

**Wellsville Middle School**  
**Code of Conduct**  
**2016-17**

# WELLSVILLE MIDDLE SCHOOL

## CODE OF CONDUCT

### DEFINITIONS

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

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

**School Bus** means every motor vehicle owned and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law Section 11[1] and Vehicle and Traffic Law Section 142).

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

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

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

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

**Sex** means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex").

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

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

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

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

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

**Ethnic Group** means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.

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

**Religious Practice** means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.

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

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

**Disorderly Conduct** means when a person, with intent to cause inconvenience, annoyance or alarm, or recklessly creates a risk thereof: engaging in fighting or in violent, tumultuous or threatening behavior; or makes unreasonable noise; or uses abusive or obscene language, or makes an obscene gesture; or disturbs any lawful assembly or meeting of persons; or obstructs vehicular or pedestrian traffic; or congregates with other persons and refuses to comply with a lawful order or creates a hazardous or physically offensive condition by any act which serves no legitimate purpose.

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

**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 a school function, or attempts to do so.
3. Possesses, 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 School Act. It also means any device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

## **STUDENT BILL OF RIGHTS AND RESPONSIBILITIES**

### **A. Student Rights**

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

1. Expect a safe, supportive and “harassment-free” school environment that is conducive to learning.
2. Be treated respectfully by those in the school community.
3. Take part in all district activities on an equal basis regardless of race, color, creed, national origin, religion, gender, sexual orientation, or disability.
4. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
5. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

### **B. Student Responsibilities**

All Wellsville Central School 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 property.
2. Be familiar with and abide by all district policies, rules, and regulations dealing with student conduct.
3. Attend school every day and arrives on time unless they are legally excused. Work to the best of their ability in all academic and extracurricular pursuits.
4. React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
5. Work to develop mechanisms to control anger.
6. Ask questions when they do not understand.
7. Seek help in solving problems that might lead to inappropriate behavior.
8. Dress appropriately for school and school functions.
9. Accept responsibility for their actions.
10. 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.

## **ROLE OF ESSENTIAL PARTNERS**

Expectations for member groups of the Wellsville Central School community include, but are not limited to:

### **Parents & Guardians**

All parents are expected to:

1. Recognize that the education of their child is a joint responsibility of parents and the school community.
2. Send their child to school ready to participate, contribute, and learn.
3. Ensure their child attends school regularly and arrives on time.
4. Ensure absences are minimal and for reasons that are legally excusable.
5. Ensure their child is dressed and groomed in a manner consistent with the student dress code and conducive to learning.
6. Work collaboratively with teachers and administrators to teach their child that in a democratic society, appropriate rules are required to maintain a safe and orderly environment.
7. Know school rules and help their child understand them.
8. Convey to their child a supportive attitude toward education and the district.
9. Build good relationships with teachers, other parents, and their child’s friends.
10. Assist their child in dealing with peer pressure. Work collaboratively with teachers and administrators to teach their child about the ramifications of destructive peer pressure and teasing.
11. Inform school officials of changes in the home environment that may affect student conduct or performance.
12. Provide a place for study. Ensure that Inform school officials of changes in the home environment that may affect student conduct or performance.
13. Provide a place for study. Ensure that homework assignments are completed, and assist their child in learning the skills necessary to be organized, prepared learners.
14. Encourage their child to participate in extracurricular activities and offer support in that endeavor.
15. Teach their child respect and dignity for them self, and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act.

### **Teachers**

All Wellsville Central School 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/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image 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. Communicate to students and parents information about:
  - a. Course objectives and requirements
  - b. Marking/grading procedures
  - c. Assignment deadlines
  - d. Expectations for students
  - e. Classroom discipline
6. Communicate regularly with students, parents, and other teachers concerning academic growth, achievement, and student progress.
7. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, 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 in the school or classroom setting.
9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.
10. Continue with professional growth and learning; gain expertise with new techniques and content materials.
11. Model and conform to guidelines stipulated in the Student Dress Code.

#### **Guidance Counselors/Social Workers/School Psychologists**

Wellsville Central School District guidance counselors, social workers, and school psychologists are expected to:

1. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
2. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, in order to resolve problems.
3. Regularly review with students their educational progress and provide information about career planning.
4. Provide information to assist students in need of academic support services.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Arrange meetings with groups of students who may be involved with conflict in order to solve and mediate problems.
7. Maintain and encourage 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/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
8. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the counselor's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

#### **Expectations for Student Support Service Personnel**

Wellsville Central School District Student Support Service Personnel are expected to:

1. Support educational and academic goals.
2. Know school rules, abide by them and enforce them in a fair and consistent manner.
3. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
4. Set a good example for students and colleagues by demonstrating dependability, integrity and other standards of ethical conduct.
5. Maintain confidentiality about all personal information and educational records concerning students and their families.
6. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, as a way to resolve problems and communicate as necessary in any other manner with parents and other staff regarding student progress and needs.
7. Regularly review with students their educational progress and career plan.
8. Provide information to assist students with career planning.
9. Encourage students to benefit from the curriculum and extra-curricular programs.
10. Maintain and encourage 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/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
11. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

#### **Expectations for Other School Staff**

Other School Staff of Wellsville Central School District are expected to:

1. Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
2. Set a good example for students and other staff by demonstrating dependability, integrity and other standards of ethical conduct.
3. Assist in promoting a safe, orderly and stimulating school environment.
4. Maintain confidentiality about all personal information and educational records concerning students and their families.
5. Maintain and encourage 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/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
6. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

#### **Principals/District Administrators**

Wellsville Central School District principals and administrators are expected to:

1. Promote a safe, orderly, and stimulating school environment that supports teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal and/or approach the principal for redress of grievances.
3. Evaluate instructional programs and personnel on a regular basis.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
6. Maintain and encourage 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/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
7. Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC).

#### **E. Superintendent**

The Superintendent is expected to:

1. Promote a safe, orderly, and stimulating school environment, free from intimidation, discrimination and harassment, supporting active teaching and learning.
2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the Board of Education about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems 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. Address all areas of school-related safety concerns.

#### **F. Board of Education**

The Board of Education is expected to:

1. Collaborate with student, teacher, administrator, parent organizations, school safety personnel, and other school personnel to develop a code of conduct that clearly defines expectations for the behavior of students, district personnel, and visitors on school property and at school functions.
2. Approve and review, at least annually, the district's code of conduct in order to evaluate its effectiveness, fairness, and consistency of implementation.
3. Conduct Board of Education meetings in a professional, respectful, courteous manner, thus leading by example.

### **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. Students shall not wear attire which interferes with the operation of the school, disrupts the educational process, or which negatively affects the general health, safety and welfare of the district's students or employees. 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:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief or revealing garments such as extremely brief shorts or skirts, tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back), and see-through garments are not appropriate for school. Modest tank tops are allowed but must cover chest, shoulder, and stomach/back areas.
3. Clothing must cover all undergarments and body parts deemed private.
4. Footwear must be worn at all times. Footwear that is a safety hazard is not allowed.
5. Not include the wearing of hats or headwear or bandanas during the school day 7:53 – 2:30pm. Basic hairbands are allowed.
6. Not include sleepwear (pajamas)
7. Not include items that are vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation, or disability.
8. Not display, promote and/or endorse the use of alcohol, tobacco, or illegal drugs; weapons and/or encourage other illegal or violent activities.

Students who violate the student dress code will be asked 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.

Teachers and all other Board approved personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance.

#### **WHAT DOES THIS MEAN at WMS?**

Dressing appropriately for school creates a culture for learning. We want students to be comfortable but dressed appropriate for school.

**DRESS FOR SUCCESS!!**

### **PROHIBITED STUDENT CONDUCT**

The Board of Education expects all students to conduct themselves in an appropriate and civil manner and to show proper regard and respect for the rights and welfare of others, including students, district personnel, and members of the school community. The Board of Education also expects proper care of school facilities and equipment.

It is a part of the educational process that students 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 when necessary and to place emphasis on the students' ability to correct behavior and to learn to make better choices.

The Board of Education recognizes the need to make its expectations for student conduct specific and clear. These rules of conduct focus on safety and respect for the rights and property of others. Students who do not accept responsibility for their own behavior and violate these school rules will be required to accept the penalties for their conduct.

#### **WHAT DOES THIS MEAN at WMS?**

When the word "school" is used it means all district property and all Wellsville Schools, the school bus, the cafeteria and school district sponsored event. If everyone is respectful and responsible it makes for a safer and happier school and more productive students.

#### **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 that 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. Misusing computer/electronic communications, including any unauthorized use of computers, software, or Internet/intranet account; accessing inappropriate web sites; evading the District's content filter; using an outside wireless network; or any other violation of the district's acceptable use policy.
8. Unauthorized and/or inappropriate use of personal electronic devices/equipment (i.e., cell phones, MP3 devices, cameras)
9. Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system is prohibited.

#### **B. Engage in Conduct that is Insubordinate.**

Examples of insubordinate conduct include, but are not limited to:

1. Failure to comply with the reasonable directions of teachers, school administrators, and other school employees in charge of students, or otherwise demonstrating disrespect.
2. Excessive illegal tardiness or absenteeism.
3. Leaving school without permission.
4. Skipping detention.

#### **C. Engage in Conduct that is Disruptive.**

Examples of disruptive conduct include, but are not limited to:

1. Failing to comply with reasonable directions of teachers, school administrators, or other school personnel in charge of students.
2. Endangering the health and safety of other students or staff or interfering with classes or District activities by means of inappropriate appearance or behavior as per District Code of Conduct.

#### **D. Engage in Conduct that is Violent.**

Examples of violent conduct include but are not limited to:

1. Committing or attempting to commit an act of violence, such as hitting, kicking, punching, or scratching any person who is lawfully on school property.
2. Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical wellbeing.
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 other students, teachers, administrators, other district employees, or any person who is lawfully on school property.
7. Intentionally damaging or destroying school district property.
8. Communication by any means, including oral, written or electronic (such as through the Internet, email or texting) off school property, where the content of such communication (a) can reasonably be interpreted as a threat to commit an act of violence on school property; or, (b) results in material or substantial disruption to the educational environment.
9. Self defense is defined as walking away from the conflict and avoiding any and all physical contact. Any violent or physical retaliation acts are a violation of this code of conduct.

#### **E. Engage in any conduct that endangers the safety, morals, health, or welfare of others.**

Examples of such conduct include:

1. Lying to school personnel.
2. Stealing the property of other students, school personnel, or any other person lawfully on school property or attending a school function.
3. Defaming others. This includes making a false or privileged statement or representation about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group. This can include posting or publishing video, audio recordings or pictures (written material, cell phones, Internet, YouTube, etc.). This includes filming others engaging in inappropriate or violent acts (filming an argument/fight).
4. Discrimination, based on a person's actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, or disability as a basis for treating another in a negative manner on school property or at a school function.
5. Bullying and intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort; for example, "play" fighting, extortion of money, overt teasing, etc.
6. "Internet bullying" (also referred to as "cyber bullying") including the use of instant messaging, email, websites, chat rooms, text messaging, or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees.
7. Harassment. This includes a sufficiently severe action or persistent, pervasive pattern of actions or statements directed at an identifiable individual or group that a reasonable person would perceive as ridiculing or demeaning. The creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender or sex.
8. Intimidation. This includes engaging in actions or expressing statements that put an individual in fear of bodily harm.
9. Hazing. This includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with, or maintaining membership in any school sponsored activity, organization, club, or team.
10. Selling, using or possessing obscene material.
11. Using vulgar or abusive language, cursing, or swearing.
12. Smoking or using any tobacco product. Possession or use of an incendiary device (lighter/matches). Possession/use of paraphernalia related to smoking (e-cigarette, vape, juice, etc.).
13. Possessing, consuming, selling, attempting to sell, distributing or exchanging alcoholic beverages, tobacco, tobacco products or illegal and/or controlled substances, counterfeit and designer drugs, or paraphernalia for use of such drugs or be under the influence of any such substances on school property or at a school function. "Illegal substances" include, but are not limited to, inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."
14. Inappropriately using or sharing prescription and over-the-counter drugs or medications.
15. Gambling.
16. Exposing parts of the body that are considered private in a manner that could be interpreted to be lewd or indecent.
17. Initiating a report warning of an emergency, fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
18. Having knowledge of, but failing to come forward or to report threatening, violent, or disruptive acts.

#### **WHAT DOES THIS MEAN at WMS?**

Bullying or harassment, even if it occurs outside of school, may have consequences at school if the actions interfere with the school environment. Therefore, if a student is verbally abusive to someone on social media, he/she can be given a consequence at school. Please report cyberbullying/harassment to the office or any school employee immediately. We cannot help with a problem if we don't know about it.

#### **F. Engage in misconduct while on a school bus.**

Students are required to conduct themselves on a school bus in a manner consistent with established standards. Excessive noise or actions like pushing, shoving, and fighting, harassment, and discrimination will not be tolerated.

#### **G. Engage in any form of academic misconduct.**

Examples of academic misconduct include:

1. Plagiarism – (ex. claiming others work/writing/thoughts as your own – cutting and pasting without permission or proper citation)
2. Cheating.
3. Copying.
4. Altering school records.
5. Assisting another student in any of the above actions.
6. Use of an electronic device to promote or aid any of the aforementioned forms of academic misconduct.

#### **H. Misuse Electronic/Telecommunication Devices**

Any use of personal electronic telecommunication devices anywhere in school buildings during normal school hours without administrative/teacher approval is prohibited. Cellular phones are to be turned off and stored in the locker during the school day.

#### **I. Misuse Technology**

Students are required to follow all regulations stipulated in the District *Acceptable Use Policy* for Technology.

#### **WHAT DOES THIS MEAN at WMS?**

If you bring a cell phone to school it is to be turned off and locked in your locker (not carried in your pocket) during the school day 7:53-departure time 2:30 or 3:00.

#### **REPORTING VIOLATIONS**

All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, the building principal or 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.

District staff 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 appropriate disciplinary actions.

The building principal or 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.

**WHAT DOES THIS MEAN at WMS?**

If you have knowledge that that someone might bring harm to another person or is in possession of something dangerous you must report this information to the office immediately.

**DISCIPLINARY PENALTIES, PROCEDURES 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. That is, a student's first offense will usually merit a lesser penalty than subsequent violations. The Code of Conduct contains levels of discipline ranging from oral warning to permanent suspension from school. Regardless of the penalty imposed, school personnel authorized to impose a disciplinary procedure must inform the student of the alleged misconduct. 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 and make better choices in the future.

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:

- The nature of the offense and the circumstances that led to the offense.
- The prior disciplinary record (number of prior offenses).
- The effectiveness of forms of discipline.
- Information from an investigation.
- 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 repeated violations. If the conduct of a student is related to a disability or suspected disability, the District and State policies and procedures will be followed.

**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. Verbal warning: any member of the district staff.
2. Written warning: bus drivers, hall and lunch monitors, coaches, guidance, counselors, teachers, administrators, superintendent.
3. Written notification to parent: bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, administrators, superintendent.
4. Detention: teachers, administrators, superintendent (half, one or two hours).
5. Saturday Detention.
6. Suspension from transportation: director of transportation, administrators, superintendent.
7. Suspension from athletic participation: coaches, administrators, superintendent.
8. Suspension from social or extracurricular activities: activity advisor, administrators, superintendent.
9. Suspension of other privileges: administrators, superintendent.
10. Removal from classroom by teacher: teachers, administrators.
11. Short-term (five days or less) suspension from school: principal, superintendent, Board of Education.
12. Long-term (more than five days) suspension from school: principal, superintendent, Board of Education.
13. Referral to law enforcement: principal, superintendent, Board of Education.
14. Permanent suspension from school: superintendent, Board of Education.

**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. 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**

Detention is utilized by the Wellsville School District as a method of dealing with students who violate school rules and regulations. After-school detention is held from 2:30PM to 4:30PM on Mondays, Tuesdays, Wednesdays and Thursdays. An hour detention assignment is expected to be served in a one (1) hour block and not divided into two (2) half hour blocks. Bus passes will be distributed in the detention room.

It is the student's responsibility to inform his/her parents that detention has been assigned. Notification will be sent home on a disciplinary referral. Detention time will be served on the next available night, following a 24-hour notification period.

Failure to report to detention will result in doubling of the assigned time. Any further "skipped" detentions will result in more severe disciplinary action.

The following rules apply to students in detention:

1. A student must have work to do or appropriate materials to read.
2. No talking is permitted.
3. No disruptive behavior is allowed. A student will be given one (1) warning, if necessary. If the disruptive behavior continues, the student will be removed from detention. The time will be doubled and scheduled by the Assistant Principal.
4. Teachers may request detention be served with them for academic reasons.
5. No headphones, personal electronic devices, transmitting devices, or phones are allowed in detention. Ipads may be used for academic purposes.

**Detention holds priority over participation in after school activities, clubs, athletic practices, contests, music rehearsals, etc.**

**2. Saturday Detention**

Saturday detention shall be instituted only upon advance notification to parents and the student involved, and only after receiving parental consent. If no consent for Saturday detention is obtained, then other disciplinary measures will be considered.

The conditions for Saturday in-school suspension are as follows:

- a) Students are to be at the main entrance by 9:00AM.
- b) Students who are late will not be admitted.
- c) Students will exit the same door at 3:00PM.
- d) Students are expected to do school assignments, read a book or engage in similar activities during the program.
- e) The use of ALL personal electronic devices (including cell phones and transmitting devices) is strictly prohibited.
- f) Students are expected to provide their own lunch.
- g) Other than lunch break, there will be no eating, talking, drinking or sleeping allowed.
- h) Students will follow all existing school rules, as well as reasonable directions of the monitor.
- i) Any infraction of Rules A-H above will result in the student being sent home immediately and subject to the detention time doubling or another disciplinary consequence as deemed appropriate.

### 3. 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 attention of the building principal. Students who become a serious disciplinary problem may have their riding privileges suspended by the building principal, 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.

### 4. Suspension from athletic participation, extracurricular activities, and other privileges

Participation in school sports or activities is a privilege and if warranted may result in loss of eligibility. A student subjected to a suspension from athletic participation, extracurricular 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.

### 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 in order 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. Contacting a parent/guardian to discuss the concern
2. Sending a student to another location supervised (time out);
3. Sending a student to the principal's office for the remainder of the class time only;
4. Sending a student to a guidance counselor or other district staff member for counseling.

### 6. 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 of Education 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 referrals 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 or Assistant 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,

#### 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 verbally. 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 sent within 24 hours of the decision to propose suspension to 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.

#### Long-term (more than 5 days) suspension from school

When the offense determines that a suspension of more than five days may be warranted, the Superintendent must provide reasonable notice to the student and the student's parents of their right to a fair hearing (Superintendents Hearing - Education Law §3214). This determination hearing is to be held within 5 school days.

#### WHAT DOES THIS MEAN at WMS?

If you are suspended out of school, you may not attend after-school events during the time of the suspension. Other than attending alternative instruction suspended students are not permitted on school grounds. This includes all school district buildings and grounds as well as events endorsed by the school district. Alternative instruction will be held from 3:00pm-5:00pm.

## Referrals

### 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 that makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
- c. Knowingly and unlawfully possesses marijuana in violation of Penal Law §221.05. A single violation of §221.05 will be a sufficient basis for filing a PINS petition.

### 3. Juvenile Delinquents and Juvenile Offenders

The superintendent is required to refer the following students to the local Police Department when circumstances require.

## DISCIPLINE OF STUDENTS WITH DISABILITIES

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

## STUDENT SEARCHES AND INVESTIGATIONS

The Board of Education is committed to ensuring a safe and orderly atmosphere on school property and at school functions. 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. In addition, the Board of Education authorizes the superintendent, building administrators, to conduct searches of students and their belongings if the authorized school official has reasonable suspicion that a student has violated or is violating law or school rules. For health and safety reasons, all backpacks, book bags, large handbags, and jackets/coats must be left in lockers from 7:45 a.m. until dismissal. Bags to carry Physical Education clothes are allowed to and from PE class and the student's locker only.

### A. Student Lockers, electronic devices and network access

The rules in this Code of Conduct regarding searches of students and their belongings apply to student lockers, desks, and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school. This means that student lockers, desks, and other school storage places may be subject to search at any time by school officials with reasonable suspicion of and may conduct searches without prior notice to students and without their consent.

In the interest of protecting students' property and lockers, the following rules should be strictly observed:

1. Lockers MUST be secured at all times.
2. Never share combinations with others.
3. Students will be held accountable for the contents of their assigned locker. Use your own locker; never trade with another student.



4. If your locker is damaged when it is assigned, report the damage to the office immediately. You will be held responsible for the damage that occurs to the interior of your locker during the school year. If your locker is tampered with or broken into, or if there are any mechanical problems, report it to the office immediately.
5. Abuse of school lockers will result in disciplinary action. Students will pay a restitution fee for lost and/or damaged locks and/or lockers.
6. Lockers may be decorated on the inside only. All decorations must be in good taste and temporary only. Lockers are to be kept clean and neat.
7. Leave valuable items at home. The school is not responsible for items missing or stolen from students' lockers.
8. Personal locks may not be used and will be cut off from the locker.

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.

#### **B. Child Protection Services Investigations**

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

### **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 on school property or attending a school function.

All persons on school property or attending a school function, including athletic events, shall conduct themselves in a respectful and orderly manner. School administration and site supervisors will remove any person in violation of these expectations.

### **DISSEMINATION AND REVIEW**

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

- 1.. Mailing a copy of the Code of Conduct to all households of district students before the beginning of the school year and making copies available upon request.
2. Accessible to all on the Wellsville School website [www.wellsvilleschools.org](http://www.wellsvilleschools.org)