCHOOL-SPONSORED SPEECH

Students have a right to express their thoughts and opinions at reasonable times and places. The District expressly reserves the right to exercise pre-publication review of both school sponsored publications and speech, and non-school sponsored publications and speech, when such publication or speech is disseminated in or through the District as outlined in the Code.

### POSTING OF SIGNS

1. All posters that are to be posted in halls or classrooms must adhere to the following guidelines:
  - Posters must be created by an existing CCSD club, athletic team, or other CCSD affiliated organization.
  - Posters must be approved by school administrator or his/her designee (the advisor, coach or leader of the affiliated organization)
  - Approved posters may be for promoting a meeting or event of the club, athletic team or affiliated organization.
  - Bulletin boards are available for these posters.
2. Posters may be hung in the classroom with the teacher's approval.
3. Oversized posters will not be permitted to occupy an entire bulletin board.
4. All notices and posters must be removed the day following the activity by the person(s) who posted the message.
5. Because of fire rules, nothing can be placed on the window of a classroom door.

## **XV. DISSEMINATION AND REVIEW**

The BOE will work to ensure that the community is aware of this Code of Conduct by:

1. Reviewing Code of Conduct in plain languages at all schools with students.
2. Providing copies of a summary of the Code to all students at a general assembly held at the beginning of each school year.
3. Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the Code as soon as practicable after adoption.
4. Providing all new employees with a copy of the current Code of Conduct when they are first hired.
5. Making copies of the Code available for review by students, parents and other community members.
6. Providing public access to the Code of Conduct through the district website.

7. **Code of Conduct Publication, Dissemination, Monitoring and Reporting**

This policy, or a plain language summary, shall be published in student registration materials, student, parent and employee handbooks, and posted on the district's website. A harassment incident or discriminatory complaint form will be available on the district's website. The district will ensure that the process of reporting incidents of harassment or bullying is clearly explained both in the policy, the plain language summary and on the complaint form.

On an annual basis, as part of the annual review of the Code of Conduct, this policy will be reviewed to assess its effectiveness and continued compliance with state and federal law. If changes are needed, revisions will be recommended to the Board for its consideration.

The District will sponsor in-service education programs, typically during faculty meetings or other building level meetings, for all district staff members to ensure the effective implementation of the Code of Conduct including but not limited to, guidelines for promoting a safe and supportive school climate while discouraging, among other things, discrimination or harassment against students by students and/or school employees, and including safe and supportive school climate concepts in the curriculum and classroom. Such training shall be designed to raise staff awareness and sensitivity to potential discrimination or harassment and provide strategies and responses to assist staff in responding to reports and incidents of discrimination and harassment and to help discourage their reoccurrence. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students.

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

The BOE may appoint an advisory committee to assist in reviewing the Code and the district's response to Code of Conduct violations. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

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



## APPENDIX

The following documents represent disciplinary infractions and consequences at three levels:

Elementary Disciplinary Measures- Grades K-4  
Middle School Disciplinary Infraction Chart- Grades 5-8  
High School Disciplinary Infraction Chart- Grades 9-12

Please be aware that:

- Students will receive due process as established by education law and CCSD policy.
- All infractions will be dealt with at the discretion of the Administration.
- It is understood that the Administration has the authority to modify any of the aforementioned steps based upon individual circumstances presented.
- Depending on the circumstances of an incident, students may be assigned to community service, and/or lose privileges including an after-school or evening event privilege, class trip or any other school function in addition to consequences listed on the chart.
- The CCSD Athletic Code applies to all students in grades 7 through 12 who participate in Interscholastic Sports.
- The following abbreviations are used in the subsequent charts:

**APC-** Alternative Placement Center

**OSS-** Out-of-School Suspension

**Tch Det.** Teacher Detention

**Admin Det-** Administrative Detention

**Lunch Det-** Lunch Detention

## Elementary Disciplinary Measures

**At the Cornwall Elementary Schools everyone must play a role in contributing to a safe and supportive environment of order and discipline. Each member of the school community should strive to be fair, firm and consistent when dealing with disciplinary actions. To insure all students a safe and pleasant learning community, CES, WAE, and COH Elementary Schools have developed this DISCIPLINE CODE:**

**Serious infractions of school rules, for which immediate discipline and or suspension with parental contact will result include: defiance of staff, disrespect, threatening, profanity or vulgarity, fighting, assault, cheating, forgery, vandalism and use or possession of tobacco, drugs, alcohol or a weapon.**

### **DISCIPLINE CODE:**

All students are expected to conduct themselves in an appropriate fashion at all times, a student whose behavior is inappropriate or has multiple offenses will be denied access to extracurricular activities as defined by the Building Administrators.

### LEVEL 1 MISCONDUCT -MINOR MISBEHAVIOR:

- Minor misbehavior on the part of the student, which impedes orderly classroom or school procedures.

### **EXAMPLES:**

Classroom disturbance, chronic tardiness, improper language, failure to carry out directions, disrespect, electronic: possession or use of cell phone or smartwatch (text messaging, receiving or making calls, or using the internet), inappropriate attire, etc.

### **DISCIPLINARY RESPONSE:**

The staff member supervising the student shall immediately intervene. Repeated misbehavior requires parental conference with teacher, counselor, or principal. The staff member keeps a written record of the offense with a copy submitted to the building principal. Due process is followed.

### **RANGE OF POSSIBLE DISCIPLINARY OPTIONS:**

Verbal reprimand, student/teacher conference, parental contact, parent conference, formal meeting with student by appropriate supervisor (e.g., assistant principal, principal), parent conference, \*"Time Out", in-school disciplinary response (e.g., formal restorative conference, exclusion from communal lunchtime/recess, or from extracurricular activities), in-school restriction (less than full day), in-school suspension, out-of-school suspension (5 days or less).

**\*The time out can occur anytime during the school day.**

### **SUPPORTS AND INTERVENTIONS:**

Conflict resolution, individual/group counseling, referral to Instructional Support Team (IST)

## LEVEL 2 MISCONDUCT - DISORDERLY BEHAVIOR:

- Misbehavior whose frequency or seriousness tends to disrupt the learning climate of the school; misbehavior which may require administrative intervention, as previous disciplinary actions were not effective.

### EXAMPLES:

Repeated disruptive classroom behavior, cheating, disrespect, defiance, harassment of other students, engaging in or causing disruptive behavior on the school bus, leaving class or school without permission of supervising school personnel, truancy, altercation (physical or verbal), bullying or cyberbullying, computer policy violations, disrespectful language or action toward staff or student, throwing food, instigation or intimidation or coercion, insubordination or failure to follow school rules, lewd behavior, plagiarism, possessing or sharing obscene materials, profanity or gestures, etc.

### DISCIPLINARY RESPONSE:

Staff member should contact home. Student may be referred to the administration. If so, administration will meet with the student and/or teacher and effect the most appropriate disciplinary action. The teacher will be informed of the disciplinary action taken and the administrator shall maintain a proper and accurate record of same. A parental conference may be held. Due process is followed.

### RANGE OF POSSIBLE DISCIPLINARY OPTIONS:

Pedagogical school staff meeting with student to address the misbehavior and its impact, Student/teacher conference, parental contact, parent conference, formal meeting with student by appropriate supervisor (e.g., assistant principal, principal), \*"Time Out", in-school disciplinary response (e.g., formal restorative conference, exclusion from communal lunchtime/recess, or from extracurricular activities), in-school restriction (less than full day), in-school suspension, out-of-school suspension (5 days or less).

**\*The time out can occur anytime during the school day.**

### SUPPORTS AND INTERVENTIONS:

Conflict resolution, individual/group counseling, peer mediation, referral to Instructional Support Team (IST)

### LEVEL 3 MISCONDUCT -DISRUPTIVE BEHAVIOR:

- Acts directed against persons or property but whose consequences do not seriously endanger the health or safety of others in the school. Some infractions may be considered criminal but most frequently can be handled by the disciplinary mechanism within the school.

#### EXAMPLES:

Vandalism, threats to others, escalation of cyber bullying, stealing, flagrant disrespect to school employees, fighting (shoving, pushing, or engaging in a minor altercation, etc.), harassment sexual or racial, hazing, threatening staff (physical, verbal) etc.

#### DISCIPLINARY RESPONSE:

The administration initiates disciplinary action by investigating the infraction and conferring with staff on the extent of consequences. The administration meets with the student and confers with the parent concerning the student's misconduct and resulting disciplinary action. The principal maintains a proper and accurate record of offenses and disciplinary actions taken. Due process is followed.

#### RANGE OF POSSIBLE DISCIPLINARY OPTIONS:

Pedagogical school staff meeting with student to address the misbehavior and its impact, Student/teacher conference, parental contact, parent/staff conference, formal meeting with student by appropriate supervisor (e.g., assistant principal, principal), in-school disciplinary response (e.g., formal restorative conference, exclusion from communal lunchtime/recess, or from extracurricular activities), in-school restriction (less than a full day), in-school suspension, referral to Student Support Team, out-of-school suspension (5 days or less), Superintendent's hearing (possible suspension: 5 days plus)

#### SUPPORTS AND INTERVENTIONS:

Conflict resolution, individual/group counseling, peer mediation, referral to Instructional Support Team (IST)

### LEVEL 4 MISCONDUCT – AGGRESSIVE OR INJURIOUS/HARMFUL BEHAVIOR:

Acts which result in violence to another person or property or which poses direct threat to the safety of others in the school. These acts are clearly criminal and are so serious that they always require administrative action resulting in the immediate removal of the student from the school and the intervention of law enforcement authorities and/or action by the Board of Education.

#### EXAMPLES:

Extortion, vandalism, serious fighting assault or battery, misuse of fire alarm or equipment, bomb threat, arson, possession or use or transfer of illegal substance (e.g. tobacco, alcohol, drugs), possession of a weapon, felony, fireworks, gambling, misdemeanors, smoking or other tobacco use, truancy, threat to cause bodily harm (written, verbal, or electronic).etc.

#### DISCIPLINARY RESPONSE:

The administrator verifies the offense, confers with staff involved and meets with student. The student is immediately removed from the school environment and parents are notified. School officially contacts law enforcement agency and assists in prosecuting offender. A complete and accurate report is submitted to the Superintendent for appropriate action. The student is given full due process hearing before the Superintendent, his designee, or the Board of Education. Due process is followed.

#### DISCIPLINARY OPTIONS:

In-school suspension, referral to outside agency, social probation, out- of-school suspension (5 days), Superintendent/Board of Education hearing (possible suspension: 5 days plus), alternative educational program.

\*\*\*A student may be referred to the Superintendent of Schools for any off-campus conduct that is considered dangerous to the safety and well-being of the students or staff of the Cornwall Elementary Schools. Such action may result in an alternative educational program.

#### SUPPORTS AND INTERVENTIONS:

Conflict resolution, individual/group counseling, peer mediation, referral to Instructional Support Team (IST)

#### SCHOOL SUSPENSION:

A school administrator may assign suspension. There are two basic forms of suspension: in-school and out-of-school.

- Out-of-school suspension: the student is excluded from all classes and school activities and must stay home for the days assigned. The student is responsible for finding out what work was missed and to make up that work in a reasonable length of time; not to exceed the number of days he/she was suspended.
- In-school suspension: the student reports to school but is excluded from classes and school activities for the days assigned. In-school suspension provides students with the opportunity to keep up with their class work or make up past due work.
- Please understand that repeated serious infractions that result in suspension may prevent your child from participating in any extracurricular activities, including, but not limited to, grade-level field trips.

***In all cases where there is disciplinary action, parents will be contacted.***

***While this document is comprehensive there may be situations not addressed here that will be managed by school administration in concert with district administration***

## CCSD Elementary Disciplinary Infraction Chart

Infraction	Consequences			
	1	2	3	4
<b>Level 1: Misconduct, Minor misbehavior</b> (e.g. classroom disturbance, chronic tardiness, improper language, disrespect, electronic possession, etc.)	Verbal reprimand  “Time Out”  Parental contact	Student/teacher conference  Parent/staff conference  Counseling  Withdrawal of privileges	Lunch/Recess detention  In-school restriction (less than full day)	Referral to IST  ISS  Out-of-school suspension (5 days or less)
<b>Level 2: Misbehavior whose frequency or seriousness tends to disrupt the learning</b> (e.g. cheating, defiance, harassment of students, altercation (verbal or physical ), bullying, throwing food, insubordination, profanity, etc.)	Student/teacher conference  Parent/Staff conference	Removal of student by staff from class  Counseling referral	Extended lunch/recess detention  In-school restriction (less than full day)	Referral to IST  ISS  Out-of-school suspension (5 days or less)
<b>Level 3: Acts directed against persons or property</b> (e.g. vandalism, threats to others, stealing, fighting, hazing, threatening, etc.)	Investigation  Parent/Staff conference  Counseling	In-school restriction (less than full day)  Extended lunch/recess detention	Referral to IST  ISS	Out-of-school suspension (5 days or less)  Superintendent’s hearing (possible suspension: 5 days plus)
<b>Level 4: Acts which result in violence to another person or property</b> (e.g. extortion, serious fighting, assault or battery, drugs, alcohol, weapon possession, etc.)	<ul style="list-style-type: none"> <li>● Verify offense</li> <li>● Confer with staff/student</li> <li>● Immediately remove student</li> <li>● Parent notification</li> <li>● Contact law enforcement</li> <li>● Assist in prosecuting offender</li> <li>● Complete an accurate report to SUP</li> <li>● Student given full due process hearing before the SUP, his designee, or the BOE</li> <li>● Due process is followed</li> </ul>			

### CCSD Middle School Discipline Chart

Offense	1st	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
Academic dishonesty	Teacher disciplinary action/loss of credit	Loss of credit/detention	Detention/loss of credit	ISS/loss of credit
Assault*	OSS 5 Days/ Superintendent's Hearing			
Congregating in lavatories, specifically when more than one student are discovered in the same stall together	Detention 1 day	Detention/ ISS	ISS/OSS	ISS/OSS
Creating a dangerous situation or safety hazard	ISS/OSS/Possible Superintendent's Hearing	OSS/Possible Superintendent's Hearing	OSS/Possible Superintendent's Hearing	OSS/Possible Superintendent's Hearing
Cutting class	Detention 1 Day	Detention 2 Days	ISS	ISS
Destruction/ Defacement of school property	Detention 3 Days and Restitution	ISS and Restitution	ISS and Restitution	OSS and Restitution
Disrespect to others	Detention 1 Day	Detention 2 Days	ISS	OSS
Disorderly Conduct	Detention/ISS/ OSS	Detention/ISS/OSS	ISS/OSS	ISS/OSS
District AUP Violation	Administrative Discretion	Administrative Discretion	Administrative Discretion	Administrative Discretion
Excessive rough play	Administrative Warning/ Detention /ISS	ISS	ISS/OSS	OSS
Fighting	OSS with counseling/ mediation	OSS with counseling/ mediation	OSS with counseling/ mediation/Supt Hearing	OSS with counseling/ mediation/Supt Hearing
Forgery	Detention 2 days	ISS	ISS	ISS
Gambling	Detention 2 days	Detention 3 days	ISS	ISS
Harassment, Bullying, or Discrimination	Admin Warning/ Detention/ISS/ OSS w/ mediation and/or counseling			
Repeated Harassment, Bullying, or Discrimination directed toward other student(s) in direct violation of the Dignity for All Students Act	DASA Investigation per BOE Policy  ISS/OSS w/mediation and/ counseling	DASA Investigation per BOE Policy  ISS/OSS w/mediation and/ counseling	DASA Investigation per BOE Policy  OSS w/mediation and/ counseling	DASA Investigation per BOE Policy  OSS w/ mediation and/or counseling/ referral-to a-Supt. Hearing

Sexual Harassment of a student or staff	Detention and counseling  Title IX Investigation as per BOE Policy	Detention and counseling  Title IX Investigation as per BOE Policy	ISS and counseling  Title IX Investigation as per BOE Policy	OSS and referral to Superintendent for hearing  Title IX Investigation as per BOE Policy
Inappropriate dress	Replace clothing with appropriate dress	Replace clothing with appropriate dress	Replace clothing with appropriate dress / Detention 1 day	Replace clothing with appropriate dress / Detention 1 day
Inciting Violence/ Menacing: Verbally or otherwise encouraging someone else to participate in a physical or verbal altercation.	ISS/OSS	OSS	OSS/Supt. Hearing	OSS/Supt. Hearing
Insubordination	Teacher disciplinary action/ Administrative Warning/Detention	Detention/ISS/OSS	Detention/APC/ OSS	Detention/APC/OSS
Invasion of Privacy: recording, transmitting information, photographs or videos	ISS	ISS/OSS	OSS	OSS/Supt. Hearing
Late to class	Warning and phone call home by teacher	Teacher Detention and phone call home by teacher	Admin. Detention	ISS
Leaving grounds without permission	ISS 1 day	ISS 2 days	ISS 3 days	OSS
Defamation/ Misrepresentation/Filing a False Report	Detention	ISS	ISS	OSS



Missed administrative detention	ISS	ISS	ISS	ISS
Missed teacher detention	Phone call home by teacher, Administrative Warning	Detention 1 Day	Detention 2 Days	ISS
Misuse of pass	Detention 1 day	Detention 2 days	ISS	ISS
Possession of, tobacco, liquid tobacco and/or vaping paraphernalia	Automatic 3 day suspension	Automatic 3 day suspension	Automatic 3 day suspension	Automatic 3 day suspension
Use of tobacco, liquid tobacco and/or vaping paraphernalia	Automatic 5 day suspension, counseling	Automatic 5 day suspension, counseling	Automatic 5 day suspension, counseling	Automatic 5 day suspension, counseling
Possession or use of drugs, synthetic drugs or alcohol	Automatic 5 day suspension, counseling/ Possible Supt. Hearing/ Referral to law enforcement	Automatic 5 day suspension, counseling/ Possible Supt. Hearing/ Referral to law enforcement	Automatic 5 day suspension, counseling/ Possible Supt. Hearing/ Referral to law enforcement	Automatic 5 day suspension, counseling/ Possible Supt. Hearing/ Referral to law enforcement
Possession of a prohibited item	Confiscation of item and warning/ detention/ISS/ OSS	Confiscation of item and ISS/OSS	Confiscation of item and OSS	Confiscation of item and OSS
Possession of a weapon*	Automatic 5 day suspension, counseling/  Supt Hearing			
Tampering with fire alarms/fire equipment/false alarms*	OSS/ Superintendent's Hearing			
Tardiness to school	Administrative Warning/Detention	Detention	Detention	Detention
Theft*	ISS/OSS	OSS	OSS	OSS
Threatening behavior	Detention/ISS	ISS	OSS	OSS/Possible Supt. Hearing
Truancy	ISS	ISS	ISS	ISS
Use of cell phones or personal electronic devices to take pictures or videos of the school building, property, faculty and staff or other students.	Detention	Detention/ISS	ISS/OSS	OSS/Possible Supt. Hearing

Use of personal electronic devices during the school day	Warning and Parent Notification  Device Collected and Student Retrieval of Device	Warning and Parent Notification  Device Collected and Parent Retrieval of Device  Detention	Parent Notification/Conference  Collection of Device and Parent Retrieval of Device  3 days Lunch Detention	Parent Notification/Conference  Collection of Device and Parent Retrieval of Device  Discussion with parent for longer holding period before collection  ISS
Unauthorized location	Detention 1 day	Detention 2 days	ISS	OSS
Unauthorized sale or distribution of items	Detention 1 day	Detention 2 days	ISS	OSS
Use of unacceptable language	Teacher call home/ Admin Warning/ Detention	Detention/ISS/OSS	Detention/ISS/OSS	Detention/ISS/OSS

Note: All infractions will be dealt with on an individual basis and at the discretion of the building Administration. It is understood that the Administration has the authority to modify any of the aforementioned steps based upon individual circumstances presented.

Note: This code is used as a guideline. The Principal may alter the offense categories or disciplinary consequences as necessary.

Note: Offenses that are a violation of law will be referred to the police and other appropriate authorities.

Note: Offenses of a serious nature will be referred to a Superintendent's Hearing at the discretion of the Principal.

Note: Any ISS/OSS will result in loss of school privileges (clubs, athletics, ensembles, rec nights, etc.)

Note: Student discipline will be reviewed to determine eligibility to attend/participate in school sponsored events, including field trips.

Note: "School Grounds" extends to any school sponsored events.

Cornwall Central Middle School  
Attendance Policy for HS Credit Bearing Courses

### **Attendance/Grade Policy**

The Cornwall Central School District recognizes an important relationship between class attendance and student performance. Consequently, each marking period a student's final grade may be based on classroom participation as well as student performance on homework, tests, papers, projects, etc.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused absences will affect a student's grade for the marking period.

At the middle school level, any student enrolled in French 1R, Spanish 1R, Algebra and Living Environment with more than **twenty-four** unexcused absences will not receive credit for that course. However, students with properly excused absences may make up the work for each absence and those excused absences will not count toward the minimum attendance standard.

To ensure that parents and students are aware of the implications of this minimum attendance requirement, the teacher or other designated staff member(s) will advise the student and contact the parent(s) by telephone and email at appropriate intervals prior to the student reaching twelve or twenty-four unexcused absences.

In implementing the policy set forth above, students who are unable to attend school or a class on a given day due to their participation in a school-sponsored activity (i.e., music lessons, field trips), may arrange with their teachers to make up any missed work. This also applies to any student who is absent, tardy or leaves early from school or a class due to illness or any other excused reason.

All students with excused absences are expected upon their return to consult with their teachers regarding missed work.

Only those students with excused absences will be given the opportunity to make up a test or other missed work and/or turn in a late assignment for inclusion in their final grade. Make-up opportunities must be completed by a date specified by the student's teacher for the class in question.

<b>CCSD High School Infraction</b>				
<b>OFFENSE</b>	<b>FIRST</b>	<b>SECOND</b>	<b>THIRD</b>	<b>FOURTH</b>
ACADEMIC DISHONESTY/ TESTING VIOLATIONS/PLAGIARISM	Admin. Detention & Loss of Credit/Zero	Admin. Detention 2 DAYS & Loss of Credit/Zero	APC & Loss of Credit/Zero	APC & Loss of Credit/Zero
ASSAULT	Possible referral to Law Enforcement, 5 OSS, Supt. Hearing	Possible referral to Law Enforcement, 5 OSS, Supt. Hearing	Possible referral to Law Enforcement, 5 OSS, Supt. Hearing	Possible referral to Law Enforcement, 5 OSS, Supt. Hearing
CONGREGATING IN LAVATORIES: more than one student in a stall	Detention	Detention/ISS	ISS/OSS	ISS/OSS
CREATING DANGEROUS SITUATION OR SAFETY HAZARD	APC or OSS	OSS	OSS	OSS
CUTTING CLASS	Admin. Detention 1 DAY	Admin. Detention 2 DAYS	APC	APC
DESTRUCTION OF OR DEFACING SCHOOL PROPERTY	Detention or APC and Restitution	APC & Restitution	APC & Restitution	APC & Restitution
DISORDERLY CONDUCT	Detention, APC or OSS	Detention, APC or OSS	APC or OSS	APC or OSS
DISRESPECT TO OTHERS	Admin. Detention	Admin. Detention/AP C	APC	APC or OSS
DISRUPTIVE BEHAVIOR	Admin. Detention or APC	Admin. Detention or APC	APC	APC or OSS
DISTRICT A.U.P. VIOLATIONS	Administrative Discretion	Administrative Discretion	Administrativ e Discretion	Administrative Discretion
FAILURE TO FOLLOW ATTENDANCE PROCEDURES	Warning	Warning or Admin. Detention	Admin. Detention	Admin. Detention/ APC
FAILURE TO ID SELF WHEN REQUESTED	Administrative Discretion	Administrative Discretion	Administrativ e Discretion	APC or OSS
FIGHTING	OSS, Mediation	OSS, Mediation	OSS, Mediation	OSS, Mediation

	and/or Counseling	and/or Counseling	and/or Counseling	and/or Counseling
FORGERY	Zero Grade plus Admin. Detention	Zero Grade plus APC	Zero Grade plus APC	Zero Grade plus APC
GAMBLING	Administrative Detention	Administrative Detention	Administrativ e Detention / APC	APC
HARASSMENT/ DISCRIMINATION/ BULLYING	Detention or APC/OSS Mediation and/ or Counseling Referral	Detention or APC/OSS Mediation and/ or Counseling Referral	APC/OSS Mediation and/ or Counseling Referral	OSS Mediation and/ or Counseling Referral
<b>REPEATED</b> HARRASSMENT, BULLYING OR DISCRIMINATION DIRECTED TOWARD OTHER STUDENT(S) IN DIRECT VIOLATION OF THE DIGNITY FOR ALL STUDENTS ACT	DASA Investigation per BOE Policy APC/OSS w/mediation and/ counseling	DASA Investigation per BOE Policy APC/OSS w/mediation and/ counseling	DASA Investigation per BOE Policy OSS w/mediation and/ counseling	DASA Investigation per BOE Policy OSS w/ mediation and/or counseling/ referral-to a Supt. Hearing
INAPPROPRIATE LANGUAGE/GESTURES	Admin. Detention or APC	Admin. Detention or APC	APC	APC
INCITING VIOLENCE/MENACING: Verbally or otherwise encouraging someone else to participate in a physical or verbal altercation.	ISS/OSS	OSS	OSS/Supt. Hearing	OSS/Supt. Hearing
INSUBORDINATION	Detention, APC or OSS	APC or OSS	APC or OSS	APC or OSS
INVASION OF PRIVACY: recording, transmitting, information, photographs or videos	ISS	ISS/OSS	OSS	OSS/Supt. Hearing
LATE TO CLASS	Warning and phone call	Teacher Detention and phone	Administrativ e Detention	APC

	home by teacher	call home by teacher		
LATE TO SCHOOL	Warning	Administrative Detention 1 Day	Administrativ e Detention 2 Days	APC
LEAVING GROUNDS WITHOUT PERMISSION	APC	APC	APC	OSS
MISREPRESENTATION/ FALSE REPORT	Administrative Detention 2 Days	APC	APC	APC/OSS
MISSING ADMINISTRATIVE DETENTION	APC	APC	APC	APC
MISSING CTEC BUS	Warning	APC and Admin. Detention same day	APC and Admin. Detention same day	APC/Review of BOCES Placement
MISSING TEACHER DETENTION	Warning and reschedule with phone call home by teacher	Admin. Detention 1 Day	Admin. Detention 2 Days	APC
MISUSE OR UNAUTHORIZED PARKING	Administrative Detention 2 DAYS	APC	APC/Vehicle Towed at Student Expense	APC/Vehicle Towed at Student Expense
OTHER	Administrative Discretion	Administrative Discretion	Administrativ e Discretion	Administrative Discretion
POSSESSION OF A WEAPON	OSS/Possible Referral to Law Enforcement, Supt. Hearing	OSS/Possible Referral to Law Enforcement, Supt. Hearing	OSS/Possible Referral to Law Enforcement, Supt. Hearing	OSS/Possible Referral to Law Enforcement, Supt. Hearing
SEXUAL HARRASSMENT OF A STUDENT OR STAFF	APC/OSS w/mediation and/ counseling  Title IX Investigation as per BOE Policy	APC/OSS w/mediation and/ counseling  Title IX Investigation as per BOE Policy	OSS w/mediation and/ counseling  Title IX Investigation as per BOE Policy	OSS and referral to Supt. for hearing  Title IX Investigation as per BOE Policy
STEALING	APC or OSS	OSS	OSS	OSS
THREATENING BEHAVIOR	APC/OSS	APC/OSS	APC/OSS	APC/OSS
THREATENING/VULGAR LANG.	APC/OSS	APC/OSS	OSS	OSS

DIRECTED AT STAFF MEMBER				
TRUANCY	APC	APC	APC	APC
UNAUTHORIZED LOCATION	Warning	Administrative Detention 1 Day	Administrative Detention 2 DAYS	APC
USE OF: cell phones or personal electronic devices to take pictures or videos of the school building, property, faculty and staff or other students.	Detention	Detention/ ISS	ISS/OSS	OSS/Supt. Hearing
USE OR POSSESSION OF CHEWING TOBACCO, CIGARETTES, VAPING PARAPHERNALIA OR NICOTINE PRODUCTS	2 DAYS ISS & Referral to S.A. Counselor	2 DAYS ISS & Referral to S.A. Counselor	OSS & Referral to S.A. Counselor, Supt. Hearing	OSS & Referral to S.A. Counselor, Supt. Hearing
USE, POSSESSION, OR UNDER THE INFLUENCE OF ALCOHOL/ DRUGS/SYNTHETIC DRUGS/DRUG PARAPHERNALIA	Possible referral to Law Enforcement, 5 OSS, Referral to S.A. Counselor, Supt. Hearing	Possible referral to Law Enforcement, 5 OSS, Referral to S.A. Counselor, Supt. Hearing	Possible referral to Law Enforcement 5 OSS, Referral to S.A. Counselor, Supt. Hearing	Possible referral to Law Enforcement, 5 OSS, Referral to S.A. Counselor, Supt. Hearing
UNSAFE DRIVING	Administrative Detention or APC Loss of Parking Privilege	APC & Parking Revoked	OSS & Parking Revoked	OSS & Parking Revoked

VISIBLE OR AUDIBLE use of personal electronic devices during the school day	Warning and Parent Notification	Warning and Parent Notification	AP Office Parent Notification/Conference	AP Office Parent Notification/Conference
	Device Collected and Student Retrieval of Device	Device Collected and Parent Retrieval of Device	Collection of Device and Parent Retrieval of Device	Collection of Device and Parent Retrieval of Device
	Referral	Referral	Lunch Detention	3 days of Lunch Detention
<u>5<sup>th</sup> and Subsequent Offenses:</u>  AP Office Parent Notification/Conference  Collection of Device and Parent Retrieval of Device – Discussion with parent for longer holding period before collection  1 Day of ISS  Potential Loss of Privileges: Dances, Sporting Events, Parking, Late Arrival, Extra-Curricular for 30 days				



Note: This code is used as a guideline. The Principal may alter the offense categories or disciplinary consequences as necessary.

Note: Offenses that are a violation of law will be referred to the police and other appropriate authorities.

Note: Offenses of a serious nature will be referred to a Superintendent's Hearing at the discretion of the Principal.

Note: Any APC/OSS will result in loss of privileges as per other contracts (ie. parking, athletics, clubs, etc.).

Note: Student discipline will be reviewed to determine eligibility to attend/participate in school sponsored events.

Note: "School Grounds" extends to any school sponsored events.

## Cornwall Central High School Attendance Policy

### **Attendance/Grade Policy**

The Cornwall Central School District recognizes an important relationship between class attendance and student performance. Consequently, each marking period a student's final grade may be based on classroom participation as well as student performance on homework, tests, papers, projects, etc.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused absences will affect a student's grade for the marking period.

At the high school level, any student with more than **ten** unexcused absences for one-half year course (or a course that meets every other day all-year) or **twenty** unexcused absences for a full year course will not receive credit for that course. However, students with properly excused absences may make up the work for each absence and those excused absences will not count toward the minimum attendance standard.

To ensure that parents and students are aware of the implications of this minimum attendance requirement, the teacher or other designated staff member(s) will advise the student and contact the parent(s) by telephone and email at appropriate intervals prior to the student reaching ten or twenty unexcused absences.

In implementing the policy set forth above, students who are unable to attend school or a class on a given day due to their participation in a school-sponsored activity (i.e., music lessons, field trips), may arrange with their teachers to make up any missed work. This also applies to any student who is absent, tardy or leaves early from school or a class due to illness or any other excused reason.

All students with excused absences are expected upon their return to consult with their teachers regarding missed work.

Only those students with excused absences will be given the opportunity to make up a test or other missed work and/or turn in a late assignment for inclusion in their final grade. Make-up opportunities must be completed by a date specified by the student's teacher for the class in question. Students must make up assessments within five days upon their return to school. Any assessment not made up within five days will become a zero.

## **CONDUCT OF A CORNWALL CENTRAL STUDENT ATHLETE**

It is an honor and a privilege to represent your school. It is not a right. As an athlete on a Cornwall team, you represent yourself and your family as well as your school and your community. Your conduct before, during, and after games will reflect on you and everyone else associated with your school and the school district. The most important of these responsibilities is to broaden and develop strength of character. You owe it to yourself to get the greatest possible good from your secondary school experience.

We want our athletic teams to succeed. Many of our athletes have been successful college athletes and still others hold league, section and state records. But most important, Cornwall teams are recognized for their commitment to excellence, drive to succeed and dedication to sportsmanship. Student athletes who have preceded you have set high standards, and your challenge is to meet the standards they have set.

Being on an athletic team requires sacrifices. You must make choices between all of the activities that are appealing to you and your commitment to your teammates and coaches. Attending practices and games is an essential part of that commitment. Athletes are expected to attend all practices and contests. Maintaining your academic standing is crucial to being a student-athlete. Staying in shape and choosing not to consume cigarettes, drugs and alcohol are a part of that commitment. Being present at any time where illegal or dangerous activity is taking place is not meeting your commitment to your team and is not condoned. Should you ever find yourself in that situation, you are required to leave immediately.

As a Cornwall athlete, you are expected to abide by all school rules and regulations. By participating in athletics to the maximum of your ability, you are contributing to the reputation of the school. Therefore you are expected to conduct yourself properly, as ladies and gentlemen, at all times. You will respect opposing athletes, coaches, and all officials. You will display good sportsmanship at all times.

Most importantly, you are expected to treat people with respect. Hazing, harassment or any form of behavior which is intended to degrade, demean, humiliate, place at risk or cause physical or emotional harm will not be tolerated.

## TRAINING RULES

1. All student athletes are expected to conduct themselves in accordance with school rules and regulations.
2. Student athletes should observe good health habits paying special attention to getting proper rest and nutrition.
3. Student athletes will refrain from the use of illegal substances, including alcohol in any form. (Automatic Level II Violation).
4. Student athletes will refrain from smoking or the use of any form of tobacco products. This includes E-Cigarettes and ANY form of 'vaping'.
5. Student athletes achieve success through hard work and dedication. The use of performance enhancing supplements or drugs in any form unless prescribed by a physician is prohibited. (Automatic Level II Violation).
6. Student athletes are responsible for all athletic equipment or uniforms issued to them.
7. Student athletes must conduct themselves in a proper and sportsmanlike manner at all times. To do otherwise will be considered "conduct unbecoming an athlete."
8. Attendance and Extracurricular Activity Eligibility

To maintain eligibility for participation in athletic activities, students are required to be present for the **ENTIRE** school day on the day of the practice or contest. This policy ensures that students prioritize their academic responsibilities and fosters a balanced commitment to both education and extracurricular involvement.

### Specific Guidelines:

**Full-Day Attendance:** Students must attend all scheduled classes on the day of the activity. Partial attendance, such as arriving late or leaving early, without a valid written excuse, may result in ineligibility for participation in that day's extracurricular event. Eligibility for participation in extracurricular activities will be determined based on the nature of the absence and the student's overall attendance record.

**Pre-Arranged Absences:** In cases of pre-arranged absences (e.g., medical appointments), students must provide documentation to the school administration in advance. Exceptions may be considered on a case-by-case basis.

**Academic Priorities:** Students who consistently miss classes or have a pattern of poor attendance may face additional restrictions on their participation in extracurricular activities, as determined by school administration.

By adhering to this policy, students will be better equipped to manage their academic and extracurricular commitments, promoting a well-rounded and responsible approach to their education and personal development.

8. All student athletes must meet the requirements for academic eligibility.
9. Students will not attend gatherings where underage drinking, use of drugs, or other illegal activities are taking place. To do otherwise will be considered “conduct unbecoming an athlete.”

## **TRAINING RULES: VIOLATIONS**

### **LEVEL I VIOLATION**

#### **Offense:**

- Conduct unbecoming an athlete
- Receiving in school suspension for violation of school rules and regulations
- Verbal abuse of a teacher or coach
- Unexcused absence from practice or contest

#### **Penalty:**

- Possible suspension from athletics. During this time, the athlete may not be in attendance or participate in team activities.

## **LEVEL II VIOLATION**

### **Offense:**

- Repeat of a level I violation
- Receiving out of school suspension for violation of school rules and regulations.
- Use or possession of alcohol, drugs, tobacco, E-Cigarette or any vapor delivery device used for "Vaping".
- Willful damage to school property at Cornwall or another school. ( carries monetary penalty )

### **Penalty:**

- Possible suspension or removal from the team. During this time, the athlete may not be in attendance or participate in team activities. In order to be reinstated the student will be required to attend a meeting with parents, coach, and Director of Athletics.

## **LEVEL III VIOLATION**

### **Offense:**

- Repeat of a level II Violation

### **Penalty:**

- Suspension from athletics for the remainder of the season and/or up to 60 school days.
- A second violation of Party Rule, Alcohol, or drugs requires development of a recommended care plan by the Student Assistance Counselor which must be adhered to and assessed prior to becoming eligible for future participation.

## **LEVEL IV VIOLATION**

### **Offense:**

- Repeat of a level III Violation

### **Penalty:**

- Possible suspension of athletics for the remainder of the school year.