

# **A Summary of the Brushton-Moira Central School District Code of Conduct August 2010**

Our Mission "... is to foster a united community working cooperatively for the intellectual, physical and personal development of all our students so that they will become responsible, caring citizens prepared to meet future challenges."

## **INTRODUCTION:**

The following is a summary of the Code of Conduct adopted by the Brushton-Moira Central School Board of Education. Each school district and Board of Cooperative Educational Services must adopt a Code of Conduct pursuant to the New York State Laws of 2000 popularly known as the SAVE law. The Brushton-Moira Central School has maintained guidelines for students and visitors for years. The Code of Conduct is a refinement of previous codes and was developed with the involvement of staff members, students, parents, and a representative of a law enforcement agency from our community. Much of what is in the Code is required under the SAVE legislation and is designed to ensure that all students go to school in a safe, orderly and civil learning environment. Copies of the full code are available in the school offices.

## **CODE OF CONDUCT SUMMARY:**

Section 1. Section 1 gives an overview of the Code of Conduct like that written above.

Section 2. Section 2 includes legal definitions required under the SAVE legislation.

Section 3. This section states students' rights and responsibilities as listed below.

## **Student Rights and Responsibilities:**

Students have a right to:

1. A safe, healthy, orderly, and civil school environment.
2. Take part in school activities on an equal basis regardless of race, color, creed, national origin, religion, gender, sexual orientation, or disability.
3. Present their version of the relevant events to district personnel authorized to impose a disciplinary penalty.
4. Access to school district rules and, when necessary, to receive an explanation of those rules from district personnel.

Students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment.
2. Be familiar with and abide by all district policies, rules, and regulations dealing with student conduct.
3. Attend school and class every day, be on time, and be ready to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward high achievement.
5. React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves at all times as representatives of the Brushton-Moira Central School.

Section 4. Section 4 outlines the responsibilities of the essential partners\* in education. These expectations are common sense, well – established practices that support the education of students in a safe, orderly, and civil school setting.

\*parents, teachers, support staff members, guidance counselor, administrators, psychologists, social workers, mental health counselors, superintendent, and board of education

Section 5. Section 5 outlines the Student Dress Code. Students are expected to dress in a manner which is safe, appropriate, and not disruptive. Appropriate means clothing that is not extremely brief or revealing, vulgar, endorsing drug use or provocative. In addition, the wearing of hats during school hours is prohibited unless specifically permitted by school officials. Hat must be in lockers.

Section 6. Section 6 lists prohibited student conduct. This list is not all inclusive, but contains the most common violations.

**Prohibited Student Conduct:**

- **Disorderly conduct**
- **Insubordination**
- **Disruptive conduct**
- **Violent behavior**
- **Threatening behavior**
- **Illicit drug, alcohol use or possession**
- **Weapon use or possession**
- **Bus misconduct**
- **Academic misconduct**
- **Disrespectful behavior**
- **Unacceptable behaviors according to common rules of civility**

Section 7. Section 7 lays out the requirements for reporting violations of the Code of Conduct.

**Reporting Violations**

Any student observing a person possessing a weapon, alcohol, or illegal substance shall report this information immediately to a teacher or administrator.

Section 8. Section 8 describes in detail the disciplinary procedures and penalties in the event a student is found to have violated the Code of Conduct.

The range of penalties are:

1. Oral warning
2. Written warning
3. Written notification to parent
4. Detention
5. Suspension from transportation
6. Suspension from athletic participation
7. Suspension from social or extracurricular activities
8. Suspension of other privileges
9. In – school suspension
10. Removal from classroom by teacher
11. Short – term suspension
12. Long – term suspension
13. Permanent suspension
14. Long – term Behavioral Intervention Program

The key elements of all the procedures are due process and parental involvement.

Section 8 also covers teacher removal of a student, for cause, from his/her class. Teachers may remove a student for up to two days if the teacher determines the student is interfering with the education of others. If the student is not posing a danger or continuing to be disruptive, the teacher must tell the student, before removal, the reasons for the removal and provide the student an opportunity to present his or her version of the relevant events. The teacher must complete a removal referral form and meet with the program supervisor before the end of the day or as soon as possible. Within one day of removal the supervisor must notify (if possible) a parent by telephone and in writing of the removal, reasons for the removal, the steps being taken to correct the problem and the right of the parent to an informal meeting (within two school days) regarding the removal.

Certain violations are considered to be so bad as to warrant immediate removal and possible suspension for up to one year.

These are:

- Bringing a weapon to school or to a school function.
- Committing a violent act in school or at a school function.
- Making threats in or out of school related to school, its students or staff.
- Possessing, being under the influence, using or selling alcohol or illegal substances at school or school functions.

Section 9. Section 9 describes the requirement for alternate instruction when a student is removed from instruction for any reason.

Section 10. Section 10 provides details on the requirements for disciplines of students with disabilities. Students with disabilities have no more or less rights than students without disabilities. The main safeguard for them is that they may not be disciplined if the cause of their violation of the Code of Conduct is their disability. Therefore, safeguards have been put into place to ensure that the rights of students with disabilities are protected. Whenever the health or safety of students or staff members is in doubt, however, the student will be removed and due process will be carried out with due diligence. For information on the range of protections for students with disabilities, see the complete Code of Conduct or talk to the CSE Chair at Brushton-Moira Central School.

Section 11. Section 11 concerns Corporal Punishment. Corporal punishment is not allowed in the Brushton-Moira Central School District. The only occasion when a staff member may use physical force is to restrain a student, if in the judgment of the staff member, that student presents a danger to him/herself, others, or property.

Section 12. Section 12 deals with student searches and interrogations. In short, any property of the Brushton-Moira Central School District, includes desks, chairs, lockers, etc. can be searched any time and for any reason by BMCSO officials. Students should have no expectation of privacy in spaces they are using which are the property of the school district. **Inspections of lockers can be conducted by authorized school personnel, law enforcement officers, and drug detecting dogs. Simply, put, there is no right of privacy between the school and its students as far as lockers are concerned.** Students' belongings may be searched only if there is reasonable suspicion that the student possesses contraband or weapons.

Finally, students may be asked to remove articles of clothing for the purposes of a search only if:

1. An emergency situation exists threatening the health and safety of the student or others or there is probable cause to believe there has been a violation of law.
2. The searcher is the same sex as the student. and,
3. District officials strive to notify parents by telephone before a search, or in writing after such a search. Such an intrusive search would only be conducted if authorized in advance by the superintendent and the school attorney.

Sections 13 and 14. Sections 13 and 14 describe the rules governing the behavior of any visitors to the Brushton-Moira Central School District facilities and grounds and lists them.

**Prohibited Visitor Conduct:**

**No person either alone or with others shall:**

- 1. Intentionally injure any person or threaten to do so.**
- 2. Intentionally damage, destroy, or remove district property.**
- 3. Disrupt the orderly conduct of classes.**
- 4. Distribute or wear obscene or otherwise inappropriate garments or materials.**
- 5. Intimidate, harass, or discriminate against any person on the basis of race, color, national origin, religion, age, gender, sexual orientation, or disability.**
- 6. Enter district buildings without proper authorization or remain after closing.**
- 7. Obstruct the free movement of anyone where the code applies.**
- 8. Violate the traffic laws.**
- 9. Possess, consume, sell, distribute, or exchange, alcoholic beverages, controlled substances or be under the influence of either.**
- 10. Possess or use firearms or other weapons except for law enforcement officers.**
- 11. Loiter.**
- 12. Gamble.**
- 13. Refuse to comply with any lawful order of an identifiable school district official performing his/her duties.**
- 14. Willfully incite others to commit acts prohibited by this code.**
- 15. Violate any laws while on district property.**
- 16. Smoke or otherwise use any tobacco product.**

**Persons who violate this code will be asked to leave the district's premises. When a law has been violated, local law enforcement will be notified.**

Section 15. Section 15 describes the procedures for distributing this code to the students, staff members, parents or students, and community members.

The procedures consist of:

1. Providing the Code Summary and an explanation to students at the start of each school year.
2. Making copies of the Code of Conduct available to all parents.
3. Mailing the Code Summary to the parents of students at the start of the school year.
4. Posting the Code of Conduct on the district's web page.
5. Providing all teachers and staff members with a copy of the Code of Conduct. Provide training for staff members consistent with its implementation.
6. Making copies of the Code of Conduct available upon request the school building.

**If there is reason to believe a law has been violated in the Brushton-Moira Central School District building, on the school district grounds, or at any district function by any student, employee, or visitor, the appropriate law enforcement agency will be notified immediately.**

To request a copy of the complete Code of Conduct or to obtain responses to questions about it, please contact the appropriate office.

Superintendent of Schools – 529-8948  
Elementary Principal/CSE Chair – 529-7324  
Middle Level Principal – 529-7342  
Secondary Principal – 529-7342