



LIBERTY CENTRAL SCHOOL DISTRICT

# CODE OF CONDUCT

Revised 11-8-16

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# LIBERTY CENTRAL SCHOOL DISTRICT

## Policy 5300.05

### INTRODUCTION

Mission Statement: The mission of the Liberty Central School District is to inspire all students to pursue their dreams and to contribute and thrive in a diverse community.

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. In furtherance of that goal, the Board has developed a district-wide and building safety plans. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving the goal of providing a safe and orderly school environment.

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

The board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the board adopts this code of conduct (“code”).

Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

Revised 6/26/12

# LIBERTY CENTRAL SCHOOL DISTRICT

## Policy 5300.10

### DEFINITIONS

For purposes of this code, the following definitions apply.

"Disruptive student" means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

"Gender" means actual or perceived sex and shall include a person's gender identity or expression.

"Gender expression" is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.

"Gender identity" is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.

"Parent" means parent, guardian or person in parental relation to a student.

"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, as defined in Vehicle and Traffic Law §142.

"School function" means any school-sponsored extra-curricular event or activity.

"Sexual orientation" means actual or perceived heterosexuality, homosexuality or bisexuality.

"Violent student" means a student under the age of 21 who:

1. Commits an act of violence upon a school employee, or attempts to do so.
2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
3. Possess, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

"Weapon" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

Adoption date: 6-12-12

**STUDENT RIGHTS AND RESPONSIBILITIES**

**A. Student Rights**

The district is committed to safeguarding the rights given to all students under federal and state law and district policy. In addition, to promote a safe, healthy, orderly and supportive school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of race, weight, color, creed, national origin, ethnic group, religion, religious practice, gender or sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school policies, regulations and rules and, when necessary, receive an explanation of those rules from school personnel.

**B. Student Responsibilities**

All district students have the responsibility to:

1. Contribute to maintaining a safe, supportive and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to manage their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

Revision date: June 12, 2012

**ESSENTIAL PARTNERS**

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community and collaborate with the district to optimize their child's educational opportunities.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Ensure their children are 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 so that their children can help create a safe, supportive school environment.
8. Convey to their children a supportive attitude toward education and the district.
9. Build positive, constructive relationships with teachers, 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 ensure homework assignments are completed.

B. Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Maintain confidentiality in conformity with federal and state law.
6. 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.
7. Communicate regularly with students, parents and other teachers concerning growth and achievement.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces, in conformity with the Taylor Law.

9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

### C. Guidance Counselors

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
3. Initiate teacher /student /counselor conferences and parent/ teacher/ student/ counselor conferences, as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Maintain confidentiality in accordance with federal and state law.
6. Provide information to assist students with career planning.
7. Encourage students to benefit from the curriculum and extracurricular programs.
8. Make known to students and families the resources in the community that are available to meet their needs.
9. Participate in school-wide efforts to provide adequate supervision in all school spaces.
10. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
11. Address personal biases that may prevent equal treatment of all students.

### D. Other School Personnel

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Be familiar with the code of conduct.
4. Help children understand the district's expectations for maintaining a safe, orderly environment.
5. Participate in school-wide efforts to provide adequate supervision in all school spaces.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students.

### E. Principals/Administrators

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal/administrators and have access to the principal/administrators for redress of grievances.
3. Maintain confidentiality in accordance with federal and state law.
4. Evaluate on a regular basis all instructional programs to ensure infusion of civility

- education in the curriculum.
5. Support the development of and student participation in appropriate extracurricular activities.
  6. Provide support in the development of the code of conduct, when called upon. Disseminate the code of conduct and anti-harassment policies.
  7. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
  8. Participate in school-wide efforts to provide adequate supervision in all school spaces.
  9. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
  10. Address personal biases that may prevent equal treatment of all students and staff.

#### F. The Dignity Act Coordinator

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Oversee and coordinate the work of the district-wide and building-level bullying prevention committees.
3. Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources.
4. Coordinate, with the Professional Development Committee, training in support of the bullying prevention committee.
5. Be responsible for monitoring and reporting on the effectiveness of the district's bullying prevention policy.
6. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students and staff.

#### G. Superintendent

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
1. Inform the Board about educational trends relating to student discipline
2. Review with district administrators the policies of the Board of education and state and federal laws relating to school operations and management.
3. Maintain confidentiality in accordance with federal and state law.
4. Work to create instructional programs that minimize incidence of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Participate in school-wide efforts to provide adequate supervision in all school spaces.
7. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students and staff.



## H. Board of Education

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Develop and recommend a budget that provides programs and activities that support achievement of the goals of the code of conduct.
4. Collaborate with student, teacher, administrator, 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.
5. Adopt 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.
6. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.
7. Address issues of harassment or any situation that threatens the emotional or physical health or safety of any student, school employee, or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students and staff.

Revision date: June 12, 2012

**STUDENT DRESS CODE**

Liberty CSD administration and teachers expect students to present themselves in a manner that is respectful and appropriate. Students' clothing should not offend others, cause embarrassment to them, present a health hazard, or create a disruption in classes.

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

A student's dress, grooming and appearance, including hair style/color, jewelry, make-up and nails, shall be safe, appropriate and not disrupt or interfere with the educational process. The wearing of hats in the classroom is not permitted except for a medical or religious purpose.

Each building principal or his or her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year in the student handbook and any revisions to the dress code made during the school year.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out-of-school suspension. Building administrators will make the final decision on dress code violations. If necessary, parents will be notified and asked to come to school to either pick up their student or bring proper attire.

Adoption date: December 16, 2014

**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 behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on educating students so that they may 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 consequences for their conduct.

Students may be subject to disciplinary action, up to and including suspension from school, when they:

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include, but are not limited to:
  - 1. Running in hallways.
  - 2. Making unreasonable noise.
  - 3. Using language or gestures that are profane, lewd, vulgar or abusive.
  - 4. Obstructing vehicular or pedestrian traffic.
  - 5. Engaging in any willful act which disrupts the normal operation of the school community.
  - 6. 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.
  - 7. 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.
  
- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include, but are not limited to:
  - 1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
  - 2. Lateness for, missing or leaving school without permission.
  - 3. Skipping detention.
  
- C. Engage in conduct that is disruptive. Examples of disruptive conduct include, but are

not limited to:

1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
2. Inappropriate public sexual contact.
3. Display or use of personal electronic devices, such as, but not limited to, cell phones, I-pods, digital cameras, in a manner that is in violation of district policy.

D. Engage in conduct that is violent. Examples of violent conduct include, but are not limited to:

1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
7. Intentionally damaging or destroying school district property.

E. Engage in any conduct that endangers the safety, physical or mental health or welfare of others. Examples of such conduct include, but are not limited to:

1. Subjecting other students, school personnel or any other person lawfully on school property or attending a school function to danger by recklessly engaging in conduct which creates a substantial risk of physical injury.
2. Stealing or attempting to steal the property of other students, school personnel or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
4. Discrimination, which includes using race, color, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual orientation, weight or disability to deny rights, equitable treatment or access to facilities available to others.
5. Harassment, which includes a sufficiently severe action or persistent pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing or demeaning. Harassment is also the creation of a hostile environment. (See policy, 0115, Student Harassment and Bullying Prevention and Intervention for a more complete definition.)

6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
  7. Bullying, which may be a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror. (See policy 0115 for a more complete definition.)
  8. Hazing, which includes an induction, initiation or membership process involving harassment (see policy 0115 for a more complete definition).
  9. Selling, using, distributing or possessing obscene material.
  10. Using vulgar or abusive language, cursing or swearing.
  11. Smoking a cigarette, cigar, electronic cigarette, pipe or using chewing or smokeless tobacco.
  12. Possessing, consuming, selling, offering, manufacturing, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any synthetic version thereof, whether specifically illegal or not, commonly referred to as "designer drugs" which are substances designed and synthesized to mimic the intended effects and usages of, which are chemically substantially similar to, illegal drugs, which may or may not be labeled for human consumption.
  13. Inappropriately using or sharing prescription and over-the-counter drugs.
  14. Gambling.
  15. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
  16. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- F. 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 behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.
- G. Engage in any form of academic misconduct. Examples of academic misconduct include, but are not limited to:
1. Plagiarism.
  2. Cheating.
  3. Copying.
  4. Altering records.
  5. Assisting another student in any of the above actions.
- H. Engage in off-campus misconduct that interferes with, or can reasonably be expected to substantially disrupt the educational process in the school or at a school function. Examples of such misconduct include, but are not limited to:
1. Cyberbullying (i.e., inflicting willful and repeated harm through the use of electronic text).
  2. Threatening or harassing students or school personnel over the phone or other electronic medium.

Adoption date: April 8, 2014

## **LIBERTY CENTRAL SCHOOL DISTRICT**

### **Policy 5300.35**

#### **REPORTING VIOLATIONS**

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal or his or her 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 teacher, the building principal, the principal's designee or the superintendent.

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 their supervisor, who shall in turn 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 permanent suspension and referral for prosecution.

The building principal or his or her designee must notify the appropriate local law enforcement agency 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 his or her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

Revised 6/26/06

# LIBERTY CENTRAL SCHOOL DISTRICT

## Policy 5300.40

### DISCIPLINARY PROCEDURES, PENALTIES AND 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 to 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:

1. The student's age.
2. The nature of the offense and the circumstances which led to the offense.
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. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

#### A. PENALTIES

Students who are found to have violated the district's code of conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Oral warning.
2. Written warning.
3. Written referral 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.
11. Short-term (five days or less) suspension from school.
12. Long-term (more than five days) suspension from school.
13. Permanent suspension from school.

## **B. PROCEDURES**

The amount of due process a student is entitled to receive before a penalty is imposed depends on 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 in connection with the imposition of the 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. Before or After school - Teachers, principals and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate.
- b. Lunch – School personnel may use lunch detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate.
- c. Saturday – Principals and superintendents may use this day as a penalty when students have not served after school detention.

### **2. Suspension from transportation**

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct 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 parent will become responsible for seeing that his or her child gets to and from school safely.

A student subjected to a suspension from transportation is not entitled to a full 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 principal's designee to discuss the conduct and the penalty involved.

### **3. Suspension from athletic participation, extra curricular activities and other privileges**

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full 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 district official imposing the suspension to discuss the conduct and the penalty involved.

### **4. In-school suspension**

The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "in-school suspension." The in-school suspension teacher will be a certified teacher.

A student subjected to an in-school suspension is not entitled to a full 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 district official imposing the in-school suspension to discuss the conduct and the penalty involved.

**5. Teacher disciplinary removal of disruptive students**

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) sending a student to the principal's office; (2) sending a student to a guidance counselor or other district staff member for counseling; or (3) sending a student to Transitional Room 1 [T1]. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

**6. Suspension from class**

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24-hours of the student's removal.

The teacher must complete a district-established disciplinary removal form and meet with the principal or his or her 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 principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day. This does not apply to students who are recommended for T1.

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, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The 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 for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

This document does not inhibit teachers from using various behavior management strategies, techniques and interventions to deal with the behavior of students that may not warrant removal from the classroom.

The principal may require the teacher who ordered the suspension to attend the informal conference during the teacher's normal workday.

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 forty-eight (48) hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.

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

1. The charges against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law, including the district's code of conduct.
3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The principal's or his or her designee's determination to overturn a removal must be made by the close of business on the day following the forty-eight (48) hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

The principal must keep a log of all removals of students from class.

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

## **7. Suspension from school**

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals.

Any staff member may recommend to the superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The superintendent or principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

**a. Short-term (5 days or less) suspension from school**

When the superintendent or principal (referred to as the “suspending authority”) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student’s parents in writing that the student may be suspended from school. 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 decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed 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. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student’s presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student’s presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her 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 within five 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. If the parents are not satisfied with the superintendent’s decision, they must file a written appeal to the board of education with the district clerk within 10 business days of the date of the superintendents’ decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

**b. Long-term (more than 5 days) suspension from school**

When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.

An appeal of the decision of the superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The board may adopt in whole or in part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

**c. Permanent suspension**

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

**C. MINIMUM PERIODS OF SUSPENSION**

**1. Students who bring a weapon to school**

Any student, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The superintendent has the authority to modify the one year suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:

- a. The student's age.
- b. The student's grade in school.
- c. The student's prior disciplinary record.
- d. The superintendent's belief that other forms of discipline may be more effective.
- e. Input from parents, teachers and/or others.
- f. Other extenuating circumstances.

A student with a disability will be suspended only in accordance with the requirements of state and federal law.

**2. Students who commit violent acts other than bringing a weapon to school**

Any student determined to be a "violent pupil", who is found to have committed a violent act, other than bringing a weapon onto school property, shall 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. 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.

3. **Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interferes with the teacher's authority over the classroom**

Any student, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school for at least five days. For purposes of this code of conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214(3-a) and this 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 parent 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.

**D. REFERRALS**

Depending upon the age of the student, the type of violation and the severity and/or chronic nature of the violation, the district may seek, or the district may suggest that the student seek, assistance from an outside community service agency. Such community service agencies may include, but are not limited to, mental health agencies and providers, probation, family court, and drug and alcohol treatment centers.

1. **Counseling**

The Guidance Office shall handle all referrals of students to counseling.

2. **PINS Petitions**

The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct, which makes the student ungovernable, or habitually disobedient, and beyond the lawful control of the school.
- c. Knowingly and unlawfully possesses any dangerous drug or controlled substance as defined under Articles § 220 and §221 of the New York State Penal Law. A single violation of any of these sections will be sufficient basis for filing a PINS petition.

3. Juvenile Delinquents and Juvenile Offenders

The superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

- a. Any student under the age of 16 who is found to have brought a weapon to school, or
- b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).

Revised: 9/22/09

# **LIBERTY CENTRAL SCHOOL DISTRICT**

**Policy 5300.45**

## **ALTERNATIVE INSTRUCTION**

When a teacher removes a student of any age from class or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will take immediate steps to provide alternative means of instruction for the student.

Revised 6-26-06

**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 enjoy certain 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.

This 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 § 3214. A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others. An “IAES” means a temporary educational placement for a period of up to 45 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 curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student’s current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which 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. The board, the district (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension 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 a disability would be subject to discipline, but not more than 45 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 while at school or a school function.
  - 1) As used in Section 2.d., “weapon” means the same as “dangerous weapon” under 18 U.S.C. § 930(g)(2) which includes “a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.
  - 2) “Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
  - 3) “Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
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 days at a time, if maintaining the student in his or her current educational placement poses a 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. The district's Committee on Special Education shall:
  - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances.

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her 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 members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

- b. Conduct a manifestation determination review of 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 his current educational 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 parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
  - a. 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.
  - b. 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 district either:
    - 1) conducted an individual evaluation and determined that the student is not a student with a disability, or
    - 2) determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

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 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.

3. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.

The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.

4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. 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.
6. The 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 removals 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 that the behavior is not a manifestation of the student's disability.
7. 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.

#### **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 his or her 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 relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
    - i) 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.
    - ii) 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, he or she 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 or 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.
2. The superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

**CORPORAL PUNISHMENT**

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts.

The district will file with the Commissioner of Education, in accordance with Commissioner's regulations, written semiannual reports setting forth the substance of each complaint concerning the use of corporal punishment, the result of each investigation, and the action, if any, taken by school authorities in each case.

Revised 6-26-06

**STUDENT SEARCHES AND INTERROGATIONS**

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 or the district code of conduct. Students are not entitled to any sort of “Miranda”-type warning before being questioned by school officials, nor are school officials required to contact a student’s parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the board authorizes the superintendent, administrators, the school nurse and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

An authorized school official may conduct a search of a student’s belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student’s belongings based upon information received from a reliable informant if failure to act on the information could result in the failure of the school’s duty to protect the school environment. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student’s belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they 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, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

**1. Student Lockers, Desks and other School Storage Places**

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be

subject to search at any time by school officials, without prior notice to students and without their consent.

## **2. Clothing Searches**

A clothing search at the Liberty Central School District shall consist of a student turning inside out any pockets, removing shoes, socks and/or outerwear (e.g. a jacket or fleece). Before considering such a search the school official will consider the nature of the alleged violation, the age of the student, and the need for such a search. If an authorized school official believes it is necessary to conduct a further search of the student, the student's parent and the police department will be contacted.

## **3. Treatment of Cell Phones**

Teachers and administrators are authorized to confiscate student cell phones that are being used in violation of the code of conduct and/or policy 5695, Student Use of Electronic Devices. Teachers and administrators are permitted to look at the screen of the cell phone and can request the student's cooperation to search the cell phone further. Without a student's permission, teachers and administrators should not undertake a more extensive search until conferring with the Superintendent or school attorney for guidance.

## **4. Documentation of Searches**

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

1. Name, age and grade of student searched.
2. Reasons for the search.
3. Name of any informant(s).
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search.
6. Person conducting search and his or her title and position.
7. Witnesses, if any, to the search.
8. Time and location of search.
9. Results of search (that is, what items(s) were found).
10. Disposition of items found.
11. Time, manner and results of parental 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 his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the items is turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or

illegal items to police authorities.

## **5. Police Involvement in Searches and Interrogations of Students**

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant; or
2. Probable cause to believe a crime has been committed on school property or at a school function; or
3. Been invited by school officials.

Before police officials are permitted to question or search any student, the building principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. If the student's parent cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

## **6. 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 provide data and assistance to local child protective services workers or members of a multi disciplinary team accompanying such workers who are responding to allegations of suspected child abuse, and/or neglect, or custody investigations. Such data and assistance include access to records relevant to the investigation, as well as interviews with any child named as a victim in a report, or a sibling of that child residing in the same home as the victim.

All requests by child protective services to interview a student on school property shall be made directly to building principal or his or her designee. Child protective service workers and any associated multi-disciplinary team members must comply with the district's procedures for any visitors, provide identification, and identify the child(ren) to be interviewed. The principal or designee shall decide if it is necessary and appropriate for a school staff member including but not limited to an administrator or school nurse, to observe the interview either from the inside or outside the interview room,

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if not he or she 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.

Adopted November 8, 2016



**VISITORS TO SCHOOLS**

The Board recognizes that the success of the school program depends, in part, on support by the larger community. The Board wishes to foster a positive climate where members of the community have the opportunity to observe the hard work and accomplishments of the student, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The Principal or his or her designee is responsible for all persons in the building and on the grounds. 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 will be considered a visitor.
2. All visitors to the school must enter through the designated single point of entry and register immediately upon arrival at the school. There they will be required to present photo identification, sign the visitor's register and will be 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 identification badge before leaving the building.
3. Visitors attending school functions that are open to the public after regular school hours, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to observe a classroom or school activity while school is in session are required to arrange such visits in advance with the classroom teacher(s) and Building Principal, so that class disruption is kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the Principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

Adoption date: March 12, 2013

**PUBLIC CONDUCT ON SCHOOL PROPERTY**

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, “public” shall mean all persons when 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 this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

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

**A. Prohibited Conduct**

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
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 on the basis of actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, offer, manufacture, distribute or exchange alcoholic beverages, controlled or illegal substances or any synthetic versions (whether or not specifically illegal or labeled for human consumption), or be under the influence of either 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 except as 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. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.
16. Smoke a cigarette, cigar, pipe, electronic cigarette, or use chewing or smokeless tobacco.

## B. Penalties

Persons who violate this code shall be subject to the following penalties:

1. Visitors. Their 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. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They 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 service of the civil service entitled to the protection of Civil Service Law § 75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law § 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 3 and 4. They 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 Principal or his/her designee shall be responsible for enforcing the conduct required by this code.

When the Principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the Principal or designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or 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 designee shall 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.

Adoption date: April 8, 2014

**DISSEMINATION AND REVIEW**

**A. Dissemination of Code of Conduct**

The Board will work to ensure that the community is aware of this code of conduct by:

1. Providing copies of an age-appropriate, written in plain language, summary of the code to all students at an assembly to be held at the beginning of each school year.
2. Providing a plain language summary to all parents at the beginning of the school year, and thereafter on request.
3. Posting the complete code of conduct on the district's website.
4. 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.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the complete code available for review by students, parents and other community members.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the code of conduct. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students. On-going professional development will be included in the district's professional development plan, as needed.

**B. Review of Code of Conduct**

The Board will review this 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 student, teacher, administrator, and parent organizations, 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 party may participate. The code of conduct and any amendments to it will be filed with the Commissioner of Education, in a manner prescribed by the Commissioner, no later than 30 days after adoption.

Revision Date 6-12-12

Liberty High School  
SCHOOL-WIDE EXPECTATIONS and SETTINGS  
MATRIX

<b>Voice Level Key</b>
0 - No Talking
1 - Whisper
2 - Normal Speaking
3 - Slightly Raised
4 - Outside
5 - Emergency

		SETTING						
		Bathrooms	Classrooms	Halfway/Lobby	Cafeteria	Computer Lab	Before/After School	Study Hall
<b>EXPECTATIONS</b>	<b>Be Responsible</b>	Clean up after yourself  Report any concerns	Follow homework policy	Pick up after yourself  Eat & drink only in cafeteria	Report any concerns  Push in chair  Clean up after yourself	Bring internet passport & work  Keep everything in working order & report problems	In homeroom by 8:05  Arrive on time to activity  Leave the area clean	Bring a pre-signed tracker  Bring work to do
	<b>Be Respectful</b>	Respect others privacy  Maintain a clean, smoke & graffiti free environment	Respect others' space  Use appropriate language & tone of voice (0 - 2)  Follow classroom guidelines	Respect others' space  Use appropriate language & tone of voice (0-2)	Use appropriate language & tone of voice (2/3)  Respect others & their space  Be polite to everyone	Leave food and drink in backpack  Respect equipment  Use appropriate language & tone of voice (0-2)	Be polite to everyone  Be conscious of other activities in session	Use appropriate language & tone of voice (0 - 1)
	<b>Be There Be Ready</b>	Observe time limits	Be on time: In class before bell	Upon dismissal/bell, move toward next destination with supplies	Arrive & leave quickly and quietly  Have money ready	Return signed acceptable use policy promptly	Be prepared for activity	Be prepared to work
	<b>Follow Directions</b>	Use good hygiene	Listen & respond politely to adult directions  Ask when in doubt	Listen & respond politely to adult directions  Walk on the right side	Listen & respond politely to adult directions  Remain within the black line until bell rings	Follow the guidelines of the AUP	Walk to your destinations	Listen & respond politely to adult directions

**LHS BEHAVIORAL GUIDELINES (INCLUDING DEFINITIONS)**

**Level I**

<b>BEHAVIOR VIOLATION</b>	<b>DEFINITION</b>	<b>OCCURRENCE</b>	
		<b>MINIMUM</b>	<b>MAXIMUM</b>
Academic Misconduct	Failure to participate in classroom activities	<b>Warning</b>	<b>5 detentions</b>
Bus Misconduct	Failure to follow school rules while on school bus	<b>Warning</b>	<b>5 detentions</b>
Cafeteria Misconduct	Throwing food, leaving tables messed, loud noises, etc.	<b>Warning</b>	<b>5 detentions</b>
Classroom Disruption	Acts that interfere with other students learning	<b>Warning</b>	<b>5 detentions</b>
Cutting Class	Failure to show for scheduled class or reporting more than 20 minutes late.	<b>Warning</b>	<b>5 detentions</b>
Dress, Appearance, Book Bag ( <b>note 1</b> )	Any garment, accessory, or bag that violates school policy	<b>Warning</b>	<b>5 detentions</b>
Electronic Equipment	Any electronic equipment not required by a teacher for use in class.	<b>Warning</b>	<b>5 detentions</b>
Failure to Report to Homeroom	Any student who is seen in the building before homeroom who fails to show for homeroom AND any AM BOCES student who fails to report in before leaving for BOCES	<b>Warning</b>	<b>5 detentions</b>
Inappropriate Behavior	Any behavior not identified on this list.	<b>Warning</b>	<b>5 detentions</b>
Inappropriate Display of Affection	Any intimate and/or excessive kissing, caressing, and fondling or suggestive bodily contact between students	<b>Warning</b>	<b>5 detentions</b>
Indirect Profanity	Use of profanity not directed towards anyone	<b>Warning</b>	<b>5 detentions</b>
Late to Class (3 or More Times)	Arriving in class after the late bell rings - A referral will be written for each occurrence of 3 or more late	<b>Warning</b>	<b>5 detentions</b>
Late to School	Arriving to school after 8:06AM	<b>1 DET/EACH 2 LATES</b>	
Late to Homeroom	Arriving to homeroom after 8:06 without a pass	<b>Warning</b>	<b>5 detentions</b>
Leaving Class without Permission	Walking out of class without faculty or staff permission	<b>Warning</b>	<b>5 detentions</b>
Misuse of Pass Privileges ( <b>note 2</b> )	Failure to report to the destination noted on a pass OR arriving at a destination without a pass when one is needed.	<b>Warning</b>	<b>5 detentions</b>
No Show – Teacher Detention ( <b>note 3</b> )	Failure to serve detention for a teacher	<b>2 DET/EACH MISSED DETENTION</b>	
Parking Violation ( <b>note 4</b> )	Parking in an area or parking spot designated for other.	<b>Warning</b>	<b>5 detentions</b>
Tardy to Class	Arriving late to class 5 minutes or more	<b>Warning</b>	<b>5 detentions</b>

**Level II**

<b>Behavior Violation</b>	<b>Definition</b>	<b>Occurrence</b>
Cheating	Obtaining answers from another student's homework and/or quiz/test	<b>1 – 5 ISS</b>
Computer Misconduct	Violating the District's Acceptable Use Policy	<b>Loss of Comp. Privileges</b>
Continuation of Unmodified Level I Behavior	4 <sup>th</sup> or more violation of Level I Behavior	<b>1 – 5 ISS</b>
Directed Profanity to Another Student	Use of profanity directed towards a student	<b>1 – 5 ISS</b>
Disrespect to Staff	Aggressive verbal behavior towards an adult in the building	<b>1 – 5 ISS</b>
Failure to Identify Oneself	Using another student's name or failure to provide name	<b>1 – 5 ISS</b>
Failure to Report to T1	Did not report to T1 after being sent	<b>1 – 5 ISS</b>
Forging a Pass or Note	Falsely and fraudulently making or altering a document	<b>1 – 5 ISS</b>
Harassment/Bullying	<b>(See note 5)</b>	<b>1 – 5 ISS</b>
Leaving School Building/Grounds without Permission	Walking off school grounds or out of the building without appropriate permission when school is in session	<b>1 – 5 ISS</b>
Loitering	Being in any location on school grounds when not authorized to be there	<b>1 – 5 ISS</b>
No Show – Administrator Detention ( <b>note 6</b> )	Failure to serve detention for an administrator	<b>1 ISS</b>
Non-Compliant Behavior	Failure to follow appropriate adult direction	<b>1 – 5 ISS</b>
Physical Contact/Verbal Altercation	Contact or verbal altercation between two or more individuals	<b>1 – 5 ISS</b>
Plagiarism	Taking credit for another person's work	<b>1 – 5 ISS</b>
Possession/Use of Tobacco Paraphernalia	Possessing/using paraphernalia including rolling papers, cigarette lighters, matches, etc.	<b>1 – 5 ISS</b>
Refusing to Leave Class	Failure to follow the direction of an adult to leave the place of instruction or school-related activity	<b>1 – 5 ISS</b>
Sending, Possessing, or Displaying Offensive or Obscene Language or Pictures	Any offensive material that is harmful or demeaning to another individual	<b>1 – 5 ISS</b>
Truancy	Any pupil subject to compulsory full-time education who is absent from school without valid excuse	<b>1 – 5 ISS</b>
Vandalism	Abuse or destruction of school or personal property or equipment	<b>1 – 5 ISS AND RESTITUTION</b>

**Level III**

<b>Behavior Violation (note 7)</b>	<b>Definition</b>	<b>Occurrence</b>
Arson	The willful or malicious burning of property especially with criminal or fraudulent intent	<b>3 OSS - 5 OSS+</b>
Assault/ Severe Fighting	A threat, attempt, or actual attack intended to inflict offensive physical contact or bodily harm on a person that puts the person in immediate danger of or in apprehension of such harm or contact	<b>3 OSS - 5 OSS+</b>
Bomb Threat, False Emergency Alarm, or Threat of Weapon	Making a threat of a bomb, a false emergency, or a threat of a weapon	<b>5 OSS+</b>
Continuation of Unmodified Level II Behavior	4 <sup>th</sup> or more violation of a Level II behavior	<b>3 OSS - 5 OSS+</b>
Criminal Mischief	Willful, wanton, or reckless damage to or destruction of another's property	<b>3 OSS - 5 OSS+</b>
Directed Profanity to Staff	Use of profanity directed towards faculty and staff	<b>3 OSS - 5 OSS+</b>
Extortion	Obtaining money or property from another through coercion or intimidation	<b>3 OSS - 5 OSS+</b>
Fighting	Physical Altercation between two individuals	<b>3 OSS - 5 OSS+</b>
Gambling	Wagering money or something of material value on an event with an uncertain outcome with the primary intent of winning additional money or material goods	<b>3 OSS - 5 OSS+</b>
Inciting a Fight, Riot, or Demonstration	The act of persuading, encouraging, instigating, pressuring, or threatening to cause another to behave inappropriately	<b>3 OSS - 5 OSS+</b>
Physical Abuse, Contact, or Threat of Staff	Any action taken by a student against an adult that would endanger the welfare or physical being of the adult	<b>3 OSS - 5 OSS+</b>
Possession, Use, or Transfer of Fireworks and Dangerous Weapons or Instruments	Any pyrotechnic device or any device that may be used to inflict harm on another	<b>5 OSS+</b>
Possession/Use of Tobacco or Tobacco Products ( <b>note 8</b> )	Possessing/using tobacco products on school grounds including smokeless tobacco product	<b>3 OSS - 5 OSS+</b>
Refusing to Serve In-School Suspension	Student has an assigned ISS and refuses to serve.	<b>2 – 5 OSS+</b>
Sale, Possession, or Use of Alcohol, Drugs, or Drug Paraphernalia	Introduction of any illegal substance onto school property including prescription and non-prescription medicines	<b>5 OSS+</b>
Severe Non-Compliant Behavior	Gross failure to follow adult direction that creates an unsafe situation	<b>3 OSS - 5 OSS+</b>
Sexual Harassment	Uninvited and unwelcome verbal or physical conduct directed at an individual because of his or her sex	<b>3 OSS - 5 OSS+</b>
Theft, Possession, or Sale of Stolen Property	Any property that a student does not have a legal right to possess	<b>3 OSS - 5 OSS+</b>
Vandalism (Aggravated)	Intentional abuse or destruction of school or personal property or equipment that threatens the safety of others	<b>1 OSS - 5 OSS+ AND RESTITUTION</b>



Notes:

1. Student may be required to call home for proper clothing, sent home to get clothing, sent to T1 for the remainder of the period that student is sent to office, or returned to class. Parent will be notified.
2. Student will receive 7-14 school days of pass restriction for the first offense, 14-30 school days pass restriction for the second offense, and pass restriction for the remainder of the school year for the third offense.
3. Student will receive two detentions for each teacher detention missed.
4. Repeat occurrences may result in loss of parking privileges and/or towing. Underclassmen may lose parking privileges during their senior year.
5. Bullying is a conscious, willful, deliberate activity intended to harm where the offending student(s) get pleasure from the targeted student's pain and/or misery. It can be verbal, physical, and/or relational. It can have as its overlay race, ethnicity, religion, gender, sexual orientation, or physical/mental ability. It includes all forms of hazing and cyber bullying. It can be and often is continuous and repeated over time . . . but it does not have to be. Once is enough to constitute bullying.
6. Student will receive one day of In-School Suspension for each missed administrator detention.
7. These offenses may result in notification to law enforcement officials.
8. In addition to any other penalties, students may be placed on pass restriction.

**LMS EXPECTATIONS AND SETTINGS MATRIX**

<b>Voice Levels</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
	<b>Silent</b>	<b>Whisper</b>	<b>Speaking Voice</b>	<b>Slightly Raised</b>	<b>Outside</b>
	<b>Classroom</b>	<b>Common Areas</b>	<b>Bathroom</b>	<b>Outside and Departure Time</b>	<b>Drill</b>
<b>Be Responsible</b>	<p>Exercise self-control.</p> <p>Appropriate voice level 0-1 &amp; proper language.</p> <p>Express yourself in a positive way.</p> <p>Wait to be recognized to speak.</p>	<p>Put all electronic devices in locker at start of day.</p> <p>Pick up after yourself.</p> <p>Keep locker clean.</p> <p>Be responsible for your actions.</p> <p>Follow adult direction.</p> <p>Exercise self-control.</p> <p>Follow dress code guidelines.</p>	<p>Wash hands.</p> <p>Keep area clean.</p> <p>Report any problems quickly.</p> <p>Exercise self-control.</p>	<p>Put all electronic devices in locker at start of day.</p> <p>Exercise self-control.</p> <p>Walk directly to your destination.</p> <p>Once there, remain on bus.</p> <p>Remain in front courtyard and foyer until 8:00 am.</p> <p>Engage only in approved activities.</p>	<p>Appropriate voice level 0 &amp; proper language.</p> <p>Follow adult directions.</p> <p>Exercise self-control.</p> <p>Know primary &amp; secondary exit routes &amp; procedures.</p>
<b>Be Respectful</b>	<p>Be an active listener.</p> <p>Be tolerant of others &amp; their opinions.</p> <p>Respect all school community members equally.</p> <p>Respect others' space.</p>	<p>Hold the door open for the next person.</p> <p>Appropriate voice level 0-1 and proper language.</p> <p>Respect others' space.</p>	<p>Respect others' privacy.</p> <p>Keep hands &amp; feet to yourself.</p>	<p>Keep hands &amp; feet to yourself.</p> <p>Respect others' personal space.</p>	<p>Keep hands &amp; feet to yourself.</p> <p>Listen for drill instructions.</p>

**LMS EXPECTATIONS AND SETTINGS MATRIX**

<b>Voice Levels</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
	<b>Silent</b>	<b>Whisper</b>	<b>Speaking Voice</b>	<b>Slightly Raised</b>	<b>Outside</b>
	<b>Classroom</b>	<b>Common Areas</b>	<b>Bathroom</b>	<b>Outside and Departure Time</b>	<b>Drill</b>
<b>Be There Be Ready</b>	Have materials (homework, books, pencils, etc.) Be on time. Line up quickly. Voice level 0-1.	Gather supplies. Upon arrival, dismissal, and between class move quickly to where you need to go.	Return to class promptly. Have a pass from your teacher. Stay on task.	Be on time to school. Have materials. Follow dress code guidelines.	At signal follow drill procedures. Voice Level 0.
<b>Follow Directions</b>	Follow adult directions.	Walk on right side of hallway. Use voice level 0-1. 5 <sup>th</sup> & 6 <sup>th</sup> grade uses main stairs & middle level teams use cafeteria stairs at arrival.	Wash hands. Voice level 0-1.	Follow teacher to exit.	Treat all drills seriously.

### LMS Discipline Matrix

<b>Behavior</b>	<b>Definition</b>	<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> offense</b>	<b>3<sup>rd</sup> offense</b>
Academic Misconduct	Failure to participate in classroom activities	Parent conference ASD	Parent conf. ASD (1-3 days)	Parent conf. ASD (1-3 days)
Bullying/Harassment	Inappropriate, persistent behavior including threats of intimidation, treating others cruelly, terrorizing, coercing or habitual put-downs and/or badgering others.	T2 (1 day)	T2 (1-3 days)	T2 (3-5 days)
Bus Conduct	Failure to follow school rules while on school bus	Warning	LD (1-3 days)	ASD (1-3 days)
Cafeteria Misconduct	Running in cafeteria, leaving tables messy, throwing food, etc.	helping clean-up, change of tables, etc., LD	LD (1-5 days)	ASD (1-5 days)
Cheating	Obtaining or use of information without permission or obtaining answers from another student's homework and/or quiz/test.	Zero, parent conference	Zero, parent conference, T2 (1-3 days)	Zero, parent conference, T2 (3-5 days)
Chronic Disruptive Behavior	Repeated disruptive behaviors during class	T1/ASD	ASD (2-3 days)	T2 (1-5 days)
Classroom Disruption	Acts that interfere with other student's learning.	LD/ASD	ASD (1-3 days)	ASD (3-5 days)
Cutting Class	Failure to attend an assigned class.	ASD (1-2 days)	ASD (3 Days)	T2, parent conference
Directed Profanity to Student	Profanity directed toward another student.	ASD (1-2 days)	ASD (3-5 days)	T2 (1-5 days)
Failure to Report to Detention	Student did not report to office assigned lunch detention/after school detention.	ASD (2 days)	T2, parent conference	T2 (2-5 days) parent conference

**ALL REFERRALS ARE SUBJECT TO ADMINISTRATIVE DISCRETION. EACH REFERRAL WILL BE EXAMINED ON A CASE BY CASE BASIS**

<b>Behavior</b>	<b>Definition</b>	<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> offense</b>	<b>3<sup>rd</sup> offense</b>
Fighting (1)	Actions involving serious physical contact where injury may occur (e.g. hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.)	OSS (1-3 days) parent conference	OSS (3-5 days) Parent conference	OSS (5 days) , Supt. Hearing Par. Conf.
Good News	Anything dealing with positive behavior on the student's part.			
Inappropriate Behavior	Any behavior not identified on this list	Warning/ASD	ASD (2-3 days)	T2 (1-5 days)
Indirect Profanity	Use of profanity not directed toward anyone.	ASD (1-3 days)	ASD (3-5 days)	T2 (1-5 days)
Late to Class	Arriving after class has begun	3 lates/ASD	+3 lates ASD/T2	+ 3 lates T2
Late to School	Arriving after 8:05 am	3 lates/LD	3 lates/2 LD	3 lates/ASD (1-5 days)
Major Disruption of Class	Sustained loud talk, yelling or screaming, noise with materials, horseplay and/or out of seat behavior.	T1/ASD	T2 (1-3 days)	T2 (1 -5 days) Parent conference
Non-Compliant Behavior	Failure to follow appropriate adult direction.	ASD (1-3 days)	T2 (1-3 days)	T2 (3-5 days)
Physical Contact/ Verbal Altercation	Slight physical contact or verbal altercation between two or more individuals.	ASD/T2	T2 (1 -3 days)	T2 (3 - 5 days)
Plagiarism	Taking credit for another person's work.	Zero, ASD (1-3 days) Redo work Parent conference	Zero, T2 (1-3 days) Parent conf	Zero, T2 (3-5 days) Parent conf
Possession of a weapon (1)	Possession of an object that can cause harm to another person.	OSS (5 days)	OSS (5 days) Supt. Hearing	OSS (5 days) Supt. Hearing
Possession/use/distribution of alcohol (1)	Possessing, using or distributing alcohol on school grounds.	OSS (5 days)	OSS (5 days) Supt. Hearing	OSS (5 days) Supt. Hearing

**ALL REFERRALS ARE SUBJECT TO ADMINISTRATIVE DISCRETION. EACH REFERRAL WILL BE EXAMINED ON A CASE BY CASE BASIS**

<b>Behavior</b>	<b>Definition</b>	<b>1<sup>st</sup> offense</b>	<b>2<sup>nd</sup> offense</b>	<b>3<sup>rd</sup> offense</b>
Possession/use/distribution of drugs or drug paraphernalia (1)	Possessing, using or distributing legal or illegal drugs on school grounds.	OSS (5 days)	OSS (5 days) Supt. Hearing	OSS (5 days) Supt. Hearing
Possession/use/distribution of tobacco (1)	Possessing, using or distributing tobacco or any tobacco products on school grounds.	OSS (1-3 days)	OSS (3-5 days)	OSS (5 days) Supt. Hearing
Sending, Receiving or Displaying Offensive or Obscene Language or Pictures.	Showing, sharing or sending any offensive material that is harmful or demeaning to another person.	T2 (1-2 days) Parent conference	T2 (3 -5 days) Parent conference	T2 (5 days) Parent conference
Sexual Harassment	Uninvited and unwelcome verbal or physical conduct directed at an individual because of his or her sex.	T2/OSS	OSS (1-3 days)	OSS (3-5 days)
Theft	Student is in possession of, passed on or responsible for removing someone else's property without that person's permission.	Restitution T2 (1 day)	Restitution T2 (3 days)	Restitution T2 (5 days)
Threat to staff (1)	Any action taken by a student against an adult that would endanger the welfare or physical being of an adult.	OSS (3-5 days)	OSS (5 days)	OSS (5 days) Supt. Hearing
Vandalism	Student participates in an activity that results in destruction or disfigurement of school or personal property.	Restitution, Parent conference,	Restitution, Parent conference, T2 (1 days)	Restitution Parent conference , T2 (1-3 days)
Verbal Abuse to Peer	Verbal messages that include swearing, name calling or use of inappropriate language.	ASD (1-3 days)	ASD (3-5 days)	T2 (1-3 days)
Verbal Abuse to Staff	Aggressive verbal behavior directed toward an adult in the building including directed profanity.	OSS (1-3 days)	OSS (3-5 days)	OSS (5 days)

**NOTES:**

(1) These offenses may require a Superintendent's Hearing and police notification, as well as parent notification.

Parents will be contacted on all referrals by the teacher and administrator.

All referrals are subject to administrative discretion. Each referral will be examined on a one by one basis.

## Liberty Elementary School Disciplinary Guidelines

<b>Problem Behavior</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> + Offense</b>
<b>Insubordinate/Disrespectful</b> <i>Behavior or actions, which impede instruction and/or show a lack of consideration for others, thus violating the school expectations as per the LES matrix.</i>	Lunch, Recess or ASD (1-3 days)	2+ Days ASD	ISS (1 or more days) + Parent Conference
<b>Verbal Abuse (Staff and/or peers)</b> <i>Verbal messages that include swearing, name-calling or use of words in an inappropriate manner.</i>	Warning, Lunch, Recess or ASD (1-3 days)	ASD/ISS	ISS (1 or more days) + Parent Conference
<b>Possession of a weapon</b> <i>As defined in the Code of Conduct, this includes "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury."</i>	Consequences as defined in the LCSD Code of Conduct	Consequences as defined in the LCSD Code of Conduct	Consequences as defined in the LCSD Code of Conduct
<b>Assaulting a Staff Member</b> <i>Actions involving serious physical contact directed toward a staff member in which injury may occur.</i>	OSS + Parent Conference	OSS, Parent Conference + Possible Superintendent's Hearing	OSS, Parent Conference + Superintendent's Hearing
<b>Destruction of Property</b> <i>Participation in an activity resulting in the destruction or disfigurement of property.</i>	Restitution &/or School Service, ASD, ISS, OSS, Supt. Hearing, &/or Police Involvement based upon severity.	Restitution &/or School Service, ASD, ISS, OSS, Supt. Hearing, &/or Police Involvement based upon severity.	Restitution &/or School Service, ASD, ISS, OSS, Supt. Hearing, &/or Police Involvement based upon severity.
<b>Physical Contact—Push or Minor Hit</b> <i>Actions involving physical contact where injury may occur.</i>	Lunch, Recess or ASD	2+ Days ASD	ISS (1 or more days) + Parent Conference
<b>Fighting—Punch or Intent to Injure</b> <i>Actions involving serious physical contact where injury may occur.</i>	ISS/OSS	ISS (5 days)/ OSS (1-3 days) Parent Conference	OSS (5 days) Parent Conference
<b>Cafeteria/Recess Problems</b> <i>Failure to follow cafeteria and recess expectations</i>	Lunch/Recess Detention	Lunch/Recess Detention (1-3 days)	Lunch/Recess Detention (5+ days) Parent Conference
<b>Threats</b>	ASD/ISS	ISS (1-3 days) Parent Conference	ISS (3-5 days)/ OSS, Parent Conference
<b>Theft</b>	Restitution ASD	Restitution, ISS Parent Conference	Restitution, ISS/ OSS Police
<b>Bus Referral</b> <i>Failure to meet bus expectations</i>	Warning	ASD	Suspension from bus (1-30 days)

### Abbreviations

ASD—After School Detention    ISS—In-School Suspension    OSS—Out of School Suspension

**Note:**

1. Under certain circumstances, consequences are subject to administrative modification.
2. A PINS (Person In Need of Supervision) petition may be filed when a student has more than ten disciplinary referrals.