



## BOARD OF EDUCATION POLICY

The Board of Education of the City School District of New Rochelle is responsible for establishing the school district policies and following the laws of New York State and the federal government. In the administration of its programs and policies, the City School District of New Rochelle is committed to providing an educational environment that promotes respect, dignity, and equality. The Board of Education policies recognize that discrimination, harassment, and bullying interfere with student learning.

Policies have been adopted to insure that the school district does not allow discrimination, harassment, or bullying based on a student's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. It complies with Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act, and the Dignity for All Students Act of 2012. The Code of Conduct has been developed in accordance with Sections 2810 and 3214 of the Education Law and Part 100 of the New York State Regulations of the Commissioner of Education. The Board of Education adopts the Code of Conduct to apply to all students, school personnel, parents and other visitors when on school property and at school functions, or in transit to or from school property or a school function.

## STUDENT CODE OF CONDUCT

The Board of Education has developed the District Code of Conduct with the input from community members. The entire Code of Conduct is available on the District web site. The information presented here is a plain language summary of the official document. **The Code of Conduct has been designed to protect and promote the health, safety and welfare of students and staff; maintain an orderly school environment conducive to the learning of all students; secure the personal safety, dignity and integrity of all in the school community.** The Code of Conduct includes many of the school District's policies, practices, and procedures including the consequences for students and others who violate the rules. The Code has been amended to reflect the New York State Dignity for All Students Act, which recognizes the importance of addressing harassment, discrimination, and bullying. **A copy of the complete Code of Conduct with all definitions, essential partners, and complete disciplinary and suspension procedures can be obtained from the Main Office of any school and the District web site.** <http://www.nred.org/home>

## STUDENT RIGHTS

The School District is committed to safeguarding the rights given to all students under state and federal law. In addition, all District students have the right to:

1. A safe, healthy, orderly and civil school environment.
2. Equal educational opportunity and freedom from discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.
3. Learn in an environment free from interruption, harassment, discrimination, intimidation and fear,
4. Participate in district activities on an equal basis regardless of weight, race, color, creed, national origin, ethnic group, religion, religious practice, disability, gender, sex or sexual orientation,
5. Be guided by a discipline policy which is fairly and consistently implemented,
6. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty.
7. Have access to school rules and, when necessary, receive an explanation of those rules from

school personnel.

8. Freedom of expression provided that such expression does not interfere with the rights of others or disrupt or interfere with the education, discipline or normal activities of the school.

## **STUDENT RESPONSIBILITIES**

All District students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning.
2. Show respect to other persons and to property.
3. Obey the law, this Code of Conduct and school rules and report any infractions to the appropriate school authorities.
4. Attend school every day and be in class, on time and prepared to learn, unless they are legally excused.
5. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
6. React to direction given by teachers, administrators and other personnel in a respectful, positive and cooperative manner.
7. Dress appropriately for school and school functions, that is, in a manner that does not infringe upon the rights of others or significantly disrupt the education, discipline or other normal activities of the school.
8. Conduct themselves as representatives of the District when participating in or attending school-sponsored extracurricular events and hold themselves to the highest standards of conduct and sportsmanship.

## **DRESS CODE**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in school.

- Students' clothing, grooming, and appearance shall be safe appropriate, and not disrupt or interfere with the rights of others or the educational process.
- Include footwear at all times.
- Hats, bandannas, or scarves are not to be worn in the building except for medical or religious purpose.
- Short shorts, mini and/or micro mini-skirts, see-through garments, tops with "plunging necklines", crop tops, halters, clothing that reveals bare midriffs or underwear, are prohibited and should not be worn to school.( A guideline for the appropriate length of skirts, dresses, and shorts is no more than 3-4 inches above the top of the knee.)
- Pants may not hang down, restrict movement, or reveal underwear.
- Clothing may not include items that are vulgar, obscene or libelous, or that denigrate others on account of race, color, religion, national origin, sex, sexual orientation or disability.
- Clothing may not promote, endorse or encourage the use of alcohol, tobacco, controlled substances, illegal drugs or other illegal or violent activities.

Students who violate the student dress code shall be asked to modify their appearance by covering or removing the offending article of clothing. If necessary or practical, the student may be asked to replace the clothing with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to follow the dress code shall be subject to further discipline, up to and including out-of-school suspensions.

*Dignity for All Students Act*

*The Dignity for All Students Act was written to make sure that your school is a safe place and that all students are protected from certain kinds of behavior. Every school has a Dignity for All Students Act Coordinator who has learned all about this law and knows how to help you. If anyone is making you or another student feel unsafe, threatened, or bullied, please talk to this Coordinator or any adult in school.*

<b>School</b>	<b>Dignity Act Coordinator</b>	<b>Phone Number</b>
Albert Leonard Middle School	Mr. William Mackin	576-4319
Isaac E. Young Middle School	Mr. Daniel Gonzalez	576-4345
New Rochelle High School	Mr. Michael Hilderbrand	576-5093
Campus School	Mr. Neil Mattera	576-4397

**STUDENT CONDUCT**

The Board of Education expects students to contribute to a positive school climate and conduct themselves in an appropriate and civil manner, respecting the rights and welfare of other students, faculty, school employees, and other members of the school community. Students are expected to take care of school property and equipment.

If students engage in conduct that does not contribute to a positive school climate, students may subject to corrective, remedial and/or disciplinary action, up to and including suspension when they:

- A. Engage in conduct that is disorderly, including but not limited to:
  - Running in hallways
  - Excessive noise
  - Dangerous horseplay
  - Use of language or gestures that are profane, lewd, vulgar, abusive or threatening.
  - Interfering with traffic—vehicles or pedestrians
  - Engaging in any intentional act which disrupts the normal operation of the school community.
  - Trespassing: Students are not permitted on any school grounds during a period of suspension from school or at any time when they know that their presence is forbidden. Students are not permitted in any school building other than the one they attend without permission from the administrator in charge of the building.
  
- B. Engage in conduct that is insubordinate, or encourage or join others to do so, including but not limited to:

- Failing to follow the reasonable directions of any school employee or demonstrating disrespect to school employees.
  - Lateness to school or class, missing or leaving class, homeroom, detention, in-school suspension, or the school grounds without permission.
- C. Engage in conduct that is disruptive or offensive, or encourage or join others to do so, including, but not limited to the following examples:
1. Failing to follow the reasonable directions of any school employee or demonstrating disrespect to school employees.
  2. Being insubordinate or disorderly in a class, hallway, cafeteria, assembly, after-school event or other school function.
  3. Intimidation or harassment, whether physical, oral, written, or electronic, including but not limited to:
    - a) Threatening to assault, injure or harm another person;
    - b) Threatening to damage, destroy, or use public or private property without authorization;
    - c) Abusing any person through the use of "fighting words", profanity, or abusive terms based on race, ethnicity, religion, national origin, gender, gender orientation, or disability;
    - d) Subjecting or threatening to subject any person to unwelcome sexual contact or engaging in conduct of a sexual nature which creates a hostile environment for the target of the conduct;
    - e) Words or behavior which create a reasonable possibility of violence or the disruption of school activities;
    - f) "cyber-bullying"
  4. Harassment, including but not limited to bullying, cyber-bullying and sexual harassment, by the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonable and substantially interfering with a student's educational performance, opportunities or benefits or would reasonably be expected to cause a student to fear for his or her physical safety.
  5. Such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal 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
  6. False alarms or bomb threats; transmitting false fire or emergency calls; discharging fire extinguishers without cause; disabling, damaging or interfering with school security equipment.
  7. Use personal electronic communication devices (including but not limited to cell phones) and/or personal entertainment devices on school premises during school hours.
- D. Engage in conduct that is violent or destructive, or encourage or join others to do so, including but not limited to the following examples:
- Committing or attempting to commit an act of violence (such as fighting with, hitting, kicking, punching, cutting, scratching or otherwise assaulting) on any person lawfully on school property or at a school function, or attempting to commit an act of violence.
  - Possessing, displaying, using, or threatening to use a weapon or an object that appears to be a weapon (including any object which is capable of causing physical injury, and which is not being used for its intended non-injurious purpose).
  - Sexual assault or other forcible and/or unwelcome sexual act.
  - Knowingly and intentionally damaging or destroying, or attempting to damage or destroy School District property or the personal of any person lawfully on school property or at school function including but not limited to graffiti, vandalism or arson or attempting these acts.
- E. Engage in any conduct that endangers the safety, morals, health, dignity or welfare of others, or encourage or join others to do so, including but not limited to:

- Stealing school district property or the personal property of any person on school property or at a school function; accepting property you know is stolen; or extortion.
  - Acts of sexual harassment, including unwanted and inappropriate verbal, written, or physical conduct of a sexual nature directed toward others.
  - Smoking or using tobacco products, or igniting matches, lighters or other igniting instruments.
  - Possession, consumption, sale, distribution or offering to sell, distribute or exchange alcoholic beverages, drugs, controlled substances or drug-related paraphernalia. This also includes the possession, sale, distribution and exchange, and the offer to sell, distribute or exchange substances believed or represented by the person to be a drug or controlled substance, whether or not the substances are actually alcoholic, drugs, or controlled substances.
  - Being under the influence of alcohol, drugs, or controlled substances.
  - Inappropriate use or sharing prescription or over-the-counter drugs.
  - Gambling.
  - Hazing, including but not limited to physical contact, incitement to other misconduct or humiliation in connection with initiation into or maintaining membership in any group.
- F. Engage in misconduct while on a school bus, or encourage or join others to do so, including but not limited to the following examples:
- Creating excessive noise, pushing, shoving, and fighting
  - Physically hurting or threatening other students or the driver
  - Damaging bus property
  - Refusing to follow the directions of the bus driver
  - Causing persistent disruption on the school bus
- G. Engage in academic misconduct or encourage or join others to do so, including but not limited to:
- Plagiarism
  - Cheating-including but not limited to the use of someone else's work as one's own; using unauthorized oral, written, digital or electronic assistance for a quiz, test, or other assignment, illegally obtaining tests in advance, substituting for a test-taker, knowingly allowing another student to cheat or copy your work.
  - Misuse of computer access or school facilities in violation of the School District's Acceptable Use Policy.
  - Altering school records.
  - Assisting any other person in any of the above actions.
- H. Engage in off-campus misconduct, or encourage or join others to do so, that endangers the health and safety and dignity of students or staff within the school or negatively affects the educational process. Such conduct specifically includes, but is not limited to threatening, harassing or demeaning conduct carried out via electronic communications of any sort.

Correction of misbehavior is most effective when it deals directly with a problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel are expected to use corrective, remedial and disciplinary actions, only when necessary, to assist and emphasize the student's ability to grow in self-discipline, and to act in a manner that is firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate action, school personnel authorized to impose disciplinary penalties should consider the student's age and maturity; the nature of the offense and the surrounding circumstances; the student's prior disciplinary record; the effectiveness of other forms of discipline; circumstances; and the degree of danger created for other members of the school community by the particular behavior. As a general rule, discipline will be progressive. This means that a student's first violation will result in a lighter penalty than repeated violations of the Code of Conduct. However, a serious first offense may lead to a short-term and/or long-term suspension.

**Attention is called to the fact that the School District has a "zero tolerance" policy with respect to drug and weapons offenses.** Offenses involving controlled substances or weapons will usually result in an automatic five-day out-of-school suspension by the building principal and a long-term suspension if the charge is substantiated after a Superintendent's Hearing. Certain weapons offenses may be subject to a minimum one-year suspension according to the provisions of the Gun-Free Schools Act.

Student lockers, desks, other storage places and school computer equipment are the property of the School District, and school officials retain complete control over such locations and equipment. Students do not have an expectation of privacy in such locations, which are subject to search and/or review at any time, and without notice. Student book bags, hand bags, pockets, etc. are subject to search where there is reasonable suspicion that they may contain contraband or other evidence of a violation of this Code of Conduct.

## **CORRECTIONS/RESPONSES/CONSEQUENCES**

1. Verbal or written warnings
2. Written notification to parents
3. Detention
4. Suspension from transportation, athletic participation, social or extracurricular activities or other privileges.
5. Teacher removal from classroom
6. In-school suspension
7. Short-term(five days or less) suspension from school
8. Long-term(more than five days) suspension from school
9. Expulsion or permanent suspension from school

The amount of due process a student is entitled to will depend on the type of penalty being imposed. In all cases, school personnel authorized to impose the penalty must let the student know what the misconduct the student is alleged to have committed, must investigate the facts surrounding the alleged misconduct, and must give the student an opportunity to present his/her version of the facts.

When a student of any age is removed from class by a teacher, or a student of compulsory attendance age is suspended from school the District will provide alternative means of instruction for the student. In addition, at the discretion of the Superintendent, alternative instruction may be made available to a student over the compulsory attendance age who has been suspended from school but presents a sincere desire to complete his/her high school education.

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive, violent or problem behavior. The specific procedures for suspending, removing or otherwise disciplining students with disabilities, consistent with applicable state and federal law and regulations, are set forth in detail in the complete Code of Conduct.

## **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.

Corporal punishment does not include the use of reasonable physical force:

1. To protect oneself, or another person from physical injury;
2. To protect the property of the school or others;
3. To restrain or remove a student whose behavior is interfering with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to comply with a request to refrain from further disruptive acts; provided that alternative procedures and methods that do not involve the use of physical force cannot reasonably be used to achieve the purposes set forth above.