



PINE BUSH CENTRAL
SCHOOL DISTRICT

CODE OF
CONDUCT

Adopted July 14, 2026

CODE OF CONDUCT

TABLE OF CONTENTS

	<u>PAGE</u>
I. INTRODUCTION	1
II. DEFINITIONS	1
Academic Honesty	1
Administrators	2
Artificial Intelligence	2
Assault	2
Asynchronous Learning/Tutoring	2
Board of Education	2
Bullying	2
Crown Act	2
Cyberbullying	3
DASA	3
Digitization	3
Discrimination	3
Disruptive Student/Insubordination	4
Disruptive Student (Substantially)	4
Elopement	4
Emotional Harm	4
False Alarm	4
Gender	4
Harassment and Bullying	4
Homicide	4
Inappropriate Behavior	4
Internet Enabled Devices	5
Parent	5
Platform	5
Professional Staff	5
Restorative Practices	5
School Bus	5
School Function	5

Adopted July 14, 2026

School Property	6
Sexting	6
Sexual Offenses	6
Sexual Orientation	6
Student	7
Staff	7
Superintendent	7
Synchronous Learning/Tutoring	7
Teacher	7
Technology Acceptable Use Policy	7
Virtual Learning	7
Violent Student	8
Weapon	8
III. STUDENT RIGHTS AND RESPONSIBILITIES	8
IV. ESSENTIAL PARTNERS	9
Parents	10
Students	11
Teachers and Other Professional Staff	11
Staff	12
Administrators	13
Superintendents	13
Board of Education	14
Dignity Act Coordinators	15
V. STUDENT DRESS CODE	15
VI. PROHIBITED STUDENT CONDUCT	16
VII. REPORTING VIOLATIONS	21
VIII. DISCIPLINARY PENALTIES, PROCEDURES & REFERRALS	21
Penalties	22
Procedures	23
Periods of Suspension for Substantially Disruptive or Violent Acts	29
Restorative Practices	31
Counseling Recommendations	31

Adopted July 14, 2026

Attendance	29
IX. ALTERNATIVE INSTRUCTION	31
X. DISCIPLINE OF STUDENTS WITH DISABILITIES	32
Authorized Suspensions or Removals of Students with Disabilities	32
Change of Placement Rule	34
Special Rules Regarding the Suspension or Removal of Students with Disabilities	34
Expedited Due Process Hearings	36
Referral to Law Enforcement and Judicial Authorities	37
XI. PHYSICAL INTERVENTIONS	37
Corporal Punishment	37
Physical Restraint	37
XII. STUDENT SEARCHES AND QUESTIONING	38
Searches and Seizures	38
Documentation of Searches	39
Student Lockers, Desks, and Other School Storage Places	39
Questioning of Students	39
Police Involvement	40
Child Protective Services Investigations	40
XIII. VISITORS TO THE SCHOOLS	41
XIV. PUBLIC CONDUCT ON SCHOOL PROPERTY	42
Prohibited Conduct	42
Penalties	43
Enforcement	44
XV. STUDENT AND EMPLOYEE PRIVACY	44
XVI. CHART OF PROGRESSIVE DISCIPLINE	44
Understanding discipline as a “teachable moment”	44
Determining the Disciplinary Response	45
Student Discipline Chart	45
Glossary of Offenses	50

Adopted July 14, 2026

XVII. DISSEMINATION AND REVIEW

53

Dissemination of Code of Conduct

53

Adopted July 14, 2026

Pine Bush Central School District Code of Conduct

I. Introduction

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

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the following principles:

- civility;
- mutual respect;
- citizenship;
- character;
- acceptance;
- fairness;
- honesty;
- integrity;
- on-violence; and
- safety.

The Board recognizes the need to:

- clearly define these expectations for acceptable conduct on school property;
- identify the possible consequences of unacceptable conduct;
- ensure that discipline, when necessary, is administered promptly, fairly and in a manner consistent with law; and
- use restorative practices as a mechanism to promote wellness to the Pine Bush community, where appropriate.

To this end, the Board adopts the Code of Conduct (“Code”), which, unless otherwise indicated, applies to all students, parents, school personnel, and visitors when on school property, attending school functions, or during virtual learning.

II. Definitions

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

A. Academic Honesty

Demonstrating and upholding the highest integrity and honesty in all academic work. Academic honesty is integral to the academic experience in school. Collusion, plagiarism (including, but not limited to the unauthorized use of AI or AI agents), forgery and other forms of academic dishonesty are prohibited.

B. Administrators

Any certificated employee in a supervisory position such as principal, assistant principal, director, or assistant director in the Pine Bush Central School District.

C. Artificial Intelligence (AI)

Technology that enables computers and machines to simulate human intelligence and problem-solving capabilities

- a) **Generative AI:** Writing, pictures, or sounds that seem like they were made by a person. It learns from a lot of data and can copy how people create and adapt.
- b) **Traditional AI:** Computer programs that follow set rules and instructions. Once they're made and start running, they don't learn or change based on new information.
- c) **Agentic AI (or AI Agents):** Systems that can create their own unique content, execute complex and multi-step tasks with little to no human oversight. Similarly to Generative AI, AI Agents not only learn from their environment and adapt to new situations but also have autonomy and complex execution capabilities as noted above, which are not present in Generative AI.

D. Asynchronous Learning/Tutoring

Lessons and content that are available online to be accessed by students at any time depending on student availability.

E. Board of Education

A group of elected officials in charge of overseeing the creation and review of the policies and regulations of the Pine Bush Central School District.

F. Bullying

DASA defines harassment and bullying as the creation of a hostile environment by conduct or by threats, intimidation, or abuse, including cyberbullying. This includes threats, intimidation, and abuse that occurs verbally, non-verbally, or in any form of electronic communication that: (a) has or would have the effect of unreasonably and substantially interfering with a student's education performance, opportunities or benefits, or mental, emotional or physical well-being; or (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption with the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying include, but are not limited to, acts based on a person's actual or perceived race, color, height, weight, national origin, ethnic group, religion, religious practice, disability, sexual

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

G. The CROWN Act

DASA was amended in 2021 to add the following definitions for the terms race and protective hairstyles to be consistent with The CROWN Act: Race shall include traits historically associated with race, including, but not limited to, hair texture and protective hairstyles. Protective hairstyles shall include, but not be limited to, such hairstyles as braids, locks, and twists. Examples include a report regarding the punishment, differential treatment or humiliation of a student, or exclusion of a student from a school function, athletic team, or school yearbook, based on hair texture or protective hairstyle, or the request to alter or actual alteration of a protective hairstyle. CRR 100.2(kk)

H. Cyberbullying

Harassment or bullying that occurs through any form of electronic communication, (Ed. Law §11[8]) including, but not limited to, cell phones, computers, and tablets, or other communication tools, including social media sites, text messages, chat rooms, artificial intelligence and websites. (See definition of harassment or bullying as defined in section N – Harassment and Bullying, and Commissioner’s regulation 100.2(kk)(1)(viii).)

I. DASA

The Dignity for All Students Act, or DASA, is a state law intended to create a learning environment free of discrimination and harassment for all students. The law states that no student shall be subjected to discrimination, harassment, or bullying (including cyberbullying) by employees or students on school property, or off school property at a school function, electronically, and when the act may create a risk of substantial disruption at school.

DASA protects all students. DASA explicitly mandates the reporting of all incidents of harassment, bullying, and/or discrimination based on, but not limited to, a person’s race, color, weight, nationality, ethnicity, religion, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex. This includes any act(s) of harassment, bullying, cyberbullying, and/or discrimination of students by other students as well as school personnel.

J. Digitization

The use of software, machine learning, artificial intelligence, or any other computer-generated or technological means. This includes, but is not limited to, adapting, modifying, manipulating or altering a realistic depiction or audio recording.

K. Discrimination

Discrimination against any student by another student or students and/or an employee or employees on school property or at a school function including, but not limited to, discrimination based on a person’s actual or perceived race, color, height, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

L. Disruptive Student/ Insubordination

Any student who:

1. through the student's own behavior, prevents another student from completing work, participating in class, or cooperating with the teacher, principal, or staff member;
2. undermines the authority of the teacher, other professional staff, principal, or support staff;
3. engages in any act, that disrupts any learning environment in the school;
4. engages in any behavior that causes instruction, discipline, or learning to be interrupted;
5. by not adequately preparing for class, disrupts, postpones or otherwise interrupts the instruction and learning that is going on in the classroom/virtual learning.

M. Disruptive Student/Insubordinate (Substantially)

Any student who demonstrates a persistent unwillingness to comply with the teacher's instructions, repeatedly violates the teacher's classroom/virtual learning behavior rules, or persistently interrupts the learning environment of the class.

N. Emotional Harm

Harm to a student's emotional well-being that takes place in the context of "harassment or bullying" through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.

O. Elopement

In an educational setting, elopement is when a student leaves a designated safe area—such as a classroom, playground, or the school building—without permission or adult supervision.

P. False Alarm

Causing a fire alarm or other disaster alarm to be activated knowing there is no danger, or through false reporting of a fire or disaster.

Q. Gender

A person's actual or perceived sex which includes a person's gender identity or expression.

R. Homicide

Conduct that is intentional or engaged in with reckless disregard for another person's life that results in the death of another person.

S. Inappropriate Behavior

Any action, communication, or conduct—whether physical, verbal, written, or electronic—that substantially disrupts the educational environment or order and discipline of the school, violates district policies, or compromises the safety, dignity, and well-being of students, staff, or visitors.

T. Internet Enabled Devices

"Internet-enabled devices" means and includes any smartphone, tablet, smartwatch, smart glasses or other device capable of connecting to the Internet and enabling the user to access content on the Internet, including social media applications.

U. Parent

Any parent, guardian, or other person acting in the capacity of a parent of a student in the Pine Bush Central School District.

V. Platform

Online sites where information is shared and communication occurs. Examples of online platform that your student may include, but are not necessarily limited to, the following:

- **Google Meet** - One method of video meetings with students. Teachers will initiate a "Meet" for a virtual check-in or synchronous learning activity.
- **Google Classroom** - The most commonly-used platform for teachers and students in PBCSD.

W. Professional Staff

Any certificated school personnel *including, but not limited to*, all levels of district- and building-level administration, teachers, school counselors, school psychologists, social workers, speech and language pathologists, library media specialists, coaches, and teaching assistants. In addition, nurses, athletic trainers, occupational therapists, physical therapists and other related services providers who deliver services in and out of the classrooms/virtual learning settings of the Pine Bush Central School District are also regarded as professional staff under this code.

X. Restorative Practices

Processes that proactively build healthy relationships and a sense of community to prevent and address conflict and wrongdoing. Restorative practices represent a framework that identifies a continuum of both proactive (building relationships) and responsive approaches (repairing harm and restoring relationships). Restorative practices allow individuals who may have committed harm to take full responsibility for their behavior by addressing the individual(s) harmed or negatively impacted by the objectionable behavior. Taking responsibility requires understanding how the behavior harmed or negatively impacted others, acknowledging that the behavior was harmful, taking action to repair the harm and making changes necessary to avoid such behavior in the future. While restorative practices are encouraged to be utilized in many circumstances, restorative practices may not be appropriate in certain circumstances.

Y. School Bus

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.

Z. School Function

Any school sponsored event or activity whether on or off campus, and/or in-person or virtual.

AA. School Property

1. Any materials, equipment or internet server on or in 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.

2. Any materials or equipment on or in any school bus as defined in Vehicle and Traffic Law §142.

3. *Any district building or facility.*

BB. Sexting/Transmission of Lewd, Obscene, Vulgar or Plainly Offensive Images

Creating and/or altering, sending, receiving or forwarding, and/or encouraging the creation, alternation or dissemination of sexual, suggestive, nude or nearly nude photos and/or messages that are lewd, obscene, vulgar and/or plainly offensive through physical means, text messages, e-mails or any social media, or virtual platforms.

CC. Sexual Offenses:

a) Unwanted Sexual Conduct

Sexual contact or behavior, usually physical, that occurs without the consent of the recipient of such contact or behaviors, including but not limited to sexual assault.

b) Other Sex Offenses (excluding Sexual Harassment)

Inappropriate sexual contact, including, but not limited to, touching another student on a part of the body that is generally regarded as private, which includes, but is not limited to, the buttocks, breasts, and genitalia, removing another student's clothing to reveal underwear or private body parts, or brushing or rubbing against another person in a sexual manner or sexting. Other sex offenses shall also include, but not limited to, conduct that may be consensual or involve a child who is incapable of consent because of disability or s/he is under 17 years of age.

c) Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature.

DD. Sexual Orientation

Actual or perceived sexual orientation or gender identity.

EE. Student

Any individual under the age of 22 attending an elementary or secondary facility in the Pine Bush Central School District who is governed by this code.

FF. Staff

Any school related personnel such as substitute teachers, custodians, clerical staff, monitors, food service employees, security staff, bus drivers, and volunteers in the Pine Bush Central School District.

GG. Superintendent

The chief executive officer of the Pine Bush Central School District.

HH. Synchronous Learning/ Tutoring

Lessons that are broadcast online live while the learner participates from another location with the teacher. Synchronous lessons may be recorded by teachers and posted so students can view at a later time.

II. Teacher

Any person holding a teaching certificate who is delivering classroom/virtual learning instruction in the Pine Bush Central School District.

JJ. Technology Acceptable Use Policy

The rules and expectations that guide the way our students use technology.

KK. Violent Behavior

Engaging in behavior intentionally or recklessly that causes physical injury to another person with or without a weapon, in violation of school district code of conduct and falls under one of these categories:

- a) **Physical Injury:** Impairment of physical condition or substantial pain and includes, but is not limited to, black eyes, welts, abrasions, bruises, cuts not requiring stitches, swelling and headaches not related to a concussion.*
- b) **Serious Physical Injury:** Physical injury which creates a substantial risk of death or which causes death or serious and protracted disfigurement or protracted impairment of health or protracted loss or impairment of the function of any bodily organ and requires hospitalization or treatment in an emergency medical care facility outside of school, including but not limited to, a bullet wound, fractured or broken bones or teeth, concussions, cuts requiring stitches and any other injury involving risk of death or disfigurement.*

LL. Virtual Learning

Learning using computers and the internet. Online instruction.

MM. Violent Student

Any student who:

1. plans, threatens to commit, attempts to commit, or commits an act of violence against a school employee or their property;
2. plans, threatens to commit, attempts to commit, or commits an act of violence against another student or any other person or their property;
3. possesses a weapon while on school property or at a school function;
4. displays what appears to be a weapon while on school property or at a school function;
5. threatens the use of a weapon on school property or at a school function;
6. knowingly and intentionally damages or destroys the personal property of a school employee or other person who is lawfully on school property or at a school function;
7. knowingly and intentionally damages or destroys school district property.

NN. Weapon

Any device, instrument, material, or substance, animate or inanimate, homemade or commercially made, that is used for or readily capable of causing death or serious bodily injury. Such items include but are not limited to the following:

1. Any firearm as defined in the Gun-Free Schools Act, 18 USC §921(including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of such firearm; any firearm muffler or silencer; or any destructive device). *See also District Policy #7360 Weapons in School and the Gun-Free Schools Act.*
2. any other gun, including a pistol, revolver, shotgun, rifle, machine gun, facsimile gun, disguised gun, zip gun, BB gun, pellet gun, or paintball gun;
3. any knife such as a dagger, dirk, razor, stiletto, box cutter, cane sword, shank, switchblade knife, gravity knife, butterfly knife, knuckle knife, hunting knife, or sword;
4. brass knuckles;
5. slingshot;
6. kung fu star;
7. electronic stun gun or taser;
8. pepper spray or other noxious spray;
9. hazardous chemical substances;
10. any explosive or incendiary bomb; and/or
11. any other device, instrument, material or substance that can cause physical injury, serious physical injury or death when used to cause physical injury, serious physical injury or death.

III. Student Rights and Responsibilities

Students of the Pine Bush Central School District shall have the rights afforded them under the following provisions:

- federal and state constitutions, the laws of the State of New York;
- policies of the school district established by the Board of Education;
- rules and regulations established by the school the students attend.

Although the rights of students are not identical to the rights of adults, it is recognized that a student's private, non-school sponsored and/or non-program related conduct cannot be regulated unless the educational community is affected by such conduct.

All persons under the age of 22 who have not received a high school diploma have the right to a free public education as well as the right to:

- A. Attend school in an environment that exhibits the following characteristics:
 - is safe, orderly, and drug free;
 - encourages learning, and allows for maximum academic and personal growth;
 - is free of discrimination based on race, color, weight, *height*, religion, religious practice, creed, national origin, ethnic group, gender (identity and expression), sex, sexual orientation or disability;
 - encourages students to discuss and debate ideas and opinions free from harassment or intimidation;
 - protects free speech and expression, provided such speech is not likely to create a material and substantial disruption to the school environment, does not interfere with the orderly conduct of classes, and is not libelous, slanderous, or obscene;
 - prepares students to be productive members of society.
- B. Present their version of relevant events regarding any Code violation to school personnel authorized to impose a disciplinary penalty in such a situation.
- C. Have access to school rules and, when necessary, receive an explanation of those rules from school personnel.

In accordance with these rights, students are held to corresponding responsibilities whether in school, on school grounds, or at school functions or during virtual learning. It is expected that students will conduct themselves in accordance with these responsibilities. Furthermore, it is expected that they will contribute in a positive way to the maintenance of an orderly environment in which the safety and welfare of others are protected, and learning is not jeopardized.

IV. Essential Partners

Students have important responsibilities to uphold in order to ensure the schools they attend are safe, orderly, and well disciplined. At the same time, the personnel of our school district, parents and the other adults of the community must exercise leadership and authority. They must do what is necessary to maintain a school environment that protects the rights of students and staff while at the same time expecting and providing for high levels of performance.

All essential partners should assist students in maintaining a safe, supportive school environment, a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, *height*, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity and expression) or sex, which will strengthen students' self-concept and promote confidence to learn.

Failure to meet these expectations could result in limitations and restrictions.

All of these individuals and their responsibilities are listed below.

A. Parents

All parents are expected to:

1. recognize that the education of their children is a joint responsibility of both the parents and the school community;
2. convey to their children a supportive attitude toward education and the district;
3. become familiar with all district and building policies, rules, and regulations pertaining to student conduct and safety;
4. assure that their children arrive at school on time, well rested, prepared, and with necessary materials;
5. provide for their children's health, personal cleanliness, acceptable grooming, and suitable dress in accordance with the school dress code;
6. model the behaviors and attitudes students and other essential partners are expected to exhibit while on school property, *in all modes of communication* or during Google Meets;
7. help their children understand and exhibit self-respect, respect for law, respect for others, respect for public property, and the importance of all these in a democratic society;
8. help their children deal effectively with peer pressure;
9. provide a place at home that is appropriate for study and ensure the completeness of homework assignments;
10. build a good relationship between themselves as well as their children, their children's friends and teachers, and other professional staff, administrators, and support staff;
11. utilize the resources of the school and community to help their children succeed;
12. inform school officials of changes in the home situation that may affect student conduct or performance;
13. assume financial liability for damages resulting from acts of vandalism or theft performed by their children;
14. insist on prompt and regular attendance. If a child is absent, the child's parent must prepare and submit a written excuse for the absence or tardiness. Students may legally be absent from school for the following reasons (See *Comprehensive Student Attendance Policy* for entire excused absence list):
 - illness;
 - death in the family;
 - religious observance;
 - mandatory court appearance;
 - impassable roads.

15. support their children to the best of their ability when virtual learning is being implemented by offering a structured learning environment and monitoring student progress;
16. promote participation in restorative practices to resolve incidents and conflict and to support their child in receiving the maximum benefit from a restorative practices approach, where appropriate and consistent with law and Board of Education policy.

B. Students

All students are expected to:

1. allow classroom/virtual learning instruction to take place without interruption or interference because the prime reason they come to school is to learn;
2. work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible;
3. account for their actions and accept the consequences of those actions;
4. respect the rights of others, including other's right to receive a quality education;
5. respect personal differences, and treat others in ways that neither libel, harass, intimidate, nor endanger the safety, morals, health, or welfare of others;
6. accept the right of all teachers, administrators, and other school personnel to issue directives and react to directions given by them in a respectful and positive manner;
7. communicate to their parents what they are doing in school, what their teachers expect, and how they are meeting those expectations;
8. express themselves and dress in a manner that does not disrupt the orderly operation of the school;
9. attend school regularly and arrive at school and to classes on time with the necessary tools and materials;
10. seek help in solving problems that interfere with personal success;
11. build good working relationships between themselves and peers, their parents, teachers, and other professional staff, administrators, and support staff;
12. utilize the resources of the school and community in order to succeed;
13. 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, demeanor, and sportsmanship;
14. become familiar with and abide by all district and school policies, rules, and regulations that pertain to student conduct and safety;
15. be respectful of other students' privacy in school, or school grounds and during virtual learning;
16. be open to active participation in resolving conflicts through a restorative process *when appropriate and consistent with law and Board of Education policy.*

C. Teachers and Other Professional Staff

All teachers and other professional staff, in an appropriate physical or virtual environment, are expected to:

1. ensure the Code of Conduct and district policies are adhered to in the classroom/virtual learning setting throughout the school;
2. promote a climate of mutual respect and dignity;
3. strengthen students' self-concept and promote confidence to learn;
4. treat all essential partners, including students, in a fair and equitable manner;
5. be prepared to teach in a way that respects the individual differences of students;
6. provide a variety of learning activities to diversify instruction in order to promote positive student behavior;
7. demonstrate interest in teaching and concern for student achievement;
8. communicate with students and parents regularly regarding:
 - course objectives and requirements;
 - marking/grading procedures;
 - assignment deadlines;
 - expectations of students;
 - classroom/virtual learning discipline plan;
 - individual student growth, or decline in achievement;
9. act as role models to students, which includes modeling the behaviors and attitudes students and other essential partners are expected to exhibit;
10. build positive working relationships between themselves and students, parents, administrators, and other support staff;
11. build positive working relationships with other teachers and other professional staff and utilize the resources of the school and community to help students succeed;
12. assist, by seeking help or directly intervening, in any emergency situations that threaten students or staff;
13. be open to active participation in resolving conflicts through a restorative process *when appropriate and consistent with law and Board of Education policy.*

D. Staff

All staff, in an appropriate physical or virtual environment, is expected to:

1. provide the many non-instructional services necessary for the safe, smooth, and secure operation of the Pine Bush Central School District;
2. perform their specific duties in a way that supports a positive learning environment;
3. know school policies and rules and either enforce them or seek help in enforcing them in a fair and equitable manner;
4. help maintain a safe and orderly environment;
5. promote a climate of mutual respect and dignity;
6. treat all essential partners, including students, in a fair and equitable manner;
7. build positive working relationships between themselves and students, parents, teachers, and other professional staff, administrators, and other support staff;
8. model the behaviors and attitudes students and other essential partners are expected to exhibit;

9. assist, by seeking help or directly intervening, in any emergency situations that threaten students or staff;
10. promote honest and open communication with all staff members in the district;
11. be open to active participation in resolving conflicts through a restorative process *when appropriate and consistent with law and Board of Education policy.*

E. Administrators

All administrators, in an appropriate physical or virtual environment, are expected to:

1. communicate district discipline policies to students, staff, and members of the community;
2. promote a safe and orderly school environment;
3. ensure the awareness of all teachers and other professional staff as to the individual needs of students;
4. be responsible for enforcing the Code and ensuring that all cases are resolved promptly and fairly;
5. support active teaching and learning in order to create a stimulating academic environment;
6. plan and provide opportunities for teachers to gain and/or reinvigorate classroom/virtually learning management and student discipline skills;
7. meet with the other administrators of the district at least twice a year to evaluate the Code as to its consistent implementation throughout the Pine Bush Central School District;
8. evaluate, on a regular basis, all instructional programs;
9. build positive working relationships between themselves and students, parents, teachers, and other professional staff and support staff;
10. build positive working relationships with other administrators and utilize the resources of the school and community to assist students in being successful;
11. assist, by seeking help or directly intervening, in any emergency situations that threaten students or staff;
12. utilize staff appropriately and effectively to ensure proper supervision within the school and on school grounds;
13. act as role models to students, which includes modeling the behaviors and attitudes students and other essential partners are expected to exhibit;
14. ensure that students, parents, and staff have the ability to communicate regularly with the administrators;
15. be open to active participation in resolving conflicts through a restorative process *when appropriate and consistent with law and Board of Education policy.*

F. Superintendent and Assistant Superintendents

The superintendent and all assistant superintendents, in an appropriate physical or virtual environment, are expected to:

1. promote a safe and orderly school environment throughout the Pine Bush Central School District;

2. review with all administrators the district's expectations for implementation of disciplinary procedures, policies as adopted by the Board of Education, as well as state and federal laws and legal decisions that inform the lawful implementation of student discipline, operations, and management;
3. work with administrators in enforcing the Code of Conduct;
4. ensure that appropriate follow-up is implemented for student referrals , bringing matters to closure in a manner consistent with this Code as well as applicable state and federal laws;
5. ensure that accurate student records are maintained in a manner consistent with applicable state and federal laws;
6. build positive working relationships between themselves and students, parents, other administrators, teachers, and other professional staff and support staff;
7. build positive working relationships with the Board of Education and utilize the resources of the school and community to assist students in being successful;
8. the Superintendent of Schools or designee (which may include assistant superintendents or other designated hearing officers) will serve as the hearing officer for long-term out-of-school suspensions (i.e. those in excess of five school days) consistent with due process procedure, as described by Education Law § 3214;
9. Ensure that all cases involving violations of the Code of Conduct are resolved promptly and fairly, consistent with laws and applicable state and federal due process rights;
10. meet annually with the Code of Conduct committee in order to:
 - evaluate the effectiveness of the code;
 - determine the fairness and consistency of its implementation;
 - suggest any changes that may be necessary to improve the code;
 - present, once a year, to the Board of Education, a report from the district's Code of Conduct committee, regarding the code's effectiveness, the fairness and consistency of its implementation, and any recommended changes;
11. act as role models to students in the district, which includes modeling the behaviors and attitudes students and other essential partners are expected to exhibit.
12. be open to active participation in resolving conflicts through a restorative process *when appropriate and consistent with law and Board of Education policy.*

G. Board of Education

The members of the Board of Education are expected to:

1. adopt a Code of Conduct for the Pine Bush Central School District;
2. ensure the Code is implemented in all schools in a fair and equitable manner, and consistent with law, while accounting for age and other unique student characteristics;
3. provide the necessary financial commitment to ensure the Code of Conduct may be maintained and enforced;

4. review and adopt, on an annual basis, a report from the district's Code of Conduct committee regarding the code's effectiveness, the fairness and consistency of its implementation, and any recommended changes;
5. serve as the highest level of internal appeal in the long-term disciplinary proceedings as prescribed by Education Law § 3214;
6. model the behaviors and attitudes students and other essential partners are expected to exhibit;
7. affirm the authority of school personnel to maintain order and discipline in the schools;
8. build a positive working relationship between the Board of Education and students, parents, teachers, administrators, and school staff;
9. *be open to active participation in resolving conflicts through a restorative process, when appropriate and consistent with law and Board of Education policy.*

H. Dignity Act Coordinators

Dignity Act Coordinators should oversee bullying prevention measures and be proactive in addressing issues surrounding bullying in their building/district in a manner consistent with Board policy and law. In addition, to addressing reports of bullying in the school setting or at school sponsored events/activities, Dignity Act Coordinators must also address reports of bullying that take place off-campus where it is reasonably foreseeable that the bullying will cause substantial disruption to the educational process or order and operations of the building, or otherwise create a hostile school environment for one or more students.

V. Student Dress Code

All students are expected to give proper attention to personal cleanliness and dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. As role models to students, teachers, administrators and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting. A student's dress, grooming, and appearance, shall:

- be safe, appropriate, and not substantially disrupt or interfere with the educational process;
- be covered from armpit to mid-thigh with no undergarments or bare skin visible;
- include safe and appropriate footwear at all times;
- not include items or attire, including graphics or words that are lewd, obscene, vulgar, or plainly offensive;
- not include items or attire that is libelous or contains false speech or threats, or denigrates others on account of race, color, weight, religion, religious practices or beliefs, creed, national origin, ethnic group, gender (identity and expression), sex, sexual orientation or disability;
- not promote and/or endorse the use of alcohol, tobacco, or illegal drugs or other substances that are inconsistent with the mission of the district;
- not promote and/or encourage illegal or violent activities;

-
- not include, except for medical or religious purposes, the wearing of hats, hoods or headgear in the schools in a manner that obscures identities of students (and thus inconsistent with safety and security) or interferes with student learning.

Each building principal or the principal's designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year. Students who violate the student dress code may be required to modify their appearance by covering or removing the item or attire that is inconsistent with the dress code and, if necessary or practical, may be required to replace it with an acceptable item from home or an alternative available in the nurse's office. Any student who refuses to do so may be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly and intentionally fails to comply with the dress code shall be subject to further discipline for insubordination, which may include out of school suspension.

Notes:

This dress code does not apply to school-sanctioned uniforms and costumes approved by the relevant administrator for athletic, choral, or dramatic performances.

Additional clothing, footwear, or protective equipment may be required for specific classes, laboratories, physical education, athletics, performances, or school-sponsored activities when necessary for safety or participation.

Enforcement of dress code-related concerns must be addressed in a respectful and non-shaming manner. Staff should avoid comments about a student's body, body shape, attractiveness, modesty, or perceived impact on other students. When a dress code enforcement concern exists, the student should be referred privately to an administrator or designee whenever practical, so that concerned related to dress code enforcement may be done in a respective discrete manner. Responses should be corrective rather than punitive unless the student refuses reasonable corrective action or the attire involves a serious safety concern, discriminatory/harassing content, threats, or promotion of illegal activity.

VI. Prohibited Student Conduct

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel, and other members of the school community, and for the care of school facilities and equipment. **The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own actions/volitional behaviors, as well as the consequences of misbehaviors and actions that violate this Code that are within their control.** District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline. The Board recognizes the need to make its

expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct in a manner consistent with state and federal law. Students may be subject to disciplinary action, up to and including suspension from school, when they:

- A.** Engage in conduct that is disorderly or disruptive as an individual or member of a group. Examples of disorderly or disruptive conduct include but are not limited to:
- running in hallways;
 - making noise of an unreasonable volume or noxious noises that interfere with the educational environment;
 - using language or gestures that are profane, lewd, vulgar, plainly offensive, abusive and/or discriminatory;
 - obstructing vehicular or pedestrian traffic;
 - engaging in any willful act that disrupts the normal operation of the school community;
 - trespassing (students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building);
 - 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 (*see also Board Policy #7315 Student Use of Computerized Information Resources*);
 - use of internet-enabled phones and/or other internet-enabled devices in a manner prohibited by Board of Education Policy 7315R;
 - failing to comply with the reasonable directions of teachers, school administrators, or other school personnel in charge of students;
 - intentional or reckless damage and/or misuse of district devices (e.g. Chromebooks) as outlined in the Pine Bush CSD 1:1 Device Handbook.
- B.** Engage in conduct that is insubordinate as an individual or member of a group. Examples of insubordinate conduct include but are not limited to:
- failing to comply with the reasonable directions of teachers, school administrators, or other school employees in charge of students or otherwise engaging in conduct that is prohibited by this Code;
 - lateness for, missing, or leaving school or class without permission or excuse;
 - skipping detention or ignoring penalties imposed by district staff;
 - unauthorized use of an internet-enabled device.
- C.** Engage in conduct that is violent as an individual or member of a group. Examples of violent conduct include but are not limited to:

- threatening, planning, attempting to commit or committing an act of violence, such as hitting, shoving, pushing, pinching, kicking, punching, scratching or spitting, upon a teacher, administrator, or other school employee, or attempting to do so;
 - threatening, planning, attempting to commit or committing an act of violence, such as hitting, shoving, pushing, pinching, kicking, punching, or scratching, upon another student or any other person lawfully on school property, or attempting to do so;
 - possessing a weapon while on school property or at a school function (except law enforcement officials, as defined by law);
 - displaying what appears to be a weapon or facsimile weapon;
 - threatening to use any weapon;
 - intentionally or recklessly damaging or destroying the personal property of a student, teacher, administrator, other district employee, or any person lawfully on school property;
 - intentionally or recklessly damaging or destroying school district property.
- D.** Engage in any conduct that endangers the safety, morals, health, or welfare of self or any other person as an individual or member of a group. Examples of such conduct include but are not limited to:
- bullying or cyberbullying;
 - stealing the property *of the district*, of other students, school personnel, or any other person lawfully on school property or attending a school function;
 - defamation, which includes making false or unprivileged oral or written statements or representations about an individual or identifiable group of individuals that may reasonably lead to harm to the reputation of the person or the identifiable group and/or that is demeaning to the person or group of people;
 - discrimination, which includes the use of race, color, weight, religion, religious practice, creed, national origin, ethnic group, gender (identity and expression), sex, sexual orientation or disability as a basis for treating another in a negative manner or in a manner inferior to another person or identifiable group of people;
 - harassment, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group that are intended to be or that a reasonable person would perceive as ridiculing or demeaning;
 - Anti-Semitism and/or hostility or prejudice toward any religious group;
 - sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, and/or other verbal and/or physical conduct of a sexual nature.
 - intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm, and/or emotional harm;
 - sending mean, vulgar or threatening messages or images;

- intimidating, threatening, or causing bodily harm to another because that individual was asked to provide testimony or provided testimony to a school official;
- hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with, or maintaining membership in any school sponsored activity, and/or any organization, club, or team;
- selling, using, possessing, exhibiting or distributing obscene material;
- use of camera phones or wireless communication devices to capture, *create*, store or distribute images without a person's permission (refer to District Policy #7315 Student Use of Computerized Information Resources (Acceptable Use Policy));
- using lewd, obscene, vulgar, plainly offensive or abusive language, cursing or swearing;
- smoking a cigarette, cigar, or pipe, or using chewing or smokeless tobacco; e-cigarettes, vape pens or synthetic cannabis;
- possessing, consuming, selling, distributing, or exchanging alcoholic beverages or illegal substances or drugs, including synthetic drugs and drug paraphernalia, or being under the influence of or otherwise engaging in use of alcohol, marijuana, synthetic marijuana, or an illegal substance. "Illegal substances" include, but are not limited to, inhalants, vape pens, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substance commonly referred to as a "designer drug";
- inappropriately using, sharing or selling prescription or over-the-counter drugs;
- gambling;
- indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner, or using an electronic device to send, receive, create, alter or forward sexually suggestive photos or comment;
- initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher;
- lying to school personnel;
- making a recording or screenshots of teachers or classmates in virtual classrooms;
- making and/or distributing audio or video recording or screenshots of verbal or physical altercations;
- use of electronic devices and/or digitization to capture, create, alter store or distribute images without a person's permission;
- depicting, disseminating, publishing or threatening to depict, disseminate or publish another person in a still or video image or a vocal recording, including an image or recording created or altered by digitization, regardless of whether or not the original still or video image or the recording was consensually obtained, that reasonably causes or would reasonably be expected to cause emotional harm to a student or has or would have the impact of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being.

E. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom/virtual learning behavior and behavior at school functions. Any distraction to the driver such as: excessive noise, pushing, shoving, throwing objects, fighting, or being out of one's seat while the bus is in motion, will not be tolerated. Any other conduct that is prohibited by this Code that is engaged in by a student while on a school bus, including but not limited to bullying, cyberbullying, discrimination, hazing, or harassment will not be tolerated and are subject to consequences as set forth in this Code.

F. Engage in any form of academic misconduct as an individual or member of a group. Examples of academic misconduct include but are not limited to:

- plagiarism;
- cheating, including, but not limited to, copying (including, but not limited to, homework, tests and papers), using unauthorized help sheets and the like, illegally obtaining test information in advance, substituting for a test taker, and other forms of unauthorized collusion;
- altering records;
- assisting another student in any of the above actions;
- the use of wireless communication, e.g., text messaging, camera phones, smart watches, smart glasses, etc., for the purpose of cheating;
- use of artificial intelligence in any form to conduct or support cheating, plagiarism, or any academic dishonesty.

G. Off-Campus Misconduct A student may be subject to discipline for conduct constituting a crime which is committed off school premises and away from school functions to the extent there is a reasonable belief that the student's continued attendance in school would adversely affect the educative process (e.g., disrupts the operation of the school) or constitutes an endangerment to the health, safety and/or welfare of students and/or others in the schools. This would include, but not be limited to, for example, threatening or assaulting another student or staff member off school premises.

A student may also be subject to discipline for off-campus misconduct where there is a reasonable belief that such conduct has a nexus to the educative process (i.e., student-student, student-personnel, interactions that have a detrimental or disruptive effect or would foreseeably have a detrimental or disruptive effect upon school programs or operations).

A student may also be subject to discipline for cyberbullying that occurs off school property if the student's conduct creates or would foreseeably create a risk of substantial

disruption within the school environment (where it is reasonably foreseeable that the conduct, threats, intimidation or abuse might reach school property).

VII. Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to professional staff, school counselor, the building principal or the principal's designee. Any student observing a student possessing a weapon, alcohol, or illegal substance on school property or at a school function shall report this information immediately to a school professional. All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair, and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct to the staff member's supervisor, who shall impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

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

The building principal, or the principal's designee, must notify the appropriate local law enforcement agency or the school resource officer of those Code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or the principal's designee learns of the violation. Students or staff who wish to report harassment, discrimination or bullying should contact the appropriate compliance officer. The Dignity Act Coordinators for each building are as follows:

District, Rachel Adelstein, 744-2031 ext. 4011, rachel.adelstein@pinebushschools.org
PBHS, Denise Tzouganatos 744-2031 ext. 3604, denise.tzouganatos@pinebushschools.org
CVMS, Seth Siegel, 744-2031 ext. 5603, seth.siegel@pinebushschools.org
CMS, Jeannette Mendez, 744-2031 ext. 4402, jeannette.mendez@pinebushschools.org
STARS, Erin Crispell, 744-2031 ext. 3680, erin.crispell@pinebushschools.org
CES, Romulo Gabriel, 744-2031 ext. 5524, romulo.gabriel@pinebushschools.org
PBE, Jennifer Fitzgerald, 744-2031 ext. 4302, jennifer.fitzgerald@pinebushschools.org
PAK, Andrea McKeivitt, 744-2031 ext. 5716, andrea.mckevitt@pinebushschools.org
EJR, Loren Solitsh, 744-2031 ext. 4203, loren.solitsh@pinebushschools.org

VIII. Disciplinary Penalties, Procedures & Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and place emphasis on the students' ability to grow in self-discipline. Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the

appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following factors in a manner consistent with law:

- the student's age;
- the nature of the offense and the circumstances that led to the offense;
- the student's prior disciplinary record;
- the effectiveness of other forms of discipline;
- relevant information from parents, teachers, and/or others, as appropriate;
- the student's IEP (Individual Education Plan), BIP (Behavioral Intervention Plan), and/or 504 Accommodation Plan if applicable;
- other extenuating circumstances.

As a general rule, discipline will be progressive. This means a student's first violation will usually merit a lighter penalty than subsequent violations. Furthermore, discipline may include educational components, such as written and/or verbal apologies to the victims, essays, or other things deemed academically appropriate by teachers or administrators. See Section XV for the Student Discipline Chart, which contains a range of potential consequences to guide administrators' imposition of penalties in a manner consistent with the factors as set forth above.

A. Penalties

Students who are found to have violated the district's Code of Conduct, either alone or as a member of a group, may be subject to the following penalties (school personnel identified after each penalty are authorized to impose that penalty consistent with the student's right to due process):

- oral warning – any member of the district staff;
- written warning – hall and lunch monitors, teaching assistants, coaches, school counselors, teachers, administrators, superintendent;
- pass restriction;
- written notification to parent – bus driver, coaches, school counselors, teachers, administrators, superintendent;
- detention – teachers, principal, superintendent;
- lunch detention/after-school detention;
- suspension from transportation – director of transportation, administrators, superintendent;
- suspension from athletic participation – coaches, administrators, director of physical education and athletics, superintendent;
- suspension from social or extracurricular activities – activity director in conjunction with administrators, superintendent;
- suspension of other privileges which may include participation in school field trips, or in any or all graduation activities, events, or other ceremonies – principal, superintendent;
- removal from classroom/virtual learning by teacher – teachers, principal;
- in-school suspension – administrators, superintendent;

- short-term (five days or less) suspension from school – principal, superintendent, Board of Education;
- long-term (more than five days) suspension from school - Superintendent, Board of Education;
- withhold the privilege of walking at graduation – principal and superintendent.

B. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the severity of the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty.

Students who are to be given penalties other than an oral warning, written warning, or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

1. Detention

A special detention room will be designated and staffed at the middle and high schools for one hour after school on designated afternoons. Detention may be assigned at other periods of the day and at other locations at the discretion of the principal. Detention in this room for more than one hour may also be assigned at the high school. Only an administrator may assign a student to detention in this room. At the elementary level, detention shall be at the discretion of the principal and will be supervised by the designated staff. The administrator must give the student notice at least 24 hours in advance. Failure to attend assigned detention may result in in-school suspension. If a student is absent on the day the detention was scheduled, the student is still obligated to serve detention when the student returns. A student's absence from school does not mean the student is excused from detention. Assignment to detention takes precedence over all after-school or extracurricular activities. Students will be permitted to attend after-school or extracurricular activities only after their detention obligation is completed.

2. Suspension from Transportation

If a student engages in misconduct on a bus, the bus driver is expected to bring such misconduct to the bus company's attention. The bus company will bring it to the building principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parents will become responsible for seeing that their child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education.

A student subjected to solely to suspension from transportation is not entitled to a formal hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the superintendent or their respective designees to discuss the conduct and the penalty involved.

3. Suspension from Sports and Extracurricular Activities

Students suspended from school for serious offenses, which may include but are not limited to the selling, distribution use, and/or possession of alcohol, drugs, tobacco, or other controlled substances or drug paraphernalia; possession of a weapon; or the use of violent behavior, may also be suspended from all extracurricular activities for a period of time greater than that imposed for suspension from school. The additional amount of time suspended from extracurricular activities will be determined collaboratively by the principal, administrative supervisor (such as the Director of Physical Education, Health and Athletics,) and the coach/advisor.

Any student found to be in violation of any rules stipulated in the Code of Conduct for extracurricular activities, whether or not such violation occurred on school grounds or at school related activities, may be suspended from all extracurricular activities for a period of time to be determined collaboratively by the principal, administrative supervisor (such as the Director of Physical Education, Health and Athletics), and the coach/advisor.

4. Suspension

As provided in Education Law, the Board of Education, the Superintendent of Schools, a building principal, or in the building principal's absence, an acting building principal, may suspend a student from attendance upon instruction where it is determined that the student:

- is insubordinate; and/or
- disorderly, violent and/or disruptive; and/or
- engages in conduct that endangers the safety, morals, health, and/or welfare of others.

In addition to the statutory grounds for suspension from attendance upon instruction for misconduct or endangering health or safety conditions, students may also be subject to suspension from attendance upon instruction based on a violation related to specific disciplinary infractions.

A student assigned to in-school or out-of-school suspension may, at the discretion of the building principal, be excluded from attendance at school-related activities such as dances, field trips, and other such functions. Such exclusion will be dependent upon the circumstances associated with the suspension, including the nature of the infraction, subsequent improvement of behavior, and the purpose of the field trip or activity. Students and parents must be notified of these consequences at the time of the in-school or out-of-

school suspension. If such privileges are lost, the student may be provided with the opportunity to earn them back in accordance with restorative practices.

a. Pre-Suspension Process

Prior to being suspended from attendance upon instruction in one or more classes, the student shall have a conference with a school official empowered to suspend, as referenced above, at which time the evidence upon which the decision to suspend is based shall be stated to the student and the student shall be given the opportunity to explain the student's version of the facts. The student shall also be afforded the right to present other persons to the suspending authority in support of the student's version of the facts. If the circumstances render a pre-suspension conference impossible, such a conference shall occur as soon as is practicable after the suspension has commenced.

b. Teacher Removal of Disruptive Students from a Classroom/Virtual Learning:

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom/virtual learning setting to learn. In most instances the classroom/virtual learning teacher can control a student's behavior and maintain or restore control over the classroom/virtual learning by using good classroom/virtual learning management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom/virtual learning to give the student an opportunity to regain the student's composure and self-control in an alternative setting. Such practices are time honored classroom/virtual learning management techniques that do not constitute disciplinary removal for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of the Code of Conduct, refer to page 3, section L for the definition of disruptive behavior.

A classroom/virtual learning teacher has the authority to remove a disruptive student from class. The removal from class applies to the class of the removing teacher only. At the secondary level, the teacher may remove the student from class for the remainder of the period during which the disruptive incident occurred, and for a period not to exceed two additional full days. At the elementary level, a teacher may remove a student for a length of time appropriate to the infraction but not to exceed two days.

If the disruptive student does not pose a danger, the teacher must provide the student with an explanation for why the student is being removed and an opportunity to explain the student's 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, and the student will be escorted out of the class by a staff member. The teacher must, however, explain to the student why the student was

removed from the classroom/virtual learning and give the student a chance to present the student's version of the relevant events within 24-hours.

The teacher must complete a district established disciplinary removal form and confer with the principal or the principal's designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the teacher, principal, or principal's designee is not available to meet by the end of the same school day, the teacher must leave the form with the secretary and confer prior to the beginning of classes on the next school day.

Within 24-hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents, in writing (which may include an approved electronic platform for parental communications related to such matters), that the student has been removed from class and why. The notice must also inform the parents that they have the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal. The written notice must 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 student's removal at the last known address of the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number for the purpose of contacting a parent.

The principal may require the teacher who ordered the removal to attend the informal conference. If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.

In addition, whenever the 24- or 48-hour periods set forth in the preceding two paragraphs do not end on school days, the timeframe for the parental notification and the informal meeting will extend to the corresponding time on the next applicable school day.

The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:

- charges against the student are not supported by substantial evidence;
- student's removal is otherwise in violation of law, including the district's Code of Conduct; or
- the conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The principal or the principal's designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day

following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom/virtual learning setting by the classroom/virtual learning teacher will be permitted to return to the classroom/virtual learning until the principal makes a final determination, and notifies the teacher, or the period of removal expires, whichever is less. Any disruptive student removed from the classroom/virtual setting learning by the classroom/virtual learning teacher shall be offered continued educational programming and activities until the student is permitted to return to the classroom/virtual learning. Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from the teacher's class. The principal must keep a log of all removal of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, a classified student's removal from class will be monitored by the school administrator to ensure that the removal does not violate the student's rights.

c. In-School Suspension

Students from the middle schools who are assigned to In-School Suspension (ISS) will be scheduled into a supervised room for no more than five (5) consecutive days. In addition, such students will be deprived of their usual school privileges during the time they are assigned to ISS, including attendance at all after-school activities. Students assigned to ISS must report directly to the ISS room rather than to their home rooms. They may not leave the ISS room to attend other classes without the express permission of the administrator who assigned the student to ISS. The only exception is that students may attend scheduled counseling sessions. Students scheduled into ISS are expected to complete all class work and homework assigned by their regular teachers, including those assignments specifically provided to the students while in ISS. Special rules will apply to students in ISS including the following:

- Students will not converse with each other.
- Students will remain in their assigned seats.
- Students will work on the assignments provided.
- Students will eat lunch in the ISS room.
- Students will, except in emergencies, be scheduled to use the lavatory once each morning and once each afternoon.

Elementary students assigned to ISS will be placed under the general supervision of the principal or the principal's designee. The same guidelines identified above for secondary students assigned to ISS will be implemented for elementary school children.

d. Short-Term Suspension Process

In the event a student is suspended from attendance upon instruction for one (1) through five (5) days by a school principal, or acting principal in the absence of the building principal, the student and the student's parents shall be notified in writing, by personal delivery or express mail, and by telephone or other electronic methods, if possible, within 24 hours of the suspension. Such written notice shall include a description of the incident resulting in the suspension and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents.

Upon such request, a conference with the principal and other parties involved shall be convened as soon as possible, at which time the evidence, including the witness relied upon by the principal in making the suspension determination, may be questioned by the parents. The right to an informal conference with the principal shall also extend to the student if the student is 18 years of age or older.

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 disruptions 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 promptly advise the parents in writing of the principal's decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent of Schools within five (5) business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. Only final decisions of the Superintendent of Schools may be appealed to the Commissioner within 30 days of the decision.

e. Superintendent's Hearing – (Long-term suspension from school; more than five (5) days)

Superintendent's disciplinary hearings are conducted according to Section 3214 of the Education Law. Disciplinary issues are referred to a Superintendent's Hearing when repeated offenses by a student, or the severity of a single offense, warrants consideration of a penalty greater than the five days of out-of-school suspension that can be imposed by a principal. The kinds of offenses brought to a Superintendent's Hearing include, but are not limited to, such acts as using or being in possession of illegal substances or drug paraphernalia; threatening or hitting an individual or staff member; intimidating or attacking an individual for being a witness in a disciplinary

proceeding; brandishing or being in possession of a weapon; sexually harassing a staff member or another student; and acts that are violent or threaten the health or safety of students and staff.

The parent(s) of an accused student who is the subject of a Superintendent's Hearing, or the student if over the age of 18, will be so notified in writing by overnight mail, hand delivery, or another method that will provide reasonable notice of the date and time of the Superintendent's hearing. Such notification will inform the student and the student's parents of their rights. These include the right to be represented by counsel, the right to question witnesses against the student, and the right to present witnesses or other evidence on the student's behalf.

If an accused student chooses to call witnesses, the student will provide the district with a list of those witnesses at least 48 hours prior to the hearing. Students, and the parents of students who are required to testify either on behalf of the district or the accused student, will be notified the day prior to the hearing. The parents of a student witness will also be notified that they can attend the Superintendent's Hearing while their child testifies, providing their attendance is agreeable to the accused student. To protect the constitutional rights of the accused student, all witnesses who are called to testify are required to do so, and the hearing officer is empowered to issue a subpoena to any witness who is reluctant to testify.

At each hearing, witnesses will be sworn in before being asked to testify, and each witness can be questioned by representatives of the district or the accused. All physical evidence or documents related to the case must be submitted to the hearing officer so they can become part of the record and can be examined by all sides. In addition, the proceedings of the hearing will be recorded, and copies of the recording will be made available to the accused upon request. An individual witness may request a copy of the written transcript of the witness' testimony only, providing that all information in violation of the Family Education Rights and Privacy Act is redacted from the transcript.

If the accused student is found guilty of the charges being brought against the student, the hearing officer will review the student's record of behavior prior to deciding upon the penalty. The decision of the superintendent can be appealed to the Board of Education, by filing a written appeal with the district clerk within 10 business days of the date of the superintendent's decision, unless the appealing party can show extraordinary circumstances precluding them from doing so. The decision of the Board of Education can be appealed to the Commissioner of Education within 30 days of the Board's decision.

C. Periods of Suspension for Substantially Disruptive or Violent Acts

1. Students who bring a weapon to school as an individual or member of a group - Any student found guilty of bringing a weapon onto school property may face suspension from school following a Superintendent's Hearing for *an extended period of time up to one calendar year* subject to modification by the Superintendent on a case-by-case basis*. In deciding whether to modify the penalty, the Superintendent may consider the following:
 - the student's age;
 - the student's grade in school;
 - the student's prior disciplinary record;
 - the superintendent's belief that other forms of discipline may be more effective;
 - the input from parents, teacher, and/or others;
 - the student's Individual Education Plan ("IEP"), Behavioral Intervention Plan ("BIP"), and/or 504 Accommodation Plan if applicable;
 - other extenuating circumstances.
2. Students who commit violent acts as an individual or member of a group, other than bringing a weapon to school – Any student who committed a violent act, other than bringing a weapon onto school property, *may* be subject to suspension from school for at least five days*. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. The principal has the authority to modify the minimum five-day suspension on a case-by-case basis. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents may be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.
3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere with the teacher's authority over the classroom/virtual learning – Any student who is repeatedly substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom/virtual learning may be suspended from school for at least five days*. For purposes of the Code of Conduct, "repeatedly substantially disruptive" means engaging in conduct that results in the student being removed from the classroom/virtual learning by the teacher(s) pursuant to Education Law 3214(3-a) and the Code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to

all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

* A student with a disability may be suspended only in accordance with the requirements of state, federal and education law.

D. Restorative Practices

Where appropriate, restorative practices may be employed to address misbehaviors with the ultimate goal of teaching pro-social behavior by seeking concurrent accountability and behavioral change. This requires students to take responsibility for what they have said and done, reflect on the impact of their behavior, modify their behavior, problem solve, make amends to repair the harm they have caused, and learn new skills.

E. Counseling Recommendations

Support staff, which includes psychologists, social workers, and school counselors, shall handle all recommendations of students who may need counseling.

F. Attendance

A child's parents or persons in parental relation will be notified by designated District personnel at periodic intervals to discuss the child's absence, tardiness, or early departures and the importance of class attendance and appropriate interventions. Individual buildings/grade levels will address procedures to implement the notification process to the parent or person in parental relation.

In order to effectively intervene when an identified pattern of unexcused absences, tardiness or early departures occur, designated district personnel will pursue the following:

1. Identify specific elements of the pattern (e.g., grade-level, building, time frame, type of unexcused absences, tardiness or early departures);
2. Contact the District staff most closely associated with the element. In specific cases where the pattern involves an individual student, the student and parent or person in parental relation will be contacted;
3. Discuss strategies to directly intervene with a specific student;
4. Recommend intervention to the Superintendent or designee if it relates to change in district policy or procedure;
5. Implement changes, as approved by the appropriate administrator;
6. Utilize appropriate district and/or community resources to address and help remediate student unexcused absences, tardiness or early departures.

IX. Alternative Instruction

When a student has been suspended and is of compulsory attendance age, immediate steps shall be taken to provide alternative instruction as prescribed by Education Law 3214.

X. Discipline of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove, or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities require procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing, or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

The Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the Code of Conduct, the following definitions apply:
 - A “suspension” means a suspension pursuant to Education Law section 3214(3)(a) through (d).
 - A “removal” means the removal of a student with a disability for disciplinary reasons from that student’s current educational placement, other than a suspension; and the change of placement of a student with a disability to an Interim Alternative Educational Setting (“IAES”) by a superintendent of schools for behavior involving weapons, illegal drugs or controlled substances, commission of an act of serious bodily injury upon another in school or school premises as set forth in the Commissioner’s Regulations, or by an impartial hearing officer in a dangerous situation.
 - An IAES means a temporary educational placement for a period of up to 45 school days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that:
 - enables the student to continue to progress in the general education curriculum, although in another setting;
 - enables the student to continue to receive those services and modifications, including those described on the student’s current IEP (Individualized Education Program), that will enable the student to meet the goals set out in such IEP;
 - includes services and modifications to address the behavior that precipitated the IAES placement that are designed to prevent the behavior from recurring.
2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
 - a. A building principal may order the placement of a suspended student with disability for a period not to exceed five consecutive school days and not to exceed

the amount of time a non-disabled student would be subject to suspension for the same behavior.

- b. The superintendent may order the placement of a student with a disability into an IAES, another setting, or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - d. The superintendent may order the placement of a student with a disability in an IAES to be determined by the Committee on Special Education (CSE), for the same amount of time that a student without disability would be subject to discipline, but not more than 45 school days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance or has inflicted serious bodily injury [as defined in Section 201.1(m)] upon another person while at school, on school premises, or at a school function, under the jurisdiction of the educational agency.
 - e. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
 - f. Removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removal of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined the behavior is not a manifestation of the student's disability.
 - g. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.
3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in

an IAES setting for up to 45 school days at a time, if maintaining the student in his or her current educational placement poses risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
 - a. for more than 10 consecutive school days; or
 - b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

C. Special Rules Regarding the Suspension or Removal of Students with Disabilities

1. When circumstances precipitate the need to ascertain the reason for which a student engages in a particular behavior or behaviors that are inconsistent with this Code or otherwise pose a danger to themselves or others, the district's Committee on Special Education shall:
 - a. Conduct Functional Behavioral Assessment (FBA) to determine why a student engages in a particular behavior and develop or review a Behavioral Intervention Plan (BIP). If subsequently, a student with a disability who has a behavioral intervention plan and been suspended or removed from the student's current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more of the members of the CSE believe modifications are needed, the school district shall convene a meeting of the CSE to modify such a plan and its implementation to the extent the committee determines necessary.

- b. Conduct a manifestation determination to review the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs, or controlled substances; or because maintaining the student in the student's current education setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The procedures aforementioned could apply to students not previously determined to be eligible for special education or related services. This would occur if the district had knowledge that the child was suspected of having a disability before the behavior that precipitated the disciplinary action occurred.

The district will be deemed to have such knowledge if:

- a. the parent/guardian has expressed a concern in writing to the supervisor or administrative personnel of the appropriate educational agency or to the teacher of the student that their child needs special education and related services;
- b. the child's behavior or performance demonstrates the need for these services;
- c. the parent has requested an evaluation of the parent's child;
- d. the child's teacher or other school personnel have expressed concern about the child's behavior or performance to the Director of Special Programs or other school administration;
- e. the superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability;
- f. a student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the parents of the student have not allowed an evaluation of the student pursuant to Section 200.4 of this part; or the District has determined that the student is not a student with a disability pursuant to Sections 200.4 or 200.16 of this title; or the parent of the student has refused services under this part.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made while such a non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
 - a. the district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in the student's current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings;
 - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability or related to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs, or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.

If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the

proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, the impartial hearing officer must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions extensions.

E. Referral to Law Enforcement and Judicial Authorities

In accordance with the provisions of IDEA and its implementing regulations:

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.

XI. Physical Interventions

A. Corporal Punishment

The use of the term "corporal punishment" in this regulation shall be defined as any act of physical force upon a student for the purpose of punishing that student. Corporal Punishment is prohibited.

Any use of corporal punishment must be reported both verbally and in writing as soon as possible to the staff member's immediate supervisor. Such reports must include all necessary facts leading to the use of corporal punishment as the means of correcting the problem. Any use of corporal punishment or complaint of such use must be investigated by the appropriate personnel of the district and a written report submitted to the superintendent.

B. Physical Restraint

The use of the term "physical restraint" means a personal restriction that immobilizes or reduces the ability of a student to move their arms, legs, body or head freely. It doesn't include a physical escort or brief contact to redirect a student.

Pursuant to state regulations 8 NYCRR §19.5, physical restraint will not be used as a discipline or punishment, retaliation, or as a substitute for positive, proactive intervention strategies that are designed to change, replace, modify, or eliminate a targeted behavior. Physical restraint may only be used when:

1. Other less restrictive and intrusive interventions and de-escalation techniques would not prevent imminent danger of serious physical harm to the student or others and;
2. There is no known medical contraindication to its use on the student; and
3. School staff using such interventions have been trained in its safe and appropriate application, as required by state regulations.

XII. Student Searches and Questioning

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law and may be required to conduct searches as a result. *Principals and/or their designees are legally permitted to speak with any student who is attending the PBCSD outside the presence of a parent or guardian.*

A. Searches and Seizures

Students are protected by the Constitution from unreasonable searches and seizures. An authorized school official may conduct a search and seize contraband on school grounds or in a school building only when the school district employee has reasonable suspicion to believe the student is engaging in proscribed activity that is in violation of school rules and/or is illegal. The superintendent, building administrators, and district security officials are authorized to conduct such searches. **Parental permission or presence is not required**, however, where practical, the searches will be conducted in the presence of more than one district employee.

An authorized school official may search a student or the student's belongings based upon information received from a district employee or an informant. An individual, other than a district employee, will be considered an informant if that person has previously supplied information that was accurate and verified, made an admission against the witness' own interest, provided the same information that is received independently from other sources, or the information the witness is communicating is related to an immediate threat to safety.

Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit to possessing physical evidence that the student violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

Whenever practicable, a search will be conducted in the privacy of an administrative office with the student present when the student's possessions are being searched. Again, if possible, the search will be conducted in the presence of more than one district employee. (Refer to section - *Questioning of Students*)

Some factors to be considered in determining whether reasonable suspicion exists to search a student or the student's belongings include but are not limited to:

- the age of the student;
- the student's record and past history;
- the predominance and seriousness of the problem in the school where the search is directed;
- the urgency to conduct the search without delay.

B. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

- name, age, and grade of student searched;
- reasons for the search;
- purpose of search (that is, what item was being sought);
- type and scope of search;
- person conducting the search and the person's title and position;
- witnesses, if any, to the search;
- time and location of search;
- results of search (that is, what items were found);
- disposition of items found;
- time, manner, and results of parent notification.

The building principal or the principal's designee shall be responsible for the custody, control, and disposition of any illegal or dangerous item taken from a student. The principal or designee may photograph the item. The principal or the principal's designee shall clearly label all items taken from the student and retain control of the items until they are turned over to the police. The principal or principal's designee shall be responsible for personally delivering dangerous or illegal items to police authorities. Parental permission is not required.

C. Student Lockers, Desks, and Other School Storage Places

Although provided by the school district for student use, lockers, desks, and other such storage spaces remain the exclusive property of the school district. Students should have no expectation of privacy with respect to these areas and school officials retain complete control over them. This means school officials have the right to search such areas without reasonable suspicion. The district officials reserve the right to call upon police authorities to undertake periodic searches of lockers through the use of canine units.

D. Questioning of Students

Principals and/or their designees are legally permitted to speak with any student who is attending the PBCSD outside the presence of a parent or guardian. Investigations concerning reports of misconduct are to be conducted by the administration in a timely manner, and the investigation may include but not be limited to the questioning of

students, staff, parents, or other individuals as may be appropriate. Students may request the presence of another staff member during questioning. The granting of the request will be at the discretion of the school administrator, subject to considerations such as the availability of staff. An individual who is questioned may be asked to write and sign the individual's responses or prepare a written and signed statement indicating what the individual knows about the incident in question. If the student is unable to do so, the student's responses may be written down by the administrator. Parents of children who are so questioned will be notified in a timely manner, and whenever possible within the same day of the questioning, in the event the infraction under investigation is of a serious nature or illegal. In the event a parent cannot be reached, the administrator will continue to attempt to make phone contact during the course of the day and the following morning and log the time of each attempt.

Should the questioning of students by school officials focus on the actions of a particular student, that student will also be questioned by an administrator, and that student may be asked to write and sign the student's response to questions, or prepare a written and signed statement indicating what the student knows about the incident in question. The student's parent will be contacted if the actions under investigation are serious or illegal. If this is not the case, the parent may be contacted and the degree, if any, of parental involvement will vary depending upon the nature and the reason for questioning, and the necessity for further action that may occur as a result (*also see District Policy #7330 Law Enforcement and Search*).

E. Police Involvement

Staff of the Pine Bush Central School District will notify police when activities that occur on school grounds, social media or virtual classrooms are illegal, or when an emergency situation occurs that, in the estimation of the administrative staff, requires police involvement. Under circumstances where a student has violated the law on school grounds and criminal proceedings may follow, the police will assume their normal role, including that of an investigator.

Generally, police investigations of incidents that occur out of school cannot be conducted on school grounds. The district will release students from classes to meet with the police in such cases only with parent consent, or if the police present a warrant. (*also see District Policy #7330 Searches and Interrogations of Students*).

F. Child Protective Services Investigations

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

All requests by the child protective services to interview a student on school property shall be made directly to the building principal or the principal's designee. The principal or principal's designee shall provide a place for the interview. The principal or principal's designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of the student's clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. Students may not be required to remove their clothing in front of a child protective services worker or school district official of the opposite sex, other than a school nurse or other medical district personnel.

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

XIII. Visitors to the Schools

The Board encourages parents and other community members to visit the district's schools and classrooms/virtual learning settings to observe the work of students, teachers, and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or principal's designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors:

- Anyone who is not a regular staff member or student of the school will be considered a visitor.
- A visitor to the school must report to the greeter's desk, upon arrival at the school. There the visitor will be required to show a valid photo ID and sign the visitor's register before being issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the visitor's identification badge to the principal's office, or greeter's desk, and sign out before leaving the building.
- Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
- Parents or other community members who wish to observe a classroom/virtual learning while school is in session are required to arrange such visits in advance with the classroom/virtual learning teacher and/or the building principal, so class disruption is kept to a minimum.
- It is expected that class time will not be used to discuss individual matters with visitors.
- Any unauthorized person on school property will be reported to the principal or the principal's designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants such action.
- All visitors are expected to abide by the rules for public conduct on school property that is contained in the Code of Conduct. Failure to abide by this Code may give rise to

removal from school property. The police may be called if the situation warrants such action.

- Repeated refusal to abide by the provisions of this Code or repeated violations of provisions of this Code may give rise to further limitations on access to school property or reasonable limitations on access to communications with school personnel, with the duration of such limitations commensurate to the nature of the offense. When such conduct is engaged in by parents, it will be applied in a manner consistent with parental and student rights of access to educational programs/opportunities. In addition, the police may be called, if warranted.

XIV. 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, at school functions, and in all methods of communication. For purposes of this section of the code, “public” shall mean all persons on school property or attending a school function including students, teachers, and district personnel. The restrictions on public conduct on school property and at school functions contained in the 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 the 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 the purpose their presence (*also see District Policy #3280 Use of School Facilities, Materials and Equipment*).

A. Prohibited Conduct

No person, either alone or with others, shall:

1. intentionally or recklessly injure any person or threaten to do so;
2. intentionally or recklessly damage or destroy school district property or the personal property of a teacher, administrator, other district employee, or any person lawfully on school property;
3. disrupt the orderly conduct of classes, school programs, or other school activities;
4. distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program;
5. intimidate, harass, or discriminate against any person, including but not limited to on the basis of their membership in legally protected categories, including, but not limited to, race, color, religion, religious practice, creed, national origin, ethnic group, gender (identity and expression), sex, sexual orientation or disability;
6. enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed without authorization and/or at times that are not such school premises are not open for access;
7. obstruct the free movement of any person in any place to which the Code applies;

8. violate the traffic laws, parking regulations, or other restrictions on vehicles;
9. possess, consume, sell, distribute, or exchange alcoholic beverages or illegal substances, marijuana, a substance believed or represented to be marijuana, synthetic cannabinoids or designer drugs, or be under the influence of alcohol, marijuana, synthetic cannabinoids or a substance believed or represented to be marijuana, synthetic cannabinoids or designer drugs, or illegal or otherwise prohibited substances on school property or at a school function;
10. possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or those specifically authorized by the school district;
11. loiter on or about school property;
12. gamble on school property or at school functions;
13. refuse to comply with any reasonable order of identifiable school district officials performing their duties;
14. willfully incite others to commit any of the acts prohibited by this code;
15. use profane, obscene, or provoking language, actions, or gestures;
16. violate any federal or state statute, local ordinance, or Board policy while on school property or while at a school function.
17. the use of drones, except by law enforcement or for instructional purposes, will be prohibited on school property and will be subject to removal by the school district;
18. disrupt the virtual classroom learning environment;
19. *communicate in a manner that is disrespectful, rude, or unprofessional, when such communications are not protected by the first amendment, as well as communicating in a threatening or defamatory manner, whether verbal, written or digital, and engaged in directly or indirectly (either through another person or through generative or agentic AI).*

B. Penalties

Persons who violate the Code may be subject to the following penalties:

1. Visitors -- authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students -- shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members -- shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. Staff members -- in the classified civil service who are entitled to the protections of Civil Service Law §75, shall be subject to immediate ejection and may be subject to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights they may have.

5. Staff members -- other than those described in subdivisions 4 and 5 shall be subject to warning, reprimand, suspension, or dismissal as the facts may warrant in accordance with any legal rights they may have.

C. Enforcement

The building principal or the principal's designee shall be responsible for enforcing the conduct required by this code. When the building principal or the principal's designee sees an individual engaged in prohibited conduct that, in the judgment of the principal or the principal's designee, does not pose any immediate threat of injury to persons or property, the principal or principal's designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or the principal's designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or the principal's designee may have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person. The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the Code (*also see District Policy #3280 Use of School Facilities, Materials and Equipment*).

XV. Student and Employee Privacy

Students are required, at all times, to respect the privacy and dignity of others. Audio/video and/or any form of digital recordings, photos/screenshots or *AI altered/generated images* of participants in any learning environment is prohibited. In addition, audio/video recordings and photos in any bathroom or locker room, as well as verbal or physical altercations is also prohibited.

XVI. Chart of Progressive Discipline

A. Understanding discipline as a "teachable moment" is fundamental to a positive approach to discipline. Progressive discipline uses incremental interventions to address inappropriate behavior with the ultimate goal of teaching prosocial behavior. Progressive discipline seeks concurrent accountability and behavior change. The goal of progressive discipline is prevention of a recurrence of negative behavior by helping students learn from their mistakes. Essential to the implementation of progressive discipline is helping students who have engaged in unacceptable behavior to:

- Understand why the behavior is unacceptable and the harm it has caused
- Consider what they could have done differently in the same situation
- Recognize the impact their behaviors have on others
- Take responsibility for their actions
- Be given the opportunity to learn prosocial strategies and skills to use in the future
- Understand the progression of more stringent consequences if the behavior recurs

B. Determining the Disciplinary Response

This document provides guidance to school officials when determining which disciplinary measure to impose. In determining how to best address inappropriate conduct, it is necessary to evaluate the totality of the circumstances surrounding the conduct. The following facts must be considered prior to determining the appropriate disciplinary measures:

- The nature, severity, and scope of the behavior;
- The student's age and maturity;
- The circumstances/context in which the conduct occurred;
- The frequency and duration of the behavior;
- The student's disciplinary record (including the nature of any prior misconduct, the number of prior instances of misconduct, and the disciplinary and guidance intervention measures applied for each);
- The student's Individual Education Plan ("IEP"), Behavioral Intervention Plan ("BIP"), and/or 504 Accommodation Plan, if applicable.

C. STUDENT DISCIPLINE CHART:

This discipline chart will be used during the school year as a guide for school administrators so students that violate the District Code of Conduct are dealt with in a consistent and fair manner. Disciplinary action will be determined at the discretion of the administrator, with consideration of the age and relevant behavior record of the student. Responses may be modified with consideration of extenuating circumstances or the severity of the infraction, based on the disciplinary penalties and procedures outlined in the District Code of Conduct. Responses 1,2,3,4,5 indicate progressive disciplinary penalties for subsequent violations. The discipline chart is subject to mandatory minimum suspension periods as set forth in Section VIII(C), Education Law § 3214, protections for students with disabilities, and case-by-case modifications by the appropriate authority. Further, discipline may include the implementation of restorative practices. A glossary of the listed offenses follows this chart. In addition, the following definitions refer to the interventions listed on the chart below.

- **Detention:** Students must be on time and sit quietly for the entire time. This may include **Extended Detention** at the High School.
- **In School Suspension (ISS):** Middle School students are assigned to an alternative educational location. Students will be given credit for all work completed and for attendance
- **Out of School Suspension (OSS):** Students are not allowed to attend school or school-related functions, except for district-provided tutoring, when assigned. Tutoring will be provided.

Offense ** see glossary of offenses		RESPONSE 1	RESPONSE 2	RESPONSE 3	RESPONSE 4	RESPONSE 5
Academic Misconduct (may include cheating, plagiarism)		Student receives a grade of zero for work or exam Warning and/or administrator or teacher conference with student Detention 1-5 days	Student receives a grade of zero for work or exam Detention 1-5 days ISS 1-5 days	Student receives a grade of zero for work or exam ISS 1-5 days OSS 1-5 days	Student receives a grade of zero for work or exam OSS 1-5 days Superintendent's Hearing	Student receives a grade of zero for work or exam OSS 1-5 days Superintendent's Hearing
Cyberbullying		Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing
Cutting Class		Warning and/or Administrator or teacher conference with student Detention 1-5 days	Detention 1-5 days	ISS 1-5 days	ISS 1-5 days	ISS 1-5 days
Dress Code		Warning and teacher or administrator conference with student. Student dress brought into compliance.	Warning and teacher or administrator conference with student. Student dress brought into compliance. Caregiver contact required.	Detention 1-5 days	Detention 1-5 days ISS 1-3 days	ISS 1-5 days OSS 1-5 days
Drugs/Alcohol (Use/possession of)		ISS 1-5 days OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Elopement • Class • Building • Grounds		Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
False Alarm		Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days	Detention 1-5 days ISS 1-5 days OSS 1-5 days	Detention 1-5 days ISS 1-5 days OSS 1-5 days

		OSS 1-5 days Superintendent's Hearing		Superintendent's Hearing	Superintendent's Hearing	Superintendent's Hearing
Harassment/ Intimidation/ Discrimination/ Bullying/ Anti-Semitism* (Excluding Sexual Harassment)		Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	SS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing
*The minimum disciplinary consequence for anti-Semitism, Harassment, Discrimination, or Bullying will be an age-appropriate detention.						
Intentional or Reckless Homicide		Contact Law Enforcement OSS 5 days Superintendent's Hearing	Contact Law Enforcement OSS 5 days Superintendent's Hearing	Contact Law Enforcement OSS 5 days Superintendent's Hearing	Contact Law Enforcement OSS 5 days Superintendent's Hearing	Contact Law Enforcement OSS 5 days Superintendent's Hearing
Inappropriate Behavior		Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days	Detention 1-5 days ISS 1-5 days	ISS 1-5 days OSS 1-5 days	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing Superintendent's Hearing
Insubordination		Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing
Serious School Misconduct		Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing

Possession and/or use and/or distribution of nicotine/ smokeless products		Extended Detention ISS 1-5 days	ISS 1-5 days OSS 1-5 days	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing
Profanity (directed), and/or insubordination for engaging in non-specific repeated profanity after being directed to cease engaging in such conduct		Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days	ISS 1-5 days OSS 1-5 days	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Unwanted/non-consensual Sexual Conduct, including but not limited to Sexual Assault e		Contact Law Enforcement and OSS 5 days and Superintendent's Hearing	Contact Law Enforcement and OSS 5 days and Superintendent's Hearing	Contact Law Enforcement and OSS 5 days and Superintendent's Hearing	Contact Law Enforcement and OSS 5 days and Superintendent's Hearing	Contact Law Enforcement and OSS 5 days and Superintendent's Hearing
Sexual Harassment		1-5 Day OSS	5 Day OSS and Superintendent's Hearing	5 Day Suspension and Contact Law Enforcement and Superintendent's Hearing	5 Day OSS Suspension and Contact Law Enforcement and Superintendent's Hearing	5 Day OSS Suspension and Contact Law Enforcement and Superintendent's Hearing
Other Sexual Offenses (Excluding Sexual Harassment)		Administrator conference with student and phone call to parent Detention 1-5 days	Detention 1-5 days ISS 1-5 days	ISS 1-5 days OSS 1-5 days	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Tardiness (group of 3) • Late to Class • School		Warning and/or administrator or teacher conference with student Detention 1-5 days	Detention 1-5 days ISS 1-5 days	ISS 1-5 days	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing

Theft		Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Trespassing		Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days	ISS 1-5 days OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Insubordination for repeated Truancy		Warning and/or administrator or teacher conference with student, and/or contacting parents. Extended Detention; other interventions and family engagement	ISS 1-5 days	ISS 1-5 days	ISS 1-5 days	ISS 1-5 days
Vandalism (must repay or repair), including intentional or reckless damage and/or misuse of district devices		Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing Invoice for restitution	Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing Invoice for restitution	ISS 1-5 days OSS 1-5 days Superintendent's Hearing Invoice for restitution	OSS 1-5 days Superintendent's Hearing Invoice for restitution	OSS 1-5 days Superintendent's Hearing Invoice for restitution
Violent Behavior		ISS 1-5 days OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing	OSS 1-5 days Superintendent's Hearing
Violation of Technology Acceptable Use Policy		Warning and/or administrator or teacher conference with student Suspend student privileges Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Warning and/or administrator or teacher conference with student Detention 1-5 days ISSP 1-5 days OSS 1-5 days Superintendent's Hearing	Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing	Warning and/or administrator or teacher conference with student Detention 1-5 days ISS 1-5 days OSS 1-5 days Superintendent's Hearing

**GLOSSARY OF OFFENSES

Academic Misconduct (may include cheating, plagiarism, including unauthorized use of Traditional AI, Generative or Agentic AI)	Includes but is not limited to plagiarism, cheating, collusion, fabrication, facilitating academic dishonesty, including unauthorized use of Traditional AI, Generative AI or Agentic AI to plagiarize or cheat, failure to contribute to a collaborative project, and sabotage.
Violent Behavior with Physical Injury	Engaging in behavior intentionally or recklessly that causes physical injury to another person. Includes, but is not limited to, black eyes, welts, abrasions, bruises, cuts not requiring stitches, swelling and headaches not related to a concussion.
Violent Behavior with Serious Physical Injury	Intentionally or recklessly causing serious physical injury to another person, with or without a weapon, in violation of the school district's code of conduct. Pursuant to Penal Law §10.00(10), "serious physical injury" means physical injury creating a substantial risk of death or serious and protracted disfigurement or protracted impairment of health or protracted loss or impairment of the function of any bodily organ. Serious physical injury requires hospitalization or treatment in an emergency room and includes but is not limited to, a bullet wound, a serious stab or puncture wound, fractured or broken bones or teeth, concussions, cuts requiring stitches and any other injury involving risk of death or disfigurement.
Cyberbullying	Harassment or bullying that occurs through any form of electronic communication, (Education Law §11[8]) including, but not limited to, cell phones, computers, and tablets, or other communication tools, including social media sites, text messages, chat rooms, and websites. (See definition of harassment or bullying as defined in section M – Harassment and Bullying, and Commissioner's regulation 100.2(kk)(1)(viii)).
Cutting Class	Intentionally not attending classes.
Dress Code	a set of rules about what clothing may and may not be worn.
Elopement *Classroom *Building *Grounds	<i>when a student leaves a designated safe area—such as a classroom, playground, or the school building—without permission or adult supervision.</i>
False Alarm/Call to 911 Service	Causing a fire alarm or other disaster alarm to be activated by either falsely reporting or activating a fire alarm or other type of disaster alarm, with or without a weapon.
Harassment/ Intimidation/ Discrimination/ Bullying/ Anti-Semitism* (Excluding Sexual Harassment)	Threatening, stalking, or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal or physical conduct that threatens another with harm, including but not limited to intimidation through the use of epithets or slurs involving race, ethnicity, national origin, religion, religious practices, gender, sexual orientation, age, or disability that substantially disrupts the educational process, with or without a weapon.
Homicide	Any intentional or reckless violent conduct that results in the death of another person.

Insubordination	The refusal to obey someone who is in a higher position than you and who has the authority to tell you what to do. Examples include, but are not limited to, failure to follow a directive.
Serious Misconduct/ Disruptive Activity, including recording/distributing audio or video of verbal or physical altercations	Disruptive behavior that poses a serious threat to the learning environment, health, safety, or welfare of others, including but not limited to recording, digitizing, distributing, or causing or encouraging another individual to record and/or distribute imagery in any form of such verbal and/or physical altercations and/or inciting another individual to engage in such conduct.
Possession/Use/Sale/ Distribution of Alcohol	Illegally using or possessing alcohol on school property, including having such substance on a person or in a locker, vehicle, or other personal space, with or without a weapon; illegally selling or distributing alcohol on school property; finding alcohol on school property that is not in the possession of any person.
Possession/Use/Sale/ Distribution of Drugs or other prohibited substances	Illegally using, possessing, distributing, or being under the influence of a controlled substance or marijuana, synthetic cannabinoids, or a substance believed or represented to be marijuana, on school property or school sponsored events/activities, whether on or off school grounds, with or without a weapon, including having such substance on a person or in a locker, vehicle, on the person or within other personal space; selling or distributing a controlled substance or marijuana, synthetic cannabinoids, or a substance believed or represented to be marijuana on school property or school sponsored events or activities, whether or not on school grounds; finding a controlled substance or marijuana (or a substance believed to be marijuana), on school property that is not in the possession of any person without immediately turning it in to administration; provided that nothing herein shall be construed to apply to the lawful administration of a prescription drug on school property.
Possession/Use of nicotine/smokeless products	Possession of, using, or selling tobacco or vaping on school grounds or at a school sponsored function.
Profanity (directed)	Delivering verbal messages that include swearing, name calling, or use of words in an inappropriate way directed towards a staff member. If the student is using language that is insulting to federally protected classes, a DASA form is to be completed.
Serious Misconduct/ Disruptive Activity, including recording/distributing audio or video of verbal or physical altercations	Disruptive behavior that where the behavior poses, or it is reasonably foreseeable that the behavior would post a substantial disruption to the educational process or order and operations of the school, health, safety, or welfare or morals of others.
Sexual Harassment	Unwelcome sexual advances, requests for sexual favors, and other unwelcome verbal and physical conduct of a sexual nature as defined by state and/or federal law and Board Policy.

Other Sexual Offenses (Excluding Sexual Harassment)	Inappropriate sexual contact, including, but not limited to, touching another student on a part of the body that is generally regarded as private, which includes, but is not limited to, the buttocks, breasts, and genitalia, removing another student's clothing to reveal underwear or private body parts, or brushing or rubbing against another person in a sexual manner or sexting with words and/or images. Other sex offenses shall also include, but not limited to, conduct that may be consensual or involve a child who is incapable of consent because of disability, or s/he is under 17 years of age.
Unexcused Tardiness (group of 3)	Late to class or the start of the school day three (3) or more times in a marking period, without being excused.
Theft	Possession of, transfer of, or being responsible for removing someone else's property, without that person's permission.
Trespassing	Knowingly being in a place that one is not allowed to be in without authorization or remaining in a location after there is no longer authorization to be in such location.
Truancy	Absent from school without parent/guardian permission.
Vandalism (must repay or repair), including intentional or reckless damage and/or misuse of district devices	Participating in an activity that results in destruction or disfigurement of property.
Possession of a Weapon	Any device, instrument, material, or substance, animate or inanimate, homemade or commercially made, that is used for or readily capable of causing death, physical injury or serious physical injury.
Violent Behavior with Physical Injury	Engaging in behavior intentionally or recklessly that causes physical injury to another person. Includes, but is not limited to, black eyes, welts, abrasions, bruises, cuts not requiring stitches, swelling and headaches not related to a concussion.
Violent Behavior with Serious Physical Injury	Intentionally or recklessly causing serious physical injury to another person, with or without a weapon, in violation of the school district's code of conduct. Pursuant to Penal Law §10.00(10), "serious physical injury" means physical injury creating a substantial risk of death or serious and protracted disfigurement or protracted impairment of health or protracted loss or impairment of the function of any bodily organ. Serious physical injury requires hospitalization or treatment in an emergency room and includes but is not limited to, a bullet wound, a serious stab or puncture wound, fractured or broken bones or teeth, concussions, cuts requiring stitches and any other injury involving risk of death or disfigurement.
Violation of Technology Acceptable Use Policy	As defined by Pine Bush Central School District's Acceptable Use Policy .

XVII. Dissemination and Review

A. Dissemination of Code of Conduct

The Board will work to ensure the community is aware of the Code of Conduct by:

1. providing a copy of the Code of Conduct Summary at the beginning of each school year;
2. providing a copy of the Code of Conduct Summary to all new student registrants of the district;
3. incorporating the Code of Conduct into the student handbooks of students in grades 6-12 and reviewing it with all students at a school assembly at the beginning of each school year;
4. reviewing the Code of Conduct with all students in grades K-5 at a school assembly at the beginning of each school year;
5. providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the Code as soon as practicable after adoption;
6. providing all new employees with a copy of the current Code of Conduct when they are first hired; making copies of the Code available for review by community members;
7. providing a copy of the complete Code of Conduct on the district's website.

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

The Board may appoint an advisory committee to assist in reviewing the Code and the district's response to Code of Conduct violations. The committee will be made up of representatives of students, teachers, administrators, parent organization representatives, school safety personnel, and other school personnel. Before adopting any revisions to the code, the Board will hold at least one public hearing at which school personnel, parents, students, and any other interested parties may participate. The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.