

Commack Union Free School District - Code of Conduct
Condensed Version 6/8/01

I. Introduction

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

The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the 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 District adopts this Code of Conduct (the "Code").

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

II. Definitions (see official text)

III. Student Rights and Responsibilities

A. Student Rights

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

1. Take part in all District activities on an equal basis regardless of race, color, creed, national origin, religion, 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 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 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 control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves 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.

IV. Essential Partners (see official text)

- A. Parents
- B. Teachers
- C. Guidance Counselors/Social Workers/School Psychologists
- D. Principals/Building Administrators
- E. Superintendent
- F. Board of Education
- G. Support Staff and Other District Personnel

V. Student Dress Code

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.

VI. Prohibited Student Conduct

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, District personnel and other members of the school community, and for the care of school facilities and equipment.

The Board recognizes the need to make specific and clear its expectations for student conduct while students are on school property or engaged in a school function. 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 choose not to accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

VII. Reporting Violations

All students are expected to promptly report violations of the Code 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 immediately report this information immediately to a teacher, the building principal, the principal's designee or the superintendent.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible. Such action will be 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.

VIII. Disciplinary Penalties, Procedures and Referrals

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. If a student is found responsible for a violation of the Code, the disciplinary penalties will be determined in light of 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.

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

A. Penalties (see official text)

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.

B. Procedures (see official text)

1. Detention
2. Suspension from transportation
3. Suspension from athletic participation, extra curricular activities and other privileges
4. In-school suspension
5. Teacher disciplinary removal of disruptive students
A classroom teacher may remove a disruptive student from class for up to three days. The removal from class applies to the class of the removing teacher only.
6. Suspension from school

C. Minimum Periods of Suspension (see official text)

1. Students who bring a weapon to school
2. Students who commit violent acts other than bringing a weapon to school text)
3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere with the teacher's authority in the classroom (see official

D. Referrals (see official text)

1. Counseling
2. PINS Petitions

IX. Alternative Instruction

When a student of any age is removed from class by a teacher, 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.

X. Discipline of Students with Disabilities

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities are entitled to certain procedural protections whenever school authorities intend to impose discipline upon them.

- A. Authorized Suspensions or Removals of Students with Disabilities
- B. Change of Placement Rule
- C. Special Rules Regarding the Suspension or Removal of Students with Disabilities
- D. Expedited Due Process Hearings
- E. Referral to law enforcement and judicial authorities

XI. 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.

XII. 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. 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.

- A. Student Lockers, Desks and other School Storage Places
 - B. Documentation of Searches
 - C. Police Involvement in Searches and Interrogations of Students
 - D. Child Protective Services Investigations
- Consistent with the District's commitment to keep students safe from harm and the obligation

XIII. Visitors to the Schools

The Board encourages parents and other District citizens to visit the District's schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The building principal or his or her designee is responsible for all persons in the building and on the grounds.

XIV. Public Conduct on School Property

The District is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions.

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. Acts of damage include graffiti and 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 or harass any person, or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles;
9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
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 on school property.
 17. Use profanity or improper language.

B. Penalties

C. Enforcement

XV. Dissemination and Review

A. Dissemination of Code of Conduct

The Board will work to ensure that the community is aware of this Code.