



**9-12**

**Code of Conduct  
Rights and Responsibilities**

# **Roslyn Public Schools**

The Board of Education recognizes that learning environments that are safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting and intimidation. Therefore, in accordance with the Dignity for All Students Act, Education Law, Article 2, the District will strive to create an environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission.

The District condemns and prohibits all forms of discrimination and harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property and at school-sponsored activities and events, including those that take place at locations off school property. In addition, any act of discrimination or harassment, outside of school sponsored events, which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline.

## **Introduction**

The successful functioning of Roslyn High School, within the framework of its educational philosophy, calls for a viable code of conduct. This code focuses on the mutual responsibilities of all groups within the school community: The staff to its students; the students to the staff; and the students toward one another.

There is a universal set of ethical standards which can be enforced in this school building and which students will be expected to follow.

The first goal in teaching ethics is to give students a sense of how important these issues are and to encourage them to give greater thought to the ramifications of their actions on a regular basis. The second is to develop a high school atmosphere that encourages the development of character. The third is to allow students to develop a core of shared ethical values. The final goal is to encourage students to carry these values forward and apply them broadly in their lives.

Defined, ethics is the act of doing the right thing.

We believe that the central function of this high school is the pursuit of academic excellence. Acts of misconduct undermine this pursuit. We believe it is important for students to know what to expect for specific acts of misconduct; we will implement our code with consistency, but not with the rigidity that ignores special circumstances. We have an abiding faith in academic freedom and civil liberties; we commit ourselves to due process of the law.

In drawing up the code of proscribed conduct which follows, we have been guided by a desire to be fair, to be even-handed, and to manifest the mutual respect that each member of this public school community feels for every other member.

(\*By staff we mean: cafeteria workers, custodial staff, secretaries, teacher aides, substitute teachers, teachers, and administrators.)

### **Definitions**

For the purposes of this Code, the following definitions apply:

#### **Disruptive Student**

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

#### **Gender**

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

#### **Gender Expression**

The manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.

#### **Gender Identity**

One's self-concept as being male or female, as distinguished from actual biological sex or sex assigned at birth.

#### **Parent**

The parent, guardian or person in parental relation to a student.

#### **School Property**

In or within any building, structure, athletic playing field, playground, parking lot or land associated with the school district.

#### **School Function**

Any school sponsored extra-curricular, co-curricular or other event or activity, whether on or off of school property.

#### **Sexual Orientation**

Actual or perceived heterosexuality, homosexuality or bisexuality.

#### **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 the 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.

- knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.

### **Weapon**

Any device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

### **Harassment**

The creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being.

### **Bullying**

Bullying is the intentional, unprovoked abuse of power by one or more children to inflict physical or emotional harm to another child on repeated occasions. Bullying can take many forms including physical, verbal and emotional abuse, social exclusion, intimidation, racial/ethnic slurs, and sexual harassment. Bullying online and through digital technologies is known as cyber-bullying.

## **CODE OF DISCIPLINE**

The following Code of Discipline details unacceptable behavior at Roslyn High School, off school property, all school-sponsored events and activities toward teachers, staff, students, administrators, parents, visitors and school property. All incidents will be reported to the administration and will be subject to disciplinary action as defined in the Code of Discipline.

### **STUDENT BEHAVIOR**

Students are prohibited from engaging in conduct, whether on or off school district property, that endangers the health or safety of students within the educational system or adversely affects the educational process.

Examples of off-campus conduct that may be subject to discipline include: threats made via the internet; threats made via the telephone; unauthorized access of the district's computer network; and inappropriate behavior at school bus stops.

#### **1. Academic Integrity**

Academic integrity is a core value and ethical foundation for all academic and personal interactions in the Roslyn High School community. The concept of academic integrity is based on the universal set of fundamental values which students are expected to follow. These include:

- ☐ Honesty
- ☐ Respect
- ☐ Responsibility
- ☐ Trust

As an academic community, our school is committed to these values in the pursuit of lifelong learning, formation of ethical character, and the cultivation of good citizenship. Fostering academic integrity requires a partnership among students, teachers, administrator, support staff,

parents and the community to advance these fundamental values. Any breach of academic integrity is a destructive force in the school, jeopardizing the quality of education, and diminishing the genuine achievement of others.

## **2. Forms of Academic Dishonesty**

(including, but not limited to: cheating on tests, plagiarizing, copying term papers, forging the signature of a teacher or parent, etc.).

Examples of academic dishonesty include, but are not limited to the following areas:

- ☐ Cheating- Using or attempting to use unauthorized assistance, material or study aids.
- ☐ Fabrication – Intentional and unauthorized falsification or invention of any information or citation.
- ☐ Facilitation– Intentionally helping another student violate any provision of the academic honor code.

## **3. Plagiarism**

Using ideas, data, or language of another without specific or proper acknowledgement.

**4. Any student found cheating or plagiarizing on any test, paper, project, or standardized test, including, but not limited to SAT, PSAT, AP, ACT, etc., will not be eligible to apply for the National Honor Society (NHS) and current members will lose their membership. Any ethical breach in conduct, including a suspension, will be considered by the NHS committee when applications for membership are reviewed. Students ineligible for NHS for integrity reasons will not be permitted to speak at graduation. Cases in question will be reviewed by a committee made up of administrators, the department chair, teachers and the guidance counselor. The decision of the committee will be final.**

## **5. Unacceptable Computer Use**

Inappropriate use of computer programs, software, e-mail, the Internet, etc., to receive or send materials deemed inappropriate by the administration including, but not limited to: pornography, bias materials, threatening statements, and materials pertaining to violent acts and/or weapons.

## **6. Insubordinate Conduct**

- A. Refusing to cooperate with school rules pertaining to: transportation, the cafeteria, electronic devices, or athletic equipment.
- B. Disrespect to students or staff.
- C. Use of vulgar or abusive language and/or behavior; verbal assault; and selling, using and/or possessing vulgar or obscene materials.
- D. Harassment; hazing, bullying.
- E. Disruptive behavior which results in interference with school programs and /or activities.
- F. All electronic devices must be turned off except in designated areas, specifically, the cafeteria and outside the building.
- G. Sexual harassment.
- H. Eating or drinking in areas other than the cafeteria or snack bar area. That is, eating or drinking in classrooms and hallways is prohibited.
- I. Distribution and promotion of materials (such as club flyers, e-mail or Internet advertisements, etc.) for non-school events/functions (such as night clubs, open house parties, trips, etc.).
- J. Distributing and posting information regarding school events without prior approval.

### **7. Attendance Violations**

- A. Cutting classes or other assigned activities
- B. Lateness to class or school.
- C. Leaving school grounds during an assigned period without permission.
- D. Truancy.
- E. Failure to attend a class after losing credit due to attendance (NCA).
- F. Failure to serve assigned detentions for lateness or cutting

### **8. Illegal Substances**

- A. Use of tobacco. Smoking is not permitted anywhere on school grounds.
- B. Possession of controlled substances, illegal substances, alcohol or articles/paraphernalia.
- C. Under the influence of any illegal substance or alcohol.
- D. Distribution, attempt to distribute, or possession with intent to distribute a non-controlled, substance upon the representation that the substance is a controlled, dangerous substance.

### **9. Alcohol Consumption by Students**

POLICY # 5441 Students

#### **SUBJECT: ALCOHOL CONSUMPTION BY STUDENTS (BREATHALYZER)**

The Board of Education recognizes that the use of alcohol by minors represents a serious threat to the welfare of students.

The possession, transportation, and distribution of alcoholic beverages during school hours or during school-sponsored activities and events, including extracurricular, co-curricular or sports activities, whether on or off school grounds, is strictly prohibited.

The consumption of alcohol by students during school hours, as well as prior to or during school sponsored activities and events, including, extracurricular, co-curricular or sports activities and the presence of students who have consumed alcohol on school campus at any time or during school-sponsored, off-campus activities and events, is strictly prohibited.

Therefore, to promote a safe, healthy, and productive environment, the District implements the following testing policy with respect to students suspected of consumption of alcohol.

- a) School personnel who have a reasonable suspicion that a particular student has consumed alcohol prior to or during school hours or during a school-sponsored event may recommend to the administrator in charge the use of breathalyzer testing to determine such consumption. Reasonable suspicion shall be based on objective criteria including, but not limited to, admissions, reliable statements of others, possession of alcohol, impairment of motor control and other outward signs of alcohol use or intoxication such as flushed face, red or watery eyes, odor of alcohol on breath or clothing, slurred speech, failure to comprehend questions, being combative, lack of awareness in regard to time and place, and vomiting.

- b) The District shall maintain an appropriately calibrated and reliable breathalyzer testing device and shall provide for training of school officials in its use so that it may be properly administered. The term, trained —school official, shall be limited, to nurses, administrators, and drug and alcohol school professionals
- c) A student present during an on or off campus school sponsored event, including, extracurricular, co-curricular or sports activities who is believed to have consumed alcohol prior to or during the event, will be discretely escorted by two school officials to a secure location unless circumstances dictate that only one school official is available. The test shall then be administered by a trained school official. The student will be granted an opportunity to explain a positive test result. After due consideration of the student's explanation, the school official shall make an immediate determination whether to exclude the student from the event. If alcohol use has been determined, the student's parents, person in parental relation, or legal guardian shall be immediately notified. Students identified as having consumed alcohol shall be detained under observation until a parent, a person designated by the parent, or a person named on the student's emergency contact card is available to transport the student home. If none of the aforementioned individuals are available, the staff member in charge of the activity will determine who will transport the child home. The student's behavior shall be referred to the School Principal and/or Superintendent of Schools for further action pursuant to Section 3214 of the Education Law. Test results shall be considered in making a determination whether to proceed further.
- d) During the regular school day, a student believed to have consumed alcohol will be discretely escorted by two school officials to a secure location unless circumstances dictate that only one school official is available. The test shall then be administered by a trained school official. If alcohol use has been determined, the student's parents, legal guardian, or person in parental relation shall be immediately notified. Students identified as having consumed alcohol shall be excluded from class and detained under observation until a parent, a person designated by the parent, or a person named on the student's emergency contact card is available to transport the student to home. The student's behavior shall be referred to the School Principal and/or Superintendent of Schools for further action pursuant to Section 3214 of the Education Law. Test results shall be considered in making a determination whether to proceed further.
- e) In the event that a student refuses the administration of a breathalyzer test in any of the circumstances described in c) or d) above, he/she will be presumed to have consumed alcohol. The matter shall be processed under paragraphs c) or d) in the same manner as if a positive breathalyzer test result had been obtained.
- f) If the Breathalyzer test is negative, the student may receive permission to resume unrestricted activity provided the school official does not suspect the use of other drugs, or unless other disciplinary rules apply to the student's untoward behavior. If the school official suspects the use of other drugs or the student appears unable to walk properly/conduct himself/herself in a —normall manner, the student will be retained for his/her safety. The school official will contact the student's parent or legal

guardian, describe the situation, and request the parent/legal guardian take the child home.

- g) The procedures and protocol for administration of this policy and breath alcohol analyzer testing permitted hereunder, together with the processing of students, shall be established by the administrative regulation issued by the Superintendent of Schools.

As noted above, the consumption, possession, transportation, and distribution of alcoholic beverages is strictly prohibited. Any student determined to have consumed, possessed, transported, or distributed alcoholic beverages in violation of this policy shall be subject to immediate suspension and further discipline as provided in Section 3214 of the Education Law of the State of New York.

Adopted: April 2, 2009

#### **10. Destructive / Prohibited Behavior**

- A. Gambling, card playing.
- B. Fighting, assault.
- C. Disrespect of property, school or private (theft, vandalism, destruction, trespassing).
- D. Unauthorized entry to school premises, trespassing.
- E. Arson, extortion, robbery/theft or any other felonious act.
- F. False fire alarm/false fire report/bomb threat.
- G. Selling and/or possession and/or use of a weapon, fireworks or any other dangerous instrument of any kind, including laser devices.
- H. Violent behavior which results in the disruption or interference with the normal school program or which creates a substantial danger to persons or property.
- I. Use of water guns or improper use of water containers of any kind.
- J. Driving a motorized vehicle on school grounds in a reckless manner or obstructing traffic.
- K. Parking anywhere on school grounds without a permit or parking in an unauthorized area.
- L. Using skates, skateboards, roller blades, scooters or bicycles on school grounds.

Any other conduct, as determined by the administration, which endangers the health, safety, morals or welfare of other people, is prohibited and any student(s) involved may be subject to disciplinary action.

#### **RANGE OF DISCIPLINARY ACTIONS**

The range of permissible consequences which may be imposed as appropriate for violations of the student disciplinary code includes the following:

1. Verbal warning.

2. Written warning.
3. Reprimand.
4. Detention with teacher.
5. Referral to department chairperson.
6. Conference with parents.
7. Suspension from transportation.
8. Suspension from athletic participation.
9. Suspension from social or extracurricular activities.
10. Suspension from other privileges
11. In-school suspension.
12. Exclusion from a particular class.
13. Required parent conference.
14. Mandated change of schedule.
15. Revocation of privileges.
16. Probationary status:
  - a. There will be a formal notice of the term and conditions of probation.
  - b. A review of probation will occur at specified intervals.
17. An explanation of subsequent penalties for unimproved behavior.
18. Referral to guidance counselor.
19. Referral to psychologist.
20. Referral to social worker.
21. Referral to Child Study Team.
22. Referral to CSE.
23. Suspension.

Previous disciplinary warnings and actions will be taken into account. A referral back to Committee on Special Education (CSE) may be indicated.

### **SUSPENSION**

1. Short-term Suspension — The Principal, in accordance with the rules of the Board of

Education, shall have the right to suspend temporarily, for cause, for a period of not more than five school days, any student in the school under his/her direction.

- a. Recognizing the need of due process: Prior to any suspension, a student shall receive oral or written notification of the charge against him/her, the conduct which forms the basis of the charge, and the policy, rule, or regulation violated. If the student denies the charge, he/she shall have the right to an explanation of the evidence supporting the charge and an opportunity to present his/her side of the story to the Principal.
- b. A student whose presence in school poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be immediately removed from school provided that, as soon as practicable thereafter, the student shall be informed of the nature of the charge against him/her and the evidence supporting it and be given the opportunity to present his/her side of the story. Oral and written notification of suspension shall be given to the parent.
- c. Specific details are available in the District SAVE Plan.

2. While under suspension, suspended students shall not be permitted to participate in any school activity on property owned by the School District or any off-site school-sponsored activities except those associated with approved counseling and alternative educational programs. Students who are suspended also jeopardize their participation in future school programs.

3. Long-term Suspension — is any suspension from required attendance in excess of five days. Because of the seriousness of a long-term suspension, a Superintendent's hearing will be held and greater procedural safeguards will be observed.

The Discipline Committee will review all suspensions.

### **PROCEDURE AFTER SUSPENSION**

"No pupil may be suspended for a period in excess of five days unless such pupil and the person in parental relation to such pupil shall have had an opportunity for a fair hearing, upon reasonable notice, at which such pupil shall have the right of representation by counsel, with the right to question witnesses against such pupil and to present witnesses and other evidence on his behalf....Where a pupil has been suspended as insubordinate or disorderly and said pupil is of compulsory attendance age, immediate steps shall be taken for his attendance upon instruction elsewhere or for supervision or detention of said pupil." *(from Section 3214 of the Education Law.)*

**Please Note: Colleges will be notified of student suspensions.**

### **TEMPORARY REMOVAL OF DISRUPTIVE AND VIOLENT STUDENTS**

Definition of Disruptive and Violent Students Disruptive students are defined as elementary or secondary students under 21 years of age who are substantially disruptive of the educational process or who substantially interfere with a teacher's authority in a classroom. Disruptive students may be temporarily removed from class, consistent with the disciplinary measures in the Roslyn School District Discipline Code for Student Behavior. Violent students are defined in the statute as elementary or secondary students under 21 years of age who: commit acts of violence against any school employee; commit acts of violence on school property against any student or other person lawfully on school grounds; possess, on school property, a gun, knife, incendiary bomb, or other dangerous instrument capable of causing physical injury or death; threaten, on school property, to use any instrument that appears capable of causing physical injury or death; knowingly and intentionally damage or destroy the personal property of any person lawfully on school property; or knowingly or intentionally damage or destroy District property. As in the past, only school administrators and boards of education may discipline violent students.

### **RIGHTS AND RESPONSIBILITIES**

A student enrolled in Roslyn High School shall have the right and the responsibility:

### **SAFE ENVIRONMENT**

- ☐ To learn and participate in school activities in a safe environment.
- ☐ To learn in an environment free from interruption, harassment, discrimination, intimidation and fear;
- ☐ To be a law abiding citizen: to respect and/or care for school property and facilities; to respect the property of others.
- ☐ To assist in maintaining a clean and orderly school environment.
- ☐ To behave in a safe, courteous, and appropriate manner in school, on school transportation vehicles, and on school-sponsored field trips.
- ☐ To leave the school building promptly after school-sponsored activities or special events. To be responsible for securing lockers and personal belongings.

*(PLEASE NOTE: student lockers are school property and may be searched and/or have the contents removed with or without prior notification. A lock, not issued by school, may be clipped to effect such a search or removal of property.)*

### **FAIR EVALUATION**

- ☐ To be evaluated fairly and frequently on the basis of clearly established course goals and objectives.
- ☐ To strive for the highest level of personal achievement possible; participate actively in the maintenance of an environment conducive to learning.
- ☐ To be on time and in regular attendance in school and in classes and to submit notes signed by a parent or guardian regarding absence or lateness.
- ☐ To meet with teachers at a mutually agreeable time in regard to missed work.
- ☐ To submit assignments, tests and examination materials which are solely his/her own (not plagiarized, copied, or otherwise not clearly attributed to source).

### **CONSULTATION**

- ☐ To discuss personal issues with appropriate staff members.
- ☐ To discuss school-related issues with appropriate staff members such as classroom teachers, counselors, assistant principals, or other staff.
- ☐ To address the Board of Education on the same terms as any citizen.
- ☐ To bring to the attention of appropriate staff members information concerning unsafe or harmful conditions/situations with the understanding that confidentiality may be limited by legal obligations of staff.

### **STUDENT GOVERNANCE/FREEDOM OF EXPRESSION**

- ☐ To organize and promote a form of student government that is acceptable to the majority of students in the school. All students have the right to seek and hold office and to vote in student elections.
- ☐ To freedom of expression, to allow for the free exchange of diverse viewpoints, and maximum intellectual growth.
- ☐ To respect broad school and community sensibilities and sensitivities in written and/or verbal expression.
- ☐ To dress and conduct him/herself in a manner socially appropriate for a high school setting.

### **PATRIOTIC EXERCISES**

☐ To participate, or to choose not to participate in a non-interfering manner, in the appropriate patriotic exercises provided by the school in accordance with State and local law.

### **SUSPENSION**

☐ To have his/her rights observed prior to suspension pursuant to Education Law 3214; including an opportunity to present his/her version of the facts and circumstances which may lead to disciplinary sanctions.

☐ To be familiar with and abide by general school procedures, policies, rules, and regulations pertaining to student conduct.

☐ To follow the appropriate directions of staff members.

### **PARTICIPATION**

☐ To participate in all aspects of the school program regardless of race, color, national origin, sex, or disability.

### **INFORMATION**

☐ To be advised of, and to be given copies of, the Roslyn High School Code of Behavior and Discipline at the start of each school year.

☐ To be familiar with the policies and procedures outlined in the Roslyn High School Code of Behavior and Discipline.

### **NOTE: ON DISCIPLINING STUDENTS WITH DISABILITIES**

A disabled student who engages in unacceptable behavior unrelated to his/her handicapping condition can be disciplined. Whenever possible, the special education director will be involved in a process which might result in disciplinary action. Such students are protected by Federal and State law as well as by Board of Education policy. The School District will in no way abridge the rights of a student with a disability.

### **OPEN SCHOOL REGULATIONS**

Roslyn High School maintains an open campus. Inasmuch as cafeterias, study centers, the library, and computer centers are available during unscheduled periods, and since class attendance and punctuality are required, students are urged to take advantage of in-school facilities. If a student leaves campus during a lunch or unscheduled period, it is the student's responsibility to conduct himself/herself properly and to return to classes as scheduled. (Policy 5181) Students may not disturb classes in session, nor may they congregate in the halls. Abuse of the open school policy may result in loss of privileges.

### **SMOKING**

Smoking anywhere on school property is strictly prohibited according to Board of Education policy and New York State Law. Any person violating this law is subject to a civil fine and school disciplinary action.

### **MOPEDS**

Mopeds are motor vehicles and are subject to N.Y.S. Motor Vehicle Laws. All mopeds must be registered with the Assistant Principal. They are to be parked in the bike rack near the parking lot and are to be locked. They are not to be used during school hours. Any violation of this rule will result in the loss of driving privileges.

### **BICYCLES, SKATEBOARDS, AND ROLLER BLADES**

Students may ride bicycles to school. Bicycles must be parked in the racks located at different areas outside the school. Bikes must be securely fastened to racks and locked at all times. We cannot be responsible for loss or damage which may occur. Skateboards and roller blades cannot be used in the building or on school property.

### **PORTABLE RADIOS, TAPE AND CD PLAYERS, IPODS, PAGING DEVICES, LASER DEVICES, CELL PHONES AND OTHER ELECTRONIC DEVICES**

Students must follow regulations regarding the use of all electronic devices in the cafeteria and throughout the building. If these devices are used in unauthorized areas, they will be confiscated by teachers or administrators. Laser devices may not be used anywhere in the building.

### **STUDENT USE OF LAPTOPS IN THE CLASSROOM** **USE OF LAPTOPS IN CLASS IS A PRIVILEGE; NOT A RIGHT.**

Laptops are a recognized educational tool for student use. Laptops are to be used for the task assigned by the teacher for that period. Examples: Class Notes, Research. Laptops may be used for formal assessment ONLY when directed by the teacher. Teachers are permitted to request a copy of notes taken by students in class. Students are responsible for securing their laptops and all personal property. Roslyn High School is not responsible for lost or stolen property.

### **CONSEQUENCES FOR FAILURE TO ADHERE TO LAPTOP PROCEDURES**

Failure to follow laptop guidelines is considered insubordination. The first offense will result in a warning by the teacher. A second infraction will result in a call home and detention with the teacher. The third violation will result in referral to the Main Office and loss of privileges for a period of time to be determined based on the nature of the offense.

### **THE ROLE OF PARENTS**

A cooperative relationship between home and school is essential to each student's successful development and achievements. Research indicates that significant parental involvement in the education of their children leads to higher academic achievement, increased self-esteem, and fewer behavior problems. To achieve this wholesome relationship, parents are urged:

- To show an enthusiastic and supportive attitude toward school and education;
- To build a good working relationship between themselves and their child;
- To build good relationships with teachers, other parents and their child's friends;
- To teach their child self-respect, respect for the law, respect for others and for public property
- To help their child understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment;
- To insist on prompt and regular attendance, and to ensure that absences from school are legitimate;
- To listen to the views and observations of all parties concerned;
- To recognize that teachers merit the same consideration and respect parents expect from their child;
- To encourage their child to practice good hygiene and grooming, and take pride in his/her appearance;
- To insist that their child promptly bring home all communications from school;
- To cooperate with the school in jointly resolving any school related problem;
- To inform school officials of changes in the home situation that may affect student conduct or performance;

- To set realistic standards of behavior for their child and resolve to remain firm and consistent;
  - To help their child learn to deal effectively with negative peer pressure;
  - To provide a place conducive for study and completion of homework assignments;
  - To demonstrate desirable standards of behavior through personal example;
  - To foster a feeling of pride in their child for their school;
  - To provide support and positive reinforcement to their child;
  - To inform school officials of changes in the home situation that may affect student conduct or performance;
  - To read, support and help their child to understand the District Code of Conduct and school rules
- Parents should be aware that they are responsible for any financial obligations incurred by their child in school, including but not limited to lost books, damage to property, etc.

## **REPORTING CODE VIOLATIONS**

### **1. To School District Personnel**

Students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, the Building Principal or in his/her absence, the Acting Building Principal. Students are required to report any act or threat of violence, including but not limited to a student possessing a weapon, a bomb threat, threats to person or property whether oral, written or by electronic or digital means, whether occurring on or off school premises, as well as a student possessing an illegal substance on school property or at a school function. All District staff who are authorized to impose disciplinary consequences are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary consequences are expected to report any violation of the Code of Conduct to the Building Principal or, in his/her absence, the Acting Building Principal. District staff are required to report any threat of violence and violent students to the Building Principal or, in his/her absence, the Acting Building Principal or the Superintendent of Schools. Any weapon, alcohol, illegal substance (including synthetic drug) or similar item found shall be confiscated immediately, if possible, maintained in a secure location, followed by notification to the student's parent and law enforcement as appropriate.

### **2. To Local Law Enforcement Agencies**

The District will report any acts of violence against persons that constitute a crime, threatened acts of violence, and other violations of the Code of Conduct which constitute a crime and affect the order and security of the school to the appropriate local law enforcement agency when the actor is over the age of 16 or is 14 or 15 years old and qualifies for juvenile offender status. (e.g., theft; destruction of school property; assault; false fire reports; arson; bomb threats; use, possession, distribution or sale of drugs or alcohol; use, possession, distribution or sale of a dangerous or deadly object or a potentially dangerous or deadly object). The report shall be made as soon as possible but in no event later than the close of business on the day the Principal or his/her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student or other individual and explain the conduct that violated the Code of Conduct and constituted a crime. When necessary, the District will file a complaint in criminal court against the actor. Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, and secured, followed by notification to the parent of the student involved and referral for discipline.

### **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.

#### **GENDER EQUITY POLICY 5020.1**

The Board of Education is committed to safeguarding the right of all students within the School District to learn in an environment that is free from all forms of sexual harassment. [Conduct is deemed to be sexual harassment when the recipient perceives such behavior as unwelcome. It is irrelevant that the harasser had no intention to sexually harass the person. The Board recognizes that sexual harassment of students can originate from a person of either sex against a person of the opposite or same sex, and from peers as well as employees, Board members, or any individual who foreseeable might come in contact with students on school grounds or at school-sponsored activities.] When an alleged sexual harassment occurs and the District knows about it, they shall take immediate and appropriate corrective action.

The Board, consistent with State and Federal law, therefore condemns all unwelcome behavior of a sexual nature which may impose a requirement of sexual cooperation as a condition of academic advance, or which may have the purpose or effect of creating an intimidating, hostile, or offensive learning environment. The Board also prohibits any retaliatory behavior against complainants or any witnesses.

Any student who believes that he or she has been subjected to sexual harassment should report the alleged misconduct immediately, pursuant to 5020.1-R, so that appropriate corrective action, up to and including discharge of an employee or suspension of a student, may be taken at once. The complainant shall not be discouraged from reporting an incident of alleged sexual harassment. In the absence of a victim's complaint, the Board, upon learning of, or having reason to suspect, the occurrence of any sexual misconduct will ensure that an investigation is promptly commenced by appropriate individuals.

The Superintendent of Schools is directed to develop and implement specific procedures on reporting, investigating, and remedying allegations of sexual harassment. Such procedures are to be consistent with any applicable provisions contained in the District's policy manual, collective bargaining agreements, the tenure laws, as well as other Federal and State laws on sexual harassment. Training programs shall be established for students and employees to raise awareness of the issues surrounding sexual harassment and to implement preventative measures to help reduce incidents of sexual harassment.

A copy of this policy and its accompanying regulation are to be distributed to all personnel and students and posted in appropriate places.

#### **SEXUAL HARASSMENT OF STUDENTS REGULATION 5020.1-R**

In addition to any relevant procedures contained in policy 5311.3, Student Complaints and Grievances, the following regulation will implement the Board of Education's policy concerning sexual harassment of students.

A student can be subject to sexual harassment by a student, employee, Board member, or any individual who foreseeably might come in contact with the student on school grounds or at school

activities. Sexual harassment experienced by students is not always easily recognized. The following are examples of sexual harassment one should be aware of when dealing with a complaint of alleged sexual harassment:

1. unwanted sexual behavior, which may include touching, verbal comments, sexual name calling, spreading sexual rumors, gestures, jokes, pictures, leers, overly personal conversation, cornering or blocking student's movement, pulling at clothes, attempted rape, and rape;
2. a female student in a predominantly male class subjected to sexual
3. remarks by students or teachers who regard the comments as joking and part of the usual classroom environment;
4. impeding a girl's progress in classes, such as industrial arts, by hiding her tools, questioning her ability to handle the work, or suggesting she is somehow "abnormal" for enrolling in such a class;
5. purposefully limiting or denying female students access to educational tools, such as computers; and
6. teasing a male student about his enrollment in a home economics class.

### **PROCEDURES**

The Board of Education shall designate a Compliance Officer to carry out the District's responsibilities associated with compliance with Title IX pursuant to policy 5311.3, Student Complaints and Grievances. In addition, the Board will designate a second individual for ensuring compliance with Title IX in regard to sexual harassment so that students who believe that they have been subjected to sexual harassment will have a second avenue of complaint if the alleged harasser is the Compliance Officer.

The Board shall notify all students and employees of the name, office address, and telephone number of both designees. In addition, the Board, through this regulation, has established grievance procedures that provide for prompt investigation and equitable resolution of student sexual harassment complaints. The Superintendent of Schools shall implement specific and continuing steps to notify students, parents, employees, and prospective students or employees that the School District does not discriminate on the basis of sex in the educational programs or activities which it operates as required by Title IX. Such notification shall include publication in: local newspapers; newspapers and magazines operated by the District or by student, alumnae, or alumni groups for or in connection with the District; and memoranda or other written communications distributed to every student and employee.

All reports of sexual harassment will be held in confidence, subject to all applicable laws and any relevant provisions found in the District's policy manual and collective bargaining agreements.

Consistent with Federal and State law and all applicable provisions contained in the District's policy manual and collective bargaining agreements, the following procedures shall be employed in handling any report, investigation, and remedial action concerning allegations of sexual harassment: Students who believe they have been subjected to sexual harassment are to report the incident to the Compliance Officer or the second designee as described above. The Compliance

Officer or designee shall notify the Building Principal and the Superintendent of all complaints. The student can pursue his/her complaint informally or file a formal complaint.

### **INVESTIGATION OF A COMPLAINT**

Upon receipt of a formal or informal complaint, a prompt, thorough, and impartial investigation of the allegations must follow. This investigation is to be conducted diligently. All witnesses shall be interviewed and, if requested, the victim shall speak with an individual of the same sex. Complainants are to be notified of the outcome of the investigation.

### **INFORMAL COMPLAINTS**

In addition to notification to the Compliance Officer or the Board's designee as described above, students who believe they have been subjected to sexual harassment may request that an informal meeting be held between themselves and the Building Principal or Superintendent. The student may also request a meeting with a counselor or administrator of the same sex. Parents or guardians of the student shall be notified of their right to attend the interview with their child. The purpose of such a meeting will be to discuss the allegations and remedial steps available. The Building Principal or Superintendent will then promptly discuss the complaint with the alleged harasser. The alleged harasser shall be informed of his/her right to representation by counsel. Should the alleged harasser deny the allegations, the Building Principal or Superintendent is to inform the complainant of the denial and request a formal written complaint to file with his/her report to the next level of management on what has transpired to date. If the complainant submits a formal complaint, a copy of the complaint shall accompany the Building Principal's or Superintendent's report with a recommendation for further action.

Should the harasser admit the allegations, the Building Principal or Superintendent is to obtain a written assurance that the unwelcome behavior will stop. Depending on the severity of the charges, the Building Principal or Superintendent may impose further disciplinary action. Thereafter, the Building Principal or Superintendent is to prepare a written report of the incident and inform the complainant of the resolution. The complainant is to indicate on the report whether or not he/she is satisfied with the resolution.

If the complainant is satisfied with the resolution, the incident will be deemed closed. However, the complaint may be reopened for investigation if a recurrence of sexual harassment is reported. The Building Principal or Superintendent is to inform the complainant to report any recurrence of the harassment or any retaliatory action that might occur. Should the complainant be dissatisfied with the resolution, he/she is to file a formal written complaint.

If, during the Building Principal's or Superintendent's informal attempt to resolve the complaint, the alleged harasser admits the allegations but refuses to give assurance that he/she will refrain from the unwelcome behavior, the Building Principal or Superintendent is to file a report with the next appropriate level in the complaint procedure. The report is to indicate the nature of the complaint, a description of what occurred when the Building Principal or Superintendent informed the alleged harasser of the allegations against him/her, the harasser's response to the allegations, and a recommendation that stronger corrective measures be taken. This report should be accompanied by the student's formal complaint.

### **FORMAL COMPLAINTS**

Formal complaints may be submitted either to initially report any incidence of sexual harassment, or as a follow-up to an unsatisfactory resolution of an informal attempt to resolve a complaint. In the latter case, the formal written complaint is to be submitted to the Building Principal or Superintendent originally consulted, who will then forward it to the next appropriate level of management, e.g., the Superintendent or the Board of Education, for appropriate action.

The formal written complaint will consist of any appropriate forms and a copy of any applicable Building Principal or Superintendent reports. The appropriate forms solicit the specifics of the complaint, e.g., date and place of incident, description of sexual misconduct, names of any witnesses, and any previous action taken to resolve the matter.

The Superintendent or the Board shall take immediate, appropriate, and corrective action upon a determination of sexual harassment. The Superintendent or the Board shall notify the complainant of any findings and action taken.

### **REMEDIAL ACTION**

If the investigation reveals that sexual harassment has occurred, appropriate sanctions will be imposed in a manner consistent with any applicable law, District policies and regulations, and collective bargaining agreements. Depending on the gravity of the misconduct, sanctions may range from a reprimand up to and including dismissal of an employee or suspension or permanent suspension of a student. Anyone subjecting complainants or witnesses to any form of retaliation will also be subject to disciplinary action in the manner prescribed by law and consistent with any applicable provisions in the District's policy manual or collective bargaining agreements. If the investigation reveals that no sexual harassment has occurred, or if the complainant is not satisfied with the remedial action taken after a finding of sexual harassment, the complainant may appeal to the next appropriate level in the complaint procedure. The appeal must include a copy of the original complaint, all relevant reports, the specific action being appealed, and an explanation of why the complainant is appealing.

### **POST REMEDIAL ACTION**

Following a finding of sexual harassment, victims will be periodically interviewed by the appropriate Building Principal or Superintendent to ensure that the harassment has not resumed and that no retaliatory action has occurred. In the discretion of the District, these follow-up interviews will continue for an appropriate period of time. A report will be made of any victim's response.

### **COMPLAINT RECORD**

Upon written request, complainants should receive a copy of any resolution reports filed by the Building Principal or Superintendent concerning his/her complaint. Upon substantiation, copies should also be filed with the student or employment records of both the complainant and the alleged harasser.