

LAKE SHORE SENIOR HIGH SCHOOL CODE OF CONDUCT

"Act in such a way as to earn respect."

As a responsible person, you must do those things that have integrity and worth, and avoid that which is self-defeating or damaging to the rights of others. That is your responsibility.

DISCIPLINARY STRUCTURE/DIGNITY FOR ALL STUDENTS ACT

The intent of this code is to establish standards for discipline that will enable students, parents, teachers and administrators to know what is acceptable behavior and how deviations from these standards will be handled. The standards have been developed for District-wide use in accordance with the requirements of the "Dignity for All Students Act" (DASA) which was established to provide a school environment free of discrimination and harassment. Unless otherwise indicated, this code applies to all students, school personnel, parents, and other visitors when on school property or attending a school function.

This code organizes misbehaviors into categories from minor to major and relates these misbehaviors or infractions to appropriate disciplinary responses. By proper and timely dissemination of such information all individuals and/or groups involved in the disciplinary process (students, parents, teachers, administrators, Board members and community members) will learn which student behaviors are not acceptable and which responses will be used as consequences. By pairing these misbehaviors with sound disciplinary responses, the District insures that its disciplinary policies and procedures are consistent, reasonable and equitable.

The disciplinary measures listed are applicable in school, on school buses, on district property, during school sponsored field trips, at any school sponsored activity, and from the time of departure for school until arrival at home including school activities on weekends and/or evenings. Student misconduct that occurs outside of school that infringes or disrupts the educational process or learning of others, may be disciplined in accordance with the student code of conduct.

DEFINITIONS

For 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 who substantially interferes with the teacher's authority over the classroom.

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

Parent – Parent, guardian or person in parental relation to a student.

Principal – Any Principal, Assistant Principal, or Acting Principal.

School Vehicle – 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, to or from school or 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.

School Function – A school-sponsored extra-curricular event or activity, whether or not on school property.

School Property – 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 vehicle.

Tardiness - Arriving late to class or arriving to school after classes have begun for the day.

Unexcused absence - Any absence from class or classes which has not been excused by a parent or legal guardian and /or appropriate school official.

Violent student – A student enrolled regardless of age who:

1. Commits an act of violence upon a school employee or attempts to do so.
2. 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.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what is or appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. 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, or attempts to do so.
7. Knowingly and intentionally damages or destroys school district property or attempts to do so.

Weapon – a firearm defined in 18 USC § 921 for the purpose of the Gun Free Schools Act. It also means any other gun, dagger, dirk, razor, stiletto, switchblade, knife, gravity knife, brass knuckles, slingshot, 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.

PROHIBITED STUDENT CONDUCT

The following should be used by all individuals and groups involved in the disciplinary process to understand the consequences of misbehavior.

Students may be subject to disciplinary action, up to and including suspension from school when they engage in the following conduct:

1. Committing an act of violence (examples include, but are not limited to hitting, kicking, punching, scratching, biting, spitting or pulling hair) upon a teacher, administrator, or other school employee or attempting to do so.
2. Committing an act of violence (examples include, but are not limited to hitting, kicking, punching, scratching, biting, spitting or pulling hair) upon a student or attempting to do so.
3. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.
4. Conspiring to harm others or property.
5. Continuation of unmodified negative behavior.
6. Defamation, which includes making false or unprivileged statements or derogatory representations about an individual or identifiable group by demeaning them based on race, sex, creed, color, nationality, sexual orientation or any other protected class.
7. 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.
8. Engaging in any form of academic misconduct, including, but not limited to: plagiarism, cheating, copying, altering records, or assisting another student in any of the listed actions.
9. Engaging in any willful act which disrupts the normal operation of the school district.

10. Extortion.
11. Forgery, including that of notes or excuses.
12. Gambling.
13. Harassment/Bullying - The creation of a hostile environment by conduct or threats, intimidation or abuse which (a) has or would have the effect of unreasonably or substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; (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. 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.
14. Cyberbullying includes all behaviors described in "Harassment/Bullying" where the harassment or bullying occurs through any form of electronic communication.
15. Hazing, which includes any intentional or reckless act against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
16. Inappropriately possessing, consuming, selling, distributing or exchanging prescription and over-the-counter drugs, or being under the influence of the substance.
17. Indecent exposure, which includes the exposure of private parts of the body in a lewd or indecent manner.
18. Initiating a report or warning of fire, the threat of a bomb, or other catastrophe without valid cause, misuse of emergency reporting such as 911, or the discharging of a fire extinguisher.
19. Insubordination, which is the failure to comply with the reasonable directions of teachers, school administrators, or other school employees in charge of students or otherwise demonstrating disrespect.
20. Intentionally damaging or destroying school property, including acts of vandalism, graffiti and arson.
21. Intimidation, which includes actions or statements that put an individual in fear of bodily harm.
22. Improper use of a hall pass.
23. Loitering.
24. Lying to school personnel.
25. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of the substance. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, synthetic drugs, and any substances commonly referred to as "designer drugs."
26. Possessing, consuming, selling, distributing or exchanging smoking or smokeless tobacco, e-cigarettes/vaporizers or related paraphernalia.

27. Possessing, displaying, or threatening to use a weapon or a weapon “look-alike.” Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
28. Possessing, using, selling, distributing or exchanging fireworks.
29. Publicly displaying affection, including kissing, hugging and other close conduct.
30. Selling, distributing, exchanging, using, or possessing obscene and/or pornographic material.
31. Skipping detention.
32. Stealing the property of students, school district, school personnel, or other person lawfully on school property or attending a school function, or being in possession of stolen property.
33. Tardiness, truancy, or leaving school without permission.
34. Trespassing. Students are not permitted in restricted areas of the school or in the school building after normal school hours without permission of a teacher, principal or superintendent unless in attendance at an authorized function.
35. Use of cell phones or electronic devices during instructional time, including, but not limited to, cameras, radios, MP3 players and recording devices.
36. Use of vulgar, abusive and/or disrespectful language or gestures.
37. Violation of dress code.
38. Violation of parking lot rules and procedures.

DISCIPLINARY ACTION

In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

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

As a general rule, discipline will be progressive.

Students will be afforded due process in disciplinary actions. For purposes of this Code, due process is the student’s right to:

- Have rules and regulations published and distributed at the beginning of each school year.
- Receive verbal or written notification of the reason(s) disciplinary action is being taken.
- State his or her side of the matter.
- Receive reasonable notification of parent conferences, informal hearings, etc.

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

Disciplinary action may include, but is not limited to, the following:

- Verbal warning
- Written warning
- Parental contact by phone

- Written notification to parent
- Teacher removal from instruction
- Detention/Extended Detention
- Cafeteria suspension
- Withdrawal of privileges, including driving privileges, bus privileges, and participation in athletic and extracurricular activities
- Restricted movement in the school building
- In-school suspension
- Out-of-school suspension (five days or less)
- Out-of-school suspension (more than five days and superintendent's hearing)
- Referral to outside agency, including law enforcement

Detention/Extended Detention

- Detention/extended detention assigned by the high school office is held in the cafeteria.
- Detention starts promptly at 2:39 p.m. and ends at 3:10 p.m., Tuesday, Wednesday & Thursday
- Extended Detention starts at 2:39 p.m. and ends at 5:30 p.m. Tuesday, Wednesday & Thursday
- Students should sign in when they arrive at detention/extended detention.
- Students will not be allowed to leave detention/extended detention for any reason without permission from the office.
- Talking during detention/extended detention is prohibited.
- Violations of the regulations may result in additional detention/extended detention assignments.
- Unauthorized absences from detention/extended detention will result in additional discipline.
- **Students must complete academic work while serving detention/extended detention. Failure to comply will result in additional detention.**
- **Detention/extended detention takes precedence over extracurricular activity meetings, reporting early to athletic practices and student employment.**
- The administration has the right to modify the time that detention is served.

Teacher Removal From Instruction

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. When appropriate, the teacher may remove a student from instruction under the following guidelines:

- A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.
- If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.
- If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24 hours.
- The teacher must put in writing the reason for removal and give it to the principal or his designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal.
- Within 24 hours after the student's removal, the teacher must notify the parent, by phone, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.
- The principal may overturn the removal of the student from class if the principal finds any of the following:
 - The charges against the student are not supported by substantial evidence.
 - The student's removal is otherwise in violation of law, including the district's code of conduct.
 - The conduct warrants suspension from school pursuant to Education Law 3214 and a suspension will be imposed.
- Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

- Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

Suspension Procedures

A student may be suspended from instruction according to the rules and regulations of the Commissioner of Education of the State of New York. When a student is suspended from instruction, the following procedures will be used:

- The reason(s) for the suspension from instruction will be discussed with the student. The student will be offered an opportunity to respond to the reason(s).
- The student's parent(s) will be provided with written notice that the student may be suspended from school. The notice will be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension. The notice will be sent to the last known address of the student's parent(s). When possible, the student's parents will also be contacted by phone.
- The notice provided will include a description of the charges against a student for which suspension is proposed and will inform the parents of the right to request an immediate informal conference with the principal. At the conference, the parents will be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.
- The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.
- After the conference, the principal shall advise the parents in writing of the decision. The principal shall advise the parents that if they are not satisfied with the decision, they may file a written appeal to the superintendent within five business days. The superintendent shall issue a written decision on the appeal within ten business days of receiving the appeal. If the parents are still not satisfied with the superintendent's decision, they may appeal to the Board of Education by filing a written appeal with the district clerk within ten business days of the date of the superintendent's decision. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.
- When the superintendent of schools determines that a suspension for more than five days may be warranted, reasonable notice shall be given 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 or her, and the right to present witnesses and other evidence on his or her behalf.
- The superintendent shall personally hear and determine the proceeding or may, in his or 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 or 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. If appointed, the hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report shall be advisory only, and the superintendent may accept all or any part thereof.
- If the parents are still not satisfied with the superintendent's decision, they may appeal to the Board of Education by filing a written appeal with the district clerk within ten business days of the date of the superintendent's decision. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

Serving In-School and Out-of-School Suspensions

- Students placed on in-school suspension will be assigned to the in-school suspension room for the duration of the suspension. The student is not permitted to leave the assigned area without permission. Assignments for the period of suspension will be gathered and the in-school suspension student will be expected to complete the assignments while on suspension.
- Out-of-school suspensions for High School Students will be served at the LoGuidice Educational Center. Students will be transported each morning and must complete all assigned work while at LoGuidice. Students will not be allowed to return to school at Lake Shore Senior High School until all out-of-school

time has been served.

- Students will not be permitted on Lake Shore Central School grounds, except with prior administrative permission. The student will be treated as a trespasser if the student appears on school grounds at any other time while on suspension.
- A student who is on in-school or out-of-school suspension is **not permitted** to participate in or attend any school related activities that meet outside the regular school hours during the time of suspension.
- Suspension ends on the school day following the end of the suspension period at 7:55 a.m. (e.g. a Friday suspension ends Monday.)

PUBLIC CONDUCT ON SCHOOL PROPERTY

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, “public” shall include any individual when on school property or attending a school function.

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for said function.

Prohibited Conduct

No person shall:

- ✓ Intentionally injure any person or threaten to do so
- ✓ Intentionally damage, deface or destroy school district property or the personal property of a teacher, administrator, other district employee, or any person lawfully on school property
- ✓ Disrupt the orderly conduct of classes, school programs, or other school activities
- ✓ Distribute or wear materials on school grounds or at a school function that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program
- ✓ Intimidate, harass, or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation, or disability or any other protected class
- ✓ Enter any portion of the school premises without authorization or remain in the building after it is normally closed
- ✓ Obstruct the free movement of any person in any place to which this code applies
- ✓ Violate the traffic laws, parking regulations or other restrictions on vehicles
- ✓ Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function
- ✓ Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district
- ✓ Loiter on or about school property
- ✓ Gamble on school property or at school functions
- ✓ Refuse to comply with any reasonable order of identified school officials on duty
- ✓ Willfully incite others to commit any of the acts prohibited by this code
- ✓ Violate any federal or state statute, local ordinance, or board policy while on school property or while at a school function

Penalties

Visitors who violate this code may have their authorization, if any, to remain on school grounds or at the school function withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subjected to criminal charges.

