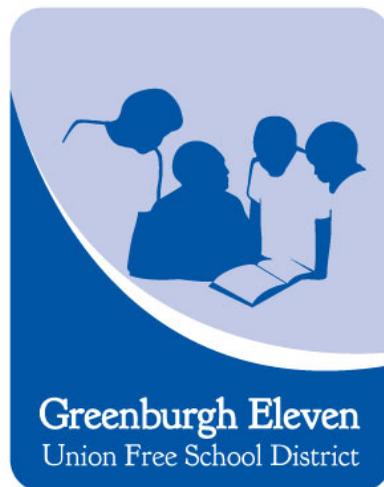


The Board of Education will review this Code of Conduct every year and update it as necessary.



Greenburgh Eleven  
Union Free School District

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Mr. Elton Thompson, Building  
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## Code of Conduct

### SUMMARY

2017-2018

For a complete copy of the Code of Conduct, you may contact the Board Clerk  
914-693-8500 ext. 222  
or download at  
www.greenburgheleven.org

**I. This Code of Conduct applies to all students, school employees, parents/parent representatives, and other visitors and members of the public when on school property, or attending a school function whether on or off school property.**

#### II. Definitions

“**Bullying**” is intentional and aggressive behavior that involves an imbalance of power or strength and is usually repeated over *time* resulting in 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 well-being. Bullying may present itself in many forms including, but not limited to:

Physical – hitting, kicking, spitting, pushing, pulling, taking and/or damaging personal belongings, blocking or impeding movement, unwelcome physical contact;

Verbal (oral or written) – taunting; malicious teasing; insulting; name calling; sexual, religious, or racial harassment; making threats.

Psychological – spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/ shunning, extortion, or intimidation, threatening gestures, dehumanizing gestures or public humiliation.

“**Change of Placement**” 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; subject to certain restrictions set forth below under the heading “Discipline of Students With Disabilities”.

“**Cyber Bullying**” (also known as “electronic bullying”) is the use of electronic devices and/or technology (i.e., the internet, social media, email, instant messaging, chat rooms, blogs, telephones and cell phones, pagers, PDAs, gaming systems) to deliberately harass, threaten or intimidate others. Cyber Bullying may involve sending mean, vulgar or threatening messages or images; posting sensitive or private information about another person, pretending to be someone else in order to communicate harmful truths about that person or another; or intentionally excluding someone from an internet-based group or activity. This includes incidents occurring off school property that create or would foreseeably create a risk of substantial disruption of the school environment.

“**Disability**” means:

a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevent the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques; or a record of such impairment; or a condition regarded by others as such an impairment.

“**Discrimination**” means the negative treatment of, or the conferral or denial of privileges by, any student(s), employee(s), and/or visitor(s) on school property or at a school function based upon a person’s actual or perceived race, color, national origin, ethnicity, religion, religious practice, disability, sex, sexual orientation, gender (including gender identity or expression) or physical characteristics such as weight.

“**Disruptive student**” means a student who is substantially disruptive of the educational process or a school function.

“**Drugs**” includes “illegal substances” as defined below, and also includes synthetic, alternative or “look-alike” substances.

“**Emergency response procedures**” include all district and school procedures dealing with fire drills, shelter-in-place, hold-in-place, evacuation, lockout and lockdown in accordance with NYS Education Law §2801 and Section 155.17 of the Commissioner of Education’s regulations (8 NYCRR).

“**Employee**” means any person receiving compensation from the District. This term also includes any employee of a contracted service provided or worker placed within the District under a public assistance employment program pursuant to the Social Services Law (Art. 5, Title 9-B), and consistent with the provisions of such law and any applicable contract(s), provides services involving direct contact to students or employees. The term “staff” is synonymous with “employee.”

“**Gender**” means actual or perceived sex and includes a person’s gender identity or expression.

“**Gender Expression**” means the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

“**Gender Identity**” means a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth. Everyone has a gender identity.

“**Harassment**” refers to 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 well-being. Harassment also includes 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, that which is based upon a person’s actual or perceived race, color, national origin, ethnicity, religion, religious practice, disability, sex, sexual orientation, gender or physical characteristics such as weight. Sexual harassment, which is one form of harassment, is further defined below. Harassment is defined to include conduct by any person, whether another student, or non-students such as District employees and agents, or third parties such as employees or agents of Children’s Village, school volunteers, visitors, contractors, or vendors.

“**Hazing**” is the intentional or reckless commission of an act directed against another, or the coercion of another into committing such an act, that creates a substantial risk of harm to a person, for the purpose of initiation into, affiliating with, or maintaining membership in, any activity, organization, club, team or social group, whether school sponsored or not, or for any other purpose. Consent is no defense to a charge of hazing, initiation activities, harassment or bullying. Apparent permission or consent by a person being hazed, initiated, harassed or bullied does not lessen the prohibitions or penalties contained herein.

“**Insubordination**” is failing to comply with the reasonable directions of teachers, school administrators or other staff in charge of students or otherwise demonstrating disrespect.

“**Interim Alternative Education Setting**” (“IAES”) means a temporary educational placement as provided for in NYS Education Law §3214 and Section 201.7 of the Commissioner’s Regulations.

“**Illegal substances**” include, but are not limited to, inhalants, marijuana, synthetic marijuana, marijuana oil, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, any substances commonly referred to as “designer drugs,” and prescription medication in the possession of, or used by, any person other than the intended recipient.

“**Out-of-School Suspension**” means a suspension pursuant to NYS Education Law §3214.

“**Parent/Parent Representative**” means parent, guardian or person in parental relation to a student, including adoptive, foster families and the Children’s Village staff when they act in loco parentis for our residential students.

“**Removal**” means a removal, for disciplinary reasons, from the student’s current educational placement, but for other than an out-of-school suspension or an interim alternative educational setting (IAES).

“**School bus**” means every motor vehicle owned by a public or governmental agency or private school 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.

“**School function**” means any school-sponsored event or activity whether conducted on or off school property.

“**School premises**” or “**school property**” includes but is not limited to leased and used facilities whether on or off the Children’s Village campus within any building, structure, athletic playing field, playground, or parking lot, or in or on a District vehicle, including school buses, as defined in Vehicle and Traffic Law §142.

“**Sexual harassment**” is a form of harassment (as defined above) and is defined as unwelcome conduct of a sexual nature, including but not limited to: unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment of a student can deny or limit, on the basis of sex, the student’s ability to participate in or to receive benefits, services, or opportunities in the school’s program. Both male and female students can be sexually harassed. Conduct by a school’s employees, other students or third parties can qualify as sexual harassment. Sexual harassment includes conduct by any person that creates a hostile, intimidating or offensive academic environment (also referred to as hostile environment harassment). Sexual harassment also includes conduct when a teacher, employee or third person conditions an educational decision or benefit on the student’s submission to unwelcome sexual conduct (also referred to as quid pro quo harassment). Sexual harassment can be communicated in a variety of ways, including but not limited to: remarks, gestures, writings, messages, pictures, photographs or posters of a sexually explicit or suggestive nature. It also includes sexual violence, which is defined below. Any reference in the Code of Conduct to harassment includes, without limitation, sexual harassment.

“**Sexting**” is the sending, receiving or forwarding of sexually provocative, nude or nearly nude photos through electronic devices and/or technology, including text messaging, email, social media applications or other methods of digital communication.

“**Sexual orientation**” means a person’s emotional and sexual attraction to other people based on the gender of the other person. Sexual orientation is not the same as gender identity. Discrimination based on one’s perceived sexual orientation qualifies as prohibited discrimination on the basis of sexual orientation.

“**Sexual violence**” means physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol or inability to consent due to an intellectual or other disability. Many acts fall into the category of sexual violence, including rape, sexual assault, sexual battery and sexual coercion.

“**Student with disability**” mean a student identified by the Committee on Special Education (CSE) as having a disability

“**Violent student**” means a student who:

Commits, or attempts to commit, while on or off school property, an act of violence upon another person (including, but not limited to, an employee or another student).

Possesses a weapon, and/or threatens to use a weapon (as defined below).

Causes damage or destroys school District or personal 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, slingshot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or any other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

### **III. Student Rights and Responsibilities**

#### **Student Rights**

All students in our District have the following rights:

To be given fair treatment in a safe environment that is conducive to learning.

To be respected and participate in all school activities without regard to actual or perceived race, color, national origin, ethnicity, religion, religious practice, disability, sex, sexual orientation, gender or physical characteristics such as weight.

To receive an appropriate education which reflects each student’s individual needs and which focuses on each student’s highest potential in academic achievement, and to receive additional instruction to promote awareness of and sensitivity to discrimination, harassment and civility in the relations of people including, but not limited to, people of different races, colors, national origin, ethnicities, religions, religious practices, disabilities, sex, sexual orientation, gender or physical characteristics such as weight.

To be taught in an environment where students are consistently treated fairly by others.

To be given the social advantages of learning how to be good citizens.

To be provided with clear explanations of all the school rules and their necessity to maintain a highly effective educational environment.

#### **Student Responsibilities**

Our District has created a solid foundation of the following core values:

You are responsible for your own actions. You have choices and your choices have consequences.

You are responsible to the larger community and for the impact your choices have on others.

Treat others with the respect you wish to be given.

Violence is unacceptable.

Education is important. It defines the road to success.

Work is important. It should be carried out with pride and excellence.

You should follow all district safety and emergency response procedures.

These core values are the foundation upon which the following student responsibilities are built:

Each student is responsible for his/her behavior and his/her own actions.

Each student is to be on time and attend classes every day and be prepared to learn.

Each student is expected to be courteous, well behaved and respect the rights of others.

Each student is expected to work to the best of his/her ability.

Each student will respect the property of others and refrain from destroying, damaging or defacing it in any way.

Each student will be familiar with and obey all classroom and school rules, policies and regulations regarding student conduct.

Each student will respect the right of others to receive an education.

Each student will seek and accept help to develop skills to control his/her anger.

Each student will dress appropriately in school and at school functions.

Each student is expected to respond positively and respectfully to any directions given by school staff.

Each student will cooperate with school authorities in the investigation of Code of Conduct violations.

### **IV. Essential Partners**

Parents/parent representatives, employees, principals, the superintendent and the Board of Education are an integral part of ensuring the code of conduct is followed.

All parents/parent representatives are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents/ parent representatives and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure that their children attend school regularly and on time.

4. Know school rules and regulations and help their children understand them.

5. Help their children understand that appropriate rules are required to maintain a safe, orderly environment.

6. Ensure that all absences are legitimate and unavoidable and are reported to the proper school District authorities.

7. Insist that their children be dressed and groomed in a manner consistent with the student dress code.

8. Be supportive of education and the District.

9. Build good relationships with teachers, other parents/parent representatives 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 that homework assignments are completed.

### **V. Student Dress Code**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions whether held on or off school property. Students and their parents/parent representatives have the primary responsibility for acceptable student dress and appearance. Teachers and all other employees should continue to 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.

Drooping pants are not permitted and underwear should not be visible. Ensure that underwear is completely covered with outer clothing.

Include footwear at all times. Footwear that is a safety hazard will not be allowed.

Not include the wearing of headgear or head covering anywhere in the school building except for a medical or religious purpose.

Not include items that are vulgar, obscene, libelous or denigrate others on account of actual or perceived race, color, national origin, ethnicity, religion, religious practice, disability, sex, sexual orientation, gender or physical characteristics such as weight.

Not promote and/or endorse the use of alcohol; tobacco; illegal substances and drugs, as defined in this Code; drug paraphernalia associated with the use of alcohol, drugs or illegal substances; and/or encourage other illegal or violent activities.

Recognize that extremely brief garments such as tube tops, net tops, halter-tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate. Muscle shirts are not permitted.

The type of dress, apparel, activities, acts, behavior or manner of grooming displayed, reflected or participated in by the student shall not lead school officials to reasonably conclude that such behavior, apparel, activities, acts, or other attributes are gang related and would disrupt or interfere with the school environment or activity and/or education environment. No student on or about school property or at any school sponsored event shall: wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign, or other items which are evidence of membership or affiliation in any gang.

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.

### **VI. Prohibited Student Conduct**

#### **Students shall not engage in disorderly conduct.**

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

Bringing personal items (including electronic devices) unrelated to the academic program to school, including personal hygiene items, as necessary, without prior administrative approval.

Using language or gestures that are obscene, profane, lewd, vulgar or abusive.

Engaging in any willful act which disrupts the learning and/or normal operation of the school community.

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.

Misusing computer/electronic communications, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites.

Obstructing vehicular or pedestrian traffic.

### **B. Students shall not engage in insubordinate and/or disruptive conduct.**

Examples of insubordinate and/or disruptive conduct include, but are not limited to: Failing to comply with the reasonable directions of teachers, school administrators or other staff in charge of students or otherwise demonstrating disrespect.

Failing to report to or leaving: class; detention; or any other activity without permission.

### **C. Students shall not engage in violent conduct.**

Examples of violent conduct include, but are not limited to: Committing, attempting, or intending to commit, an act of violence (such as hitting, biting, spitting at, kicking, punching, and scratching) directed at another person.

Possessing, displaying, and/or threatening to use a weapon. Authorized law enforcement officials or other persons licensed to possess a weapon and who have written authorization from the Superintendent are the only persons permitted to have a weapon in their possession while on school property or at a school function held on or off school property.

Threatening to possess, use, and/or display a weapon.

Intentionally damaging or destroying school District facilities, equipment and/or materials on or off school property or the personal belongings of another person on school property or attending a school function held on or off school property, including graffiti or arson.

### **D. Students shall not engage in any conduct that endangers the safety, morals, health or welfare of others.**

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

Lying to or misleading employees.

Stealing the property of other students, employees or any other person on school property or attending a school function held on or off school property.

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.

Discrimination, and/or harassment whether or not such actions are based on actual or perceived race, color, national origin, ethnicity, religion, religious practice, disability, sex, sexual orientation, gender or physical characteristics such as weight as a basis for treating another in a negative manner.

Hazing.

Sexting.

Intimidation and/or bullying (including Cyber Bullying), which includes engaging in actions or statements that put an individual in fear of bodily harm whether or not such actions are based on actual or perceived race, color, national origin, ethnicity, religion, religious practice, disability, sex, sexual orientation, gender or physical characteristics such as weight.

Selling, using or possessing obscene material.

Using vulgar or abusive language, cursing or swearing.

Possessing, smoking, selling, distributing or exchanging a cigarette, cigar, pipe, chewing or smokeless tobacco, tobacco cartridges or tobacco vaporizers more commonly referred to as e cigarettes.

Possessing, using, sharing, selling or distributing illegal substances, drugs, or alcoholic beverages.

Possessing or using paraphernalia associated with the use of illegal substances, drugs, or alcoholic beverages.

Gambling.

Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.

Discharging a fire extinguisher without appropriate reason.

Leaving school grounds without permission and/or encouraging others to do so.

### **E. Students shall not engage in any illegal conduct.**

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

Making bomb threats.

Possessing, consuming, selling, distributing or exchanging alcoholic beverages, drugs, or illegal substances, or being under the influence of such.

Initiating a report or warning of fire or other catastrophe without valid cause.

Misuse of 911.

### **F. Students shall not engage in any type of misconduct while on buses or other vehicles for a purpose related to the District.**

Examples of such misconduct include, but are not limited to:

Taking any action that distracts, or may have the effect of distracting, the vehicle operator.

Taking any action that jeopardizes one’s own safety or that of others.

Engaging in any prohibited behaviors including, but not limited to, making excessive noise, pushing, shoving or fighting and any behavior that would be inappropriate in a classroom.

### **G. Student shall not engage in any form of academic misconduct.**

Examples of academic misconduct include, but are not limited to:

Plagiarism.

Cheating.

Copying.

Altering records.

Assisting another student in any of the above actions.

### **VII. Disciplinary Consequences**

Disciplinary action, when necessary, will be firm, fair and consistent and will follow the procedural safeguards required by applicable laws and regulations. When disciplinary consequences are appropriate, the following additional factors will be considered in addition to item X on page 23:

The student’s age.

The nature of the offense and the circumstances which led to the offense.

The student’s prior disciplinary record, if any.

The effectiveness of other and/or prior forms of discipline.

Information from parents/parent representatives, teachers and/or others, as appropriate.

The impact the student’s behavior had on other individuals who were physically injured and/or emotionally harmed.

When dealing with harassment, bullying and discrimination, responses shall be reasonably administered to: end the harassment, bullying and discrimination

prevent recurrence eliminate the hostile environment.

Extenuating circumstances.

As a general rule, discipline will be progressive. This means that, generally, with regard given to the specific offense, a student’s first violation will usually merit a lighter consequence than subsequent violations for the same offense.

### **Disciplinary Consequences for Violations of the Code of Conduct**

For students, the range of disciplinary consequences which may be imposed for violations of the Code of Conduct include, but is not limited to, the following:

Verbal and/or written warning.

Rectifying the situation (i.e., apology and/or restitution).

Denial of points and/or privileges.

Student time out in class.

Student time out outside the class in a crisis room or with counselor.

Student counseled by teacher.

Student counseled by school counselor.

Student counseled by Children’s Village staff, if appropriate.

Assignment to the In-School Suspension Program.

Suspension from extracurricular activities.

Out-of-school suspension.

### **Possession of Weapons; Confiscation of Weapons, Alcohol, Drugs, Illegal Substances**

A student who is found in possession of a weapon on school property and/or at a school related function on or off school property is subject to discipline, up to and including a mandatory penalty of expulsion for at least one year. The Superintendent may modify the mandatory penalty on a case-by-case basis after considering the six factors listed above at VIII.

### **Teacher Disciplinary Removal of Students**

The classroom teacher may, subject to the approval of the principal, remove a student from his/her class for a brief period of time if the student is in severe crisis and his/her behavior is a danger to himself or others.

### **Remedial Measures**

In response to incidents of discrimination or harassment, in addition to any appropriate Disciplinary Consequences, the District shall provide, as deemed necessary by the superintendent or principal, the following individual, class or school-wide remedial measures, as appropriate:

1. Peer support groups.
2. Corrective instruction or other relevant learning or service experience.
3. Supportive intervention.
4. Behavioral assessment or evaluation.
5. Behavioral management plans with benchmarks that are closely monitored.
6. Student counseling and parent/ parent representative conference(s).
7. Supervisory systems that provide staff with prevention and intervention tools to address incidents of bullying, harassment or discrimination.
8. School and community surveys or other strategies for determining the conditions contributing to the relevant behavior.
9. Use of research based, systemic harassment prevention programs.
10. Modification of classroom environment, schedules and/or adjustment of corridor traffic and other student routes of movement.
11. Targeted use of staff professional development.
12. Involvement of parent-teacher organizations.

### **VIII. Visitors to the Schools**

All visitors must obtain permission of appropriate District personnel pursuant to District guidelines. All visitors are expected to comply with this Code.

### **IX. Public Conduct on School Property**

All members of the public, and all other persons, are expected to comply with this Code and are prohibited from engaging in any of the prohibited student conduct described in this Code. Additionally, any action by any member of the public, or any other person, that disrupts, interferes, or delays the education process, is a violation of this Code of Conduct.