

# CODE OF CONDUCT

July 2023

## 1. INTRODUCTION

The Fabius-Pompey 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, teachers, other staff, parents, and visitors is essential to achievement of this goal. Accordingly, in collaboration with students, parents, teachers, and administrators, the Board has established this Code of Conduct. It applies to all students, school personnel, parents, and other visitors when on school property or in attendance at a school function.

The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations, based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity, are described on the next page.

## 2. DEFINITIONS

In accordance with the Dignity for All Students Act, Fabius-Pompey School District policy and practices must ensure that no student is subject to discrimination or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, or gender/gender identity or sex by school employees or students on school property, on a school bus, or at a school function.

**School Property** means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus (Education Law Section 11[1]).

**School Bus** means every motor vehicle owned and operated for the transportation of public 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 (Education Law Section 11[1] and Vehicle and Traffic Law Section 142.)

**School Function** means a school sponsored extracurricular event or activity (Education Law Section 11[2]).

**Disability** means (a) a physical, mental, or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the compliant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law Section 11[4] and Executive Law Section 292[21]).

**Employee** means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law Section s11[4] and 1125[3]).

**Sexual Orientation** means actual or perceived heterosexuality, homosexuality, and bisexuality (Education Law 11 [5]).

**Gender** means actual or perceived sex and includes a person's gender identity or expression (Education Law Section 11[6]).

**Harassment** means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse, including cyberbullying (Educational Law 11[8]) that has or would have the effect or unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing' or conduct, verbal threats, intimidation or abuse that reasonable causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law 11[7]).

"Material Incident of Discrimination and/or Harassment" means a single incident or a series of related incidents where a student is subjected to discrimination and/or harassment by a student and/or employee on school property or at a school function that creates a hostile environment by conduct, with or without physical contact and/or by verbal threats, intimidation or abuse, of such severe or pervasive nature that:

- a. Has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities, or benefits, or mental or emotional and/or physical well-being; or
- b. Reasonably causes or would reasonably be expected to cause a student to fear for his/her physical safety.

**Cyberbullying:** means harassment/bullying, as defined above, through any form of electronic communication.

## The 11 protected classes under the Dignity Act

**Race** means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as “White/Caucasian,” “Black/African American/African-decent,” “Asian,” “Bi-racial,” “Hispanics/Latinos,” etc. to describe and classify the inhabitants of the United States.

**Color** means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication or race.

**Weight** means aside from the obvious meaning in the physical sciences, the word is used in reference to a person’s “size.”

**National Origin** means a person’s country of birth or ancestor’s country of birth.

**Ethnic Group** means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry. Some ethnic groups may emphasize marrying within the group of “endogamy.”

**Religion** means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.

**Religion Practice** means the term includes practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc. The motivation for the practice is more significant than the nature of the activity in this definition. One individual may eat a certain diet for religious reasons while another may eat the exact same identical diet for secular (health/environmental) reasons.

**Sex** means the biological and physiological characteristics that define men and women. (Male and Female denote “sex.”)

**Gender** means the socially constructed roles, behaviors, activities, and attributes that are given society considers appropriate for men and women. (Masculine and Feminine denote “gender.”)

**Sexual orientation** means the sex to which a person is sexually attracted. Someone attracted primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual. Someone attracted primarily or exclusively to members of the same sex is characterized as homosexual. A person with a strong or visible attraction to both genders is characterized as bisexual or pansexual.

**Disability** means any restriction or lack (due to any impairment) of ability to perform an activity in the manner or within the range considered typical.

### 3. ESSENTIAL PARTNERS

Providing a safe and orderly school environment involves a partnership of parents and school personnel. The following are expectations of each.

#### A. Parents

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure their children are absent only for legal reasons.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build positive relationships with teachers, counselors, other parents, and their children’s friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and support teachers’ requirements to complete school assignments.
13. Initiate parent/student/teacher/counselor/psychologist conferences, as necessary, as a way to resolve problems.
14. Maintain ongoing and frequent communication with school personnel:
  - a. Contact the teacher regarding their child’s progress.
  - b. Contact the counselor regarding their child’s personal adjustment, future plans, and their class schedule, as appropriate.
  - c. Contact the administrator regarding their child’s behavior and unresolved concern.

## B. Teachers

1. Maintain a climate of mutual respect and dignity, which will strengthen each student's self-concept and promote confidence to learn.
2. Are prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
  - a. Course objectives and requirements.
  - b. Marking/grading procedures.
  - c. Assignment deadlines.
  - d. Expectations for students.
  - e. Classroom discipline plan.
6. Communicate regularly with students, parents, counselors, psychologists, and other teachers concerning student growth and achievement.
7. Initiate parent/student/teacher/counselor/psychologist conference, as necessary, as a way to resolve a problem.

## C. Counselors/Psychologists

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor/psychologist conferences as necessary and parent/teacher/student counselor/psychologist conferences, as necessary, as a way to resolve problems.
3. Review educational progress and career plans with each student.
4. Report information to a school administrator which might impact a safe, orderly school environment.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Participate in crisis management.
7. Refer students and/or parents to appropriate human service agencies outside the school.
8. Assess student social and emotional behaviors.

## D. Principals

1. Promote a safe, orderly and stimulating school environment, supporting teaching and learning.
2. Ensure that students, staff, and parents have the opportunity to communicate regularly with the principal.
3. Evaluate all instructional programs on a regular basis.
4. Support the development of, and student participation in, appropriate extracurricular activities.
5. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Ensure regular communication with law enforcement agencies.
7. Initiate parent/student/teacher/counselor/psychologist conferences, as necessary, as a way to resolve a problem.

## E. Superintendent

1. Promote a safe, orderly and stimulating school environment, supporting teaching and learning.
2. Review the policies of the Board and State and Federal laws relating to school operations and management with District Administrators.
3. Ensure that staff and parents have the opportunity to communicate with the Superintendent.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with District Administrators, when appropriate, in reinforcing the Code of Conduct to ensure that cases are resolved promptly and fairly.

## F. Board of Education

1. Collaborate with students, teachers, and administrators and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, District personnel, and visitors on school property and at school functions.
2. Approve and review at least annually the District's Code of Conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.

#### 4. STUDENT BILL OF RIGHTS AND RESPONSIBILITIES

With every right comes a responsibility.

*It is the student's right:*

- 1) To attend school in the district in which one's parent or legal guardian resides. →
- 2) To expect that school will be a safe, orderly and purposeful place for all students to gain an education and to be treated fairly. →
- 3) To be respected as an individual. →
- 4) To express one's opinions verbally or in writing. →
- 5) To dress in such a way as to express one's personality. →
- 6) To be afforded equal and appropriate educational opportunities. →
- 7) To take part in all school activities on an equal basis regardless of race, color, creed, religion, religious practice, sex, sexual orientation, gender, national origin, ethnic group, political affiliation, age, marital status, or disability. →
- 8) To have access to relevant and objective information concerning drug and alcohol abuse, as well as access to individuals or agencies capable of providing direct assistance to students with serious personal problems. →
- 9) To be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school sponsored event/function or activity. →

*It is the student's responsibility:*

- To attend school daily, regularly and on time, perform assignments and strive to do the highest quality work possible and be granted the opportunity to receive a good education.
- To be aware of all rules and expectations regulating student's behavior and conduct oneself in accordance with these guidelines.
- To respect one another and to treat others in the manner that one would want to be treated.
- To express opinions and ideas in a respectful manner so as not to offend, slander, or restrict, the rights and privileges of others.
- To dress appropriately in accordance with the dress code, so as not to endanger physical health, safety, limit participation in school activities or be unduly distracting.
- To be aware of available educational programs in order to use and develop one's capabilities to their maximum.
- To work to the best of one's ability in all academic and extracurricular activities, as well as being fair and supportive of others.
- To be aware of the information and services available and to seek assistance in dealing with personal problems, when appropriate.
- To respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act. To conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. To report and encourage others to report any incident of intimidation, harassment or discrimination.

#### 5. STUDENT USE OF ELECTRONIC COMMUNICATION DEVICES

Students are prohibited from using or having on or in an operational mode any paging device, mobile phone, cellular telephone, laser pointer or pen or any other type of telecommunications or imaging device during instructional time, except as expressly permitted in connection with authorized use in classrooms. While students are permitted to possess such devices during the school day, they are prohibited from using them in any manner which invades the privacy of students, employees, volunteers, or visitors. Students are not permitted to use any form of information technology, including their own personal devices, to intimidate, harass or threaten others. This type of harassment is generally referred to as cyberbullying. If a student violates this prohibition, then he/she is subject to discipline under this provision and/or any other provision in the District *Code of Conduct* that may be applicable to the circumstances involved.

#### 6. STATEMENT OF BEHAVIORAL EXPECTATIONS

Schools are often referred to as microcosms of society. It seems fitting then that behavioral expectations within a school community should be governed by an overarching set of tenets applicable equally and consistently to society as a whole.

The school community has the responsibility to preserve societal values related to freedom and democracy. Given this, we all must recognize the necessity of the democratic process of law making and demonstrate its importance through respect for laws, rules, and authority.

Members of the school community must also respect themselves through an understanding and appreciation of their own individuality. Self-respect is demonstrated through academic and social integrity, the making of healthful choices, personal appearance, and interpersonal relationships. It is only through this knowledge and respect for self that we become empowered with the ability to extend this respect to others, to acknowledge the expression of uniqueness in others, and to give of ourselves in assisting others to develop a stronger sense of self.

All members must demonstrate respect for the beliefs and values of others, their points of view, their religions, and their rights as human beings. We must be active and positive in our respect, curtailing acts or language that would diminish another. Treatment, judgment, or evaluation of others should be conducted with fairness tempered by empathy for individual differences. At the same time, expression of one's individuality must be balanced by the often greater needs of the community, particularly those related to respect for the environment, and for the health, safety, personal property and dignity of others.

All members must realize the importance of honesty in our daily tasks, activities, and responsibilities. We must encourage and expect each other to offer honest opinions and preferences on important issues.

Finally, members must encourage and expect each other to be positively contributing members of the school community by accepting the responsibilities associated with our respective roles in public education. Students and staff must work collaboratively in developing and maintaining a school climate which demonstrates a positive attitude toward learning, a safe and orderly environment, and an acceptance of the needs and differences of others.

Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. The staff at a school has the responsibility for taking appropriate actions when a student is involved in a situation which disrupts the learning environment of a school. When determining the consequences, they will take the following into consideration:

1. The nature of the offense and the circumstances which led to the offense.
2. The age-appropriateness of the consequence.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others, as appropriate.
6. The extent to which the offense interfered with the responsibility/rights/privileges/property of others.
7. The extent to which the offense posed a threat to the health and safety of others.
8. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation may merit a lesser penalty than subsequent violations. In the case of students who are habitually disruptive or who frequently violate school rules, administrators have the prerogative of applying more severe penalties at any stage, including removal from class and suspension from school.

Detention: the placement of a student in a supervised school setting during the school day, after school, or on Saturdays.

Suspension: the denial of a student's right to attend school for a violation of District policy. A principal may suspend a student for up to five days. Suspension in excess of five days must be issued by the Superintendent.

Expulsion (Permanent Suspension): the permanent removal of a student from school, as determined by the Superintendent.

Although not all-inclusive, the following list of offenses on school property or at a school function and range of consequences apply in most circumstances.

#### RANGES OF CONSEQUENCES FOR BEHAVIOR RELATED OFFENSES

I	II	III
OPTIONS	OPTIONS	OPTIONS
<ul style="list-style-type: none"> <li>- Warning/verbal reprimand</li> <li>- Time-out or out of classroom</li> <li>- Loss of privilege</li> <li>- Conference with student</li> <li>- Communicate with parent</li> <li>- Detention</li> <li>- *Controlled Study Hall</li> <li>- Restricted Study Hall</li> <li>- Counseling</li> <li>- *Restitution</li> </ul>	<ul style="list-style-type: none"> <li>- Removal from class</li> <li>- *Suspension               <ul style="list-style-type: none"> <li>- In-School</li> <li>- Out-of-School</li> </ul> </li> <li>- *Police notification</li> <li>- *Removal from school property</li> </ul>	<ul style="list-style-type: none"> <li>- *Alternative placement</li> <li>- **Permanent suspension</li> </ul>

\*Administrator action only

\*\*Superintendent action only

## Offenses and Consequences

<u>Offense</u>	<u>Definition</u>	<u>Range of Consequences</u>
Absence (unlawful)	An absence for a day or any portion of a day for any reason other than those cited unlawful and/or failure to bring a note by a parent/guardian to verify a lawful absence.	I-II
Alcohol/Drug Violation	Possession, distribution, consumption, being under the influence, or sale of illegal drugs or alcoholic beverages, drug paraphernalia, or prescribed medication not the individual's own, on school property, at a school function, on a school bus, or in a school vehicle.	II-III
Arson/Fire	Attempting to, aiding in, or setting fire to a building or other property.	II-III
Cheating/Academic Dishonesty	Copying, plagiarizing, altering records, or assisting another in such actions.	I-II
Computer/Electronic Communication Misuse	Any unauthorized use of computers, software, or internet/intranet account to access internet/intranet; accessing another's e-mail or an inappropriate website; misuse of a website.	I-II
Cutting Class	Illegal absence from a class or school activity.	I-II
Defamation	False or unprivileged statement or representation about an individual or identifiable group or individuals that harm the reputation of the person or the identifiable group.	I-II
Destruction of Property/Vandalism	Damage, destruction, or defacement (graffiti) of property belonging to another or the school.	II-III
Discrimination	Use of race, color, creed, national origin, religion, physical or mental disability, age, gender, marital status, physical traits, or sexual orientation as a basis for treating another in a negative manner.	I-II-III
Disrespect Toward Others	Inappropriate comment or physical gesture to a student, teacher, staff member, or other adult.	I-II
Disorderly Conduct	Behavior disturbing the atmosphere or order, to include obstructing or restraining the authorized or lawful movement or participation of another.	I-II
Disruption - Classroom	Behavior that is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.	I-II
Disruption - School	Behavior that interferes with the safe and orderly environment of the school or school activity.	I-II-III
Driving/Parking Violations	Failure to obey all state, district, and campus traffic and parking signs and rules.	I-II
Failure to Serve Assigned Consequences	Failure to serve detention, suspension or other assigned consequences.	I-II-III
False Alarms/Bomb Threats	Initiating a report or warning of fire, or catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.	II-III

## Offenses and Consequences (continued)

<u>Offense</u>	<u>Definition</u>	<u>Range of Consequences</u>
Fighting	A hostile confrontation with physical contact involving two or more students.	II-III
Fireworks or Explosives	Possession, use, and/or threat to use a firework, smoke bomb, flare, or combustible or explosive substance.	II-III
Gambling	Wagering money or property.	I-II
Harassment	An action or persistent pattern of actions or statements directed at an identifiable individual or group which is intended to be, or which a reasonable person would perceive as ridiculing, demeaning, or offensive.	I-II-III
Hazing	Negative or reckless act directed against another in school for the purpose of initiating into, affiliating with, or maintaining membership in any activity, organization, club, or team.	I-II
Indecent Exposure	Exposing the private parts of the body in a lewd or indecent manner.	I-II-III
Insubordination	Refusing to follow reasonable requests of teachers, staff, or administration, including failure to identify self or knowingly providing false information.	I-II-III
Leaving school grounds without permission	Leaving school grounds during regular school hours without written or verbal permission from parent/guardian, administrator or someone listed on the emergency procedure card.	I-II
Loitering	Idle presence in an area without authorization.	I-II
Physical Attack on Staff/Students/Others	Assault, or aggressive physical action, directed at students, staff, or others, including a situation where a staff member is intervening in a fight or other disruptive activity.	II-III
Possession of Disruptive Items	Unauthorized possession of a sound box, laser pointer, squirt gun, water balloon, personal audio device, or any other disruptive item.	I-II
Possession of Portable Electronic Communication Devices	Unauthorized possession of pager or cellular phone.	I-II
Possession of Skate boards/ Roller blades/scooters	Use of unauthorized possession of a skateboard, scooter, or roller blades on school property.	I-II
Profanity	Using vulgar or abusive language, cursing, or swearing.	I-II
Sexual Harassment	Unwanted and inappropriate verbal, written, or physical conduct of a sexual nature directed toward another person.	I-II-III

## Offenses and Consequences (continued)

<u>Offense</u>	<u>Definition</u>	<u>Range of Consequences</u>
Tardiness	Lateness to school or class.	I-II
Theft	Taking or obtaining property of another without permission of the owner.	II-III
Threat to Staff, Student, or Other Person	Expression, conveyed by word or action, of intent to abuse, intimidate, coerce, or injure a staff member, student, or other person.	I-II-III
Tobacco Violation	Possession or use of any tobacco product.	I-II
Trespassing	Unauthorized presence on school property, including while on suspension.	I-II
Truancy	Unlawful absence without parental knowledge and/or permission.	I-II-III
Weapon Possession	Possession of a weapon.	II-III

### 7. VISITORS TO THE SCHOOLS

Parents and other District citizens are encouraged to visit the District's schools. Since schools are places of work and learning, however, certain limits must be set for such visits. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school is considered a "visitor."
2. Except for those who are attending public gatherings or meetings, visitors must report to an administrator's office upon arrival at the school.
3. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s), so that class disruption is kept to a minimum, and to abide by Board Policy #3210– School and Classroom Visitation, and its corresponding Administrative Regulation.
4. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

The administration has authority to determine whether the visitor has an appropriate reason for being in the building. If the visitor is judged by the administrator not to have an appropriate reason, the visitor will be asked to leave. The police may be called if the situation warrants.

### 8. THE DIGNITY ACT COORDINATOR

The Dignity Act Coordinator (DAC)

**Elementary School** – Mrs. Sasha Rasmussen, phone: (315) 683-5857, email: srasmussen@fabiuspompey.org, mail: Fabius-Pompey Elementary School, 7800 Main Street, Fabius, NY 13063.

**Middle School-High School** – Mr. Jason Martin, phone: (315) 683-5811, email: jmartin@fabiuspompey.org, mail: Fabius-Pompey Middle School-High School, 1211 Mill Street, Fabius, NY 13063.