

ELLCOTTVILLE CENTRAL SCHOOL

CODE OF CONDUCT AND DISCIPLINE CODE

(INCLUDING "BILL OF STUDENT RIGHTS AND RESPONSIBILITIES")

It is the Board's belief that each student should be treated as a person who can reasonably be expected to be responsible for their own behavior. The school administration will assist each student in this program of personal respect for the rights and property of others and consistently apply the code in the classrooms and throughout the school.

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that is viewed as fair and impartial.

Teachers will first use all of their resources to create a change in behavior in the classroom.

When the teacher has made every effort to bring about positive behavioral changes, and has been unsuccessful, the student will be referred to administration. Once done, the administration assumes the role of deciding what further action will be taken.

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 District recognizes the need to clearly define the long-standing set of expectations for acceptable conduct and to ensure that discipline, when necessary, is administered promptly and consistently. The District will also comply with the Violent and Disruptive Incident Reporting (VADIR) and Dignity for All Students (DASA) reporting requirements of the New York State Education Department.

Essential Definitions for Code of Conduct and Bill of Student Rights and Responsibilities:

- **Color:** In this usage, the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of their race. (Source: Oxford Dictionary)
- **Disability:** Any restriction or lack (due to any impairment) of ability to perform an activity in the manner or within the range considered normal for a human being. The expression "person with a disability" is preferred over "disabled person". (Source: World Health Organization)
- **Dignity Act Coordinator (DAC):** The person(s) designated by the school district Board of Education trained in human relations to handle situations involving complaints of discrimination and/or harassment; typically the guidance counselors or principals in their absence.
- **Ethnic Group:** 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. Some ethnic groups may emphasize marrying within the group or "endogamy".
- **Gender Identity:** The socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for men and women. (MASCULINE and FEMININE denote "gender") (SOURCE: World Health Organization)
- **Grievance:** An issue that a student or employee believes is a violation of his/her civil rights.
- **Harassment:** 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; or 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.
- **LGBTQ:** An acronym that refers to individuals who self-identify as either lesbian, gay, bisexual, transgender, or questioning.
- **National Origin:** A person's country of birth or their ancestors' country of birth. (Source: Wisconsin Civil Rights publication)
- **Race:** This term is now considered by many cultural anthropologist and sociologists to be more of a social or mental construct than an objective biological fact. In common usage, the word appears to be used to describe geographically local or global human population groups distinguished as a more or less distinct group by genetically transmitted physical characteristics. For purposes of enumeration, the U.S. Census Bureau uses terms such as: "White/Caucasian, Black/African American/African-American descent, Asian, Bi-racial, Hispanics/Latinos, etc." to describe and classify the inhabitants of the United States.
- **Religion:** A person or group's religion is the specific fundamental beliefs and practices generally agreed to by large numbers of the group....a body of persons adhering to a particular set of beliefs and practices.
- **Religious Practice:** This term includes 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. The motivation for the practice is more significant than the nature of the activity in this definition. One individual may eat a certain diet for religious reasons, while another may eat the exact same identical diet for secular (health/environmental) reason. (Source: EEOC Govt. policy)

- **School Bus:** Any motor vehicle owned by a public or government 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 Employee:** Any full-time or part-time teacher, secretary, clerk, clerical staff person, teaching assistant, custodian, administrator, or any person receiving compensation for services rendered to the school district.
- **School Function:** A school-sponsored extra-curricular activity, regardless of location.
- **School Property:** 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.
- **Sex:** The biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex.") (SOURCE: World Health Organization)
- **Student:** Any person enrolled as a student in any school and/or educational or recreational program authorized by the school district.
- **Transgender:** An umbrella term that refers to people who identify their gender differently from what is traditionally associated with the sex assigned to them at birth. This includes people who have undergone medical procedures to change their sex and those who have not.
- **Weight:** Aside from its obvious meaning in the physical sciences, in weight discrimination legislation from a variety of sources, the word is used in reference to a person's "size" or sometimes interchangeably with a person's size. Interestingly, the District of Columbia has a law that prohibits discrimination based on a "personal appearance."

BILL OF STUDENT RIGHTS AND RESPONSIBILITIES

Students have the responsibility to respect the rights of all persons involved in the educational process and to exercise the highest degree of self-discipline, observing and adhering to legitimate rules and regulations.

Responsibility is inherent in the exercise of every right and it must be emphasized that **lack of responsibility means a weakening of rights.**

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, in an environment free of discrimination, harassment and/or intimidation, regardless of, but not limited to: race, color, weight, creed, religion, religious practice, ethnic group, national origin, political affiliation, sex, sexual orientation, gender identity, 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 Responsibility

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 and abide by all district policies, rules, and regulations dealing with student conduct.
3. Attend school. 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 positively to direction given by teachers, administrators, and other personnel.
6. Ask questions when they do not understand.
7. Seek help in solving problems that might lead to discipline.
8. Abide by the school dress code.
9. Accept responsibility for their actions.
10. Conduct themselves as representatives of the district when participating in or attending school-sponsored extra-curricular events and to hold themselves to the highest standards of conduct, demeanor and sportsmanship.

ESSENTIAL PARTNERS

A. **Parents** - All parents are expected to:

1. Recognize that the education of their child is a joint responsibility of the parent and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Insist their children be dressed and groomed in a manner consistent with student dress code.
5. Be familiar with school rules and help their children to understand them.
6. Convey to their children a supportive attitude toward education and the district.
7. Build good relationships with teachers, other parents and their children's friends.
8. Help their children deal effectively with peer pressure.
9. Inform school officials of changes in the home situation that may affect student conduct or performance.
10. Provide a place for study and ensure homework assignments are completed to the best of the student's ability.
11. Teach their children respect and dignity for themselves, and other students regardless of actual perceived race, color, weight, national origin, ethnic group, religion, religious practices, 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.

B. **ALL School Staff** – All staff members of the District are expected to:

1. Participate in District provided training to raise awareness and understanding of the Code of Conduct.
2. Participate in District provided training to raise awareness, sensitivity, and reporting requirements of potential acts of: bullying, discrimination or harassment directed at students by students or staff on school property or at school functions, including, but not limited to: incidents based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender/gender identity, or sex.
3. 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 practices, 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.
4. Confront incidents of harassment and discrimination in any situation that threatens the emotional and/or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
5. School employees who witness or receive a report (oral or written) of harassment, bullying and/or discrimination must orally notify the Superintendent, Principal, or their designee no later than one (1) school day after witnessing or receiving a report of such incident. The employee must then file a written report within two (2) school days after making the oral report.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

C. **Teachers** - All teacher serving the District are expected to:

1. Maintain a climate of mutual respect and learning.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Be familiar with procedures and enforce them in a fair, consistent manner.
5. Communicate with students, parents, and other teachers concerning growth and achievement.

D. **Guidance Counselors** –

1. Are student advocates.
2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
3. Facilitate student/teacher/counselor conferences as needed.
4. Review with students their educational progress and career plans.
5. Provide information to assist students with their career/college planning.
6. Encourage students to benefit from the curriculum and extra-curricular programs.
7. Serve as Dignity Act Coordinators as follows:
 - **Grades Pre-K – 7:** Mr. Daniel LaCroix - Phone (716) 699-2318 ; E-mail – dlacroix@eville.wnyric.org
 - **Grades 8 - 12:** Mrs. Tammy Eddy – Phone (716) 699 – 2316 ; E-mail – teddy@eville.wnyric.org

E. Principals –

1. Promote a safe and orderly school environment conducive to teaching and learning that is free from intimidation, discrimination and harassment.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal
3. Evaluate all instructional programs.
4. Enforce the code of conduct.
5. Ensure the enforcement of the code of conduct is in compliance with state and federal laws relating to students with disabilities.
6. Collect and maintain information and complete the Violent and Disruptive Incident Report, which will be reviewed with the Superintendent prior to submitting to NYSED.
7. Collect and maintain information and complete the Dignity for All Students Act Report, which will be reviewed with the Superintendent prior to submitting to NYSED.
8. Provide for a system which individuals can use to report incidents of intimidation, harassment and bullying to the District.
9. Follow up on any incidents of bullying, 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).

F. Superintendent-

1. Promote a safe and orderly school environment conducive to teaching and learning that is free from intimidation, discrimination and harassment.
2. Review school policies with staff.
3. Review the code of conduct annually with the Board of Education.
4. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved.
5. Facilitate/provide training to raise awareness and sensitivity to potential acts of discrimination or harassment directed at students by students or staff on school property or at school functions; including, but not limited to, incidents based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender/gender identity, or sex.
6. The Superintendent, Principal or their designee shall notify the appropriate law enforcement agency when it is believed that any harassment, bullying and/or discrimination constitute criminal conduct.

G. Board of Education-

1. Lead by example by conducting board meetings in a professional, respectful and courteous manner.
2. Review annually the District's code of conduct.
3. Appoint at least one (1) Dignity Act Coordinator. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of, but not limited to, perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender/gender identity, or sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.

BOARD OF EDUCATION EXPECTATIONS

The Board of Education expects all students, employees, parents, those in parental relations to students, and visitors to conduct themselves in an appropriate and civil manner, with proper regard to the rights and welfare of other students, district personnel and other members of the school community, and for the care of school facilities and equipment. The best discipline is self-imposed, and the students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior.

District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the student's ability to grow in self-discipline.

The Board of Education affirms the expectation for appropriate student conduct while on school property or engaged in a school function. The Behavior Code is designed to ensure a safe and orderly environment for all students, employees, parents and visitors of the school. Violations of the code of conduct may result in disciplinary action.

- A. Classroom management issues, whenever possible, should be handled by the classroom teacher.
- B. When a student is referred to the principal, the teacher must indicate the steps he/she has taken to resolve the problem prior to referral. **Disciplinary action may include, but is not limited to:**
 1. Verbal warning
 2. Written Warning
 3. Written notification to parents or guardians
 4. Probation
 5. Reprimand
 6. Detention
 7. Suspension from transportation
 8. Suspension from participation in athletic events
 9. Suspension from social or extra-curricular activities
 10. Suspension from other privileges
 11. Exclusion from a particular class
 12. In-school suspension
 13. Suspension not in excess of five (5) days
 14. Suspension in excess of five (5) days (determined by a Superintendent's Hearing)
 15. Full financial restitution of damages to school property
 16. For acts that are considered criminal, illegal, or violent the proper law enforcement agency may be contacted. Agencies include, but are not limited to: the police, a PINS referral, family court, etc.
 17. In the event a student receives multiple referrals within a school year, and for which disciplinary actions taken by the school do not have an effect, the school may file a person in need of supervision (PINS) petition.

Please Note: Anytime a student is suspended (either In-school or Out-of-school) he/she is ineligible to participate and/or attend any extra-curricular / athletic activities starting at 3:00 p.m. of the day that he/she is informed of the suspension and continuing through to the start of school on the day he/she may return to school. This may include weekends as follows:

- If the student is notified of the suspension on Friday
- The student is actually suspended on a Friday
- The suspension starts before and ends after the weekend

In the event a student is suspended out-of-school for any period of time, the appropriate administrator will notify the parent or person in parental relation immediately via phone (or other verbal form of communication) and then follow up this verbal conduct with a letter. Disciplinary measures that do not rise to the level of an out-of-school suspension will result in the parent or person in parental relation being notified in one or more of the following manners: a discipline referral being sent home for a parent's signature, a phone call, e-mail, etc.

If a student is suspended for more than 2 consecutive days for a single incident and he/she has not yet completed the school year in which he/she has turned 16 years old, or has an IEP or a 504 plan, he/she will be provided the opportunity for alternative instruction which will be set up by the appropriate principal.

A discipline matrix will be revised annually by school administration and printed in student agendas for reference purposes. This discipline matrix should be considered an official appendix to the Code of Conduct, as it identifies inappropriate behaviors and possible corresponding consequences.

All employees of Ellicottville Central School are responsible for school discipline.

BEHAVIOR CODE FOR SCHOOL PROPERTY AND SCHOOL FUNCTIONS

The following behaviors are considered inappropriate and prohibited:

- A. Bullying** – Unwanted, aggressive behavior against any student by students or employees which involves:
- **A real or perceived imbalance of power** - Individuals who bully use their power, such as physical strength, access to embarrassing information and popularity, to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
 - **The intent to cause harm** - The person bullying has a goal to cause harm.
 - **Repetition** – Bullying behaviors generally happen more than once or have the potential to happen more than once.

Examples of bullying include, but are not limited to:

- **Verbal** – Name calling; teasing, inappropriate sexual comments, taunting and threatening to cause harm.
- **Social** – Spreading rumors about someone, excluding others on purpose, telling other children not to be friends with someone, embarrassing someone in public.
- **Physical** – Hitting, punching, shoving, kicking, pinching, spitting, pushing, taking/breaking someone's things, or making mean or rude gestures.

Bullying can occur on school property, at a school function, or off school property when the actions create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property.

- B. Cheating / Plagiarism** – Copying or “stealing” the work of others is unacceptable. This includes copying a friend's homework.
- C. Cyberbullying** – Bullying which occurs through the use of electronic technology, such as cell phones, computers, and tablets. It can also involve the use of communication tools, such as social media sites, text messages, chat and websites. Cyberbullying can occur on school property, at a school function, or off school property when the actions create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property.

Examples of cyberbullying include, but are not limited to:

- Sending hurtful, rude, or mean text messages or e-mails to others.
- Spreading rumors or lies about others by text message or e-mail or posting on social networking sites.
- Creating or sharing pictures, websites, videos or social media profiles, including fake profiles that embarrass, humiliate, or make fun of others.

Cyberbullying is different from face-to-face bullying because messages, videos, pictures and/or images can, among other things, be:

- Sent 24 hours a day, 7 days a week, 365 days a year.
 - Distributed quickly to a very wide audience.
 - Sent anonymously.
- D. Discrimination** – A single incident or a series of incidents where a student is subjected to actions that shall include, but are not limited to, threats, intimidation, or abuse with or without physical contact based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex by a student and/or employee on school property or at a school function that creates a hostile environment of such a severe or persuasive nature that it:
1. has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities, or benefits, or mental, emotional and/or physical well-being or
 2. reasonably causes or would reasonably be expected to cause a student to fear for his/her physical safety.
- E. Disorderly Conduct** – Defined by N.Y.S. Penal Law as engaging in behaviors “with the intent to cause public inconvenience, annoyance, or alarm or recklessly creating a risk thereof.” In general, disorderly conduct includes, but is not limited to, endangerment or harassment of others; i.e.) pushing, shoving, throwing objects, running in the hall, blocking halls or stairs and all other similar activities. The willful disruption of the orderly conduct of classes or any other school program or activity may be considered disorderly conduct.
- F. Disrupting Instruction** – Students engaged in general inappropriate behavior that disrupts the educational process of others may, at the minimum, be sent to the office by the teacher, and at the discretion of administration, be subject to detention(s), in-school suspension, and, for more serious behaviors, out of school suspension.
- G. Display of Affection** – Kissing, petting, or overt displays of affection.

- H. **Fighting** – Fighting in school or on school property with other students or school staff.
- I. **Forged Notes / Excuses** - Any student that knowingly signs a parent’s signature.
- J. **Harassment** – same as Discrimination
- K. **Hazing** – *ECS Board of Education Policy #7534: Hazing of Students*, defines hazing among students as “any humiliating or dangerous activity expected of a student to join a group, regardless of their willingness to participate.” Hazing of students will not be tolerated.
- L. **Inappropriate Use of Technology** – Technological resources are provided to support learning and enhance instruction. Resources include, but are not limited to, computers and computer networks. Please refer to the ECS “Student Use of Computerized Information Resources (Acceptable Use Guidelines)” for more information.
- M. **Intimidation / Threats** – Making statements, comments and/or taking actions that put an individual in fear of bodily and/or emotional harm.
- N. **Insubordination** – Failure to comply with the reasonable request of an administrator, a teacher, or a staff member.
- O. **Posing as a Parent / Guardian** – Any student that calls the school posing as a parent / guardian to excuse a student, provide permission, etc.
- P. **Sexting** – Sending, receiving or forwarding of sexually suggestive, nude or nearly nude photos through text messages or e-mail. Due to the nature of these offenses, the police will be involved. Sexting may also be considered Sexual Harassment.
- Q. **Swearing / Obscene / Vulgar Language** - Students need to use acceptable language at school at all times (including extra-curricular and after school activities). Swearing, obscene and/or vulgar language will not be tolerated, and, in certain cases, may be legally considered disorderly conduct. Students need to realize that they cannot always use the language that is heard on TV, the radio or CD’s, in movies, etc. as a gage to determine what is acceptable. Students will be held to a “higher standard” than “pop culture” in this area.
- R. **Sexual Harassment** – *ECS Board of Education Policy #7532: Sexual Harassment of Students*, defines sexual harassment as “unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication of a sexual nature...” Sexual harassment may be occurring when comments of a sexual nature: affect a student’s decision to participate in activities; include obscene pictures, lewd jokes, sexual advances, requests for sexual favors or other harassing activities of a sexual nature; substantially or unreasonably interferes with a student’s academic performance or participation in school activities.
- S. **Tardies** – Arriving to first period class after the announcements have begun or after the beginning bell for all other classes. Please see ***Comprehensive Student Attendance Policy***.
- T. **Theft** – An act of stealing. The student will be held responsible for returning all stolen property or the replacement value of said property. In addition, the student may be subject to legal action or recourse taken by the school district.
- U. **Trespassing** – Students are not permitted in the building after normal school hours without permission of a teacher, principal, or superintendent. Students found on a roof on school grounds at any time will face serious consequences, which may include suspension and/or possible criminal charges.
- V. **Vandalism** – The willful destruction, damaging, or defacing of school property or equipment.

Students should realize that choosing to engage in the above behaviors might result in disciplinary measures. The consequences for these behaviors, as well as other inappropriate behaviors and consequences will be covered annually in the Middle/High School or Elementary School Progressive Discipline Matrix. Students also need to realize that, in some cases, these acts may be criminal in nature, and, therefore, subject to police involvement beyond any actions taken by the school.

Trespassing

Students are not permitted in the building after normal school hours unless they are being supervised by a staff member or they have written permission from the principal or superintendent. In general senior pranks are considered inappropriate and may also constitute trespassing. Not only do they create a disturbance to the educational environment; consume employee time to correct; and, at times, cause damage to the school; they may create an unforeseen safety risk to those who are engaged in such activities. In light of this, senior pranks (or other grade level / group pranks) will not be tolerated. Students engaging in such a prank may be subject to disciplinary consequences, which could include the privilege to participate in graduation ceremonies.

Students found on a roof on school grounds, at any time, will be considered trespassing and may face serious consequences.

All students should realize that trespassing, depending on the circumstances, may be considered illegal and may involve criminal proceedings in addition to school consequences.

OVERVIEW OF ECS DRUG ABUSE POLICY AND REGULATIONS

The Ellicottville Central School has been established as a "Drug Free Zone" in accordance with the state mandates and recognized by the Great Valley Town Board.

All drug related penalties carry a more severe penalty due to that status, which includes said property and the area 1,000 ft. from any boundary. The Ellicottville Central School Board of Education firmly believes that the total community is concerned about and is partially responsible for eliminating all illegal traffic and/or use of drugs and alcohol within our district. The school is mainly responsible for teaching students about the harmful effect of drugs and alcohol to the human body and about all the laws related to the subject.

Teachers also teach about the useful effect of legal drugs legally prescribed. However, it is the firm conviction that the parents, the churches, law enforcement agencies and all members of our community must also be involved in developing positive attitudes in students toward the subject.

"The Board of Education recognizes that our youth act in accordance with the precepts and examples of their elders, and they also recognize the influence and pressures on the youth in our community which do affect their behavior and the decision to use or not to use drugs and/or alcoholic beverages." The Board of Education requests that all agencies and members of the community work together in helping our youth to make intelligent decisions based on known scientific facts and with good moral judgment.

Situations involving illegal drugs and/or alcohol will be handled as follows:

- Persons shall be banned from entering school grounds, school buses or school sponsored events when exhibiting behavioral, personal or physical characteristics indicative of having used or consumed alcohol or other substances. A school sponsored function shall mean a school sponsored or school authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state
- All school staff who suspects a student or other staff member, or employee of misuse of drugs or alcohol on school property will report it to the Superintendent, Principal, or School Nurse immediately and relate in confidence the known facts concerning the case at their own discretion.
- The Superintendent or Principal and the School Nurse will conduct an investigation into the matter and document all information obtained.
- The Superintendent or Principal will call a Law Enforcement Agency and the parents of the student if the information appears to be substantial that a crime has been committed. He/she will also discuss this with the staff member or employee if such is involved.
- The Law Enforcement Agency will conduct their own investigation and gather evidence to discover if a crime has been committed and proceed to court at their own discretion. If a student is under eighteen years of age, the parent will be attendance during the interview with the student (if conducted on school property).
- The school administration will use such form of disciplinary action as is deemed necessary for violation of the law and school rules and regulations as it pertains to students (please see below). The school recognizes the damaging results, which might occur when these substances are abused.

For the purpose of this policy the following definitions of "drug" and "substance" will be followed.

- **Drug** – Any substance, which alters the normal processes of the mind and/or body. In addition, synthetic cannabinoids will be treated as illegal drugs at school and/or school functions. These products are produced, distributed, marketed, and sold as legal alternatives to marijuana and often carry a label stating "not for human consumption" to disguise the true nature of the substance. Synthetic cannabinoid products may include, but are not limited to: incense, herbal mixtures, or potpourri. They are often sold in convenience stores, gas stations, and smoke shops.
- **Substance Abuse** – The use, usually by self-administration, of any drug for recreational purposes.

GUIDELINES FOR DISCIPLINE INVOLVING ALCOHOL / DRUGS / DRUG PARAPHERNALIA

In all cases involving the use, possession, and/or distribution of alcohol; controlled, prescription or illegal drugs; drug paraphernalia; over the counter (OTC) medications (without a prescription), and/or drug/alcohol "look-a-likes":

1. Parents will be notified by phone and in writing.
2. PINS Petitions may be filed with the Cattaraugus County Probation Department.

1st Offense may result in any or all of the following:

- Minimum of a five (5) days out-of-school suspension
- Notification to Law Enforcement Agency
- Possible Superintendent's Hearing to determine the future status of the student.

2nd Offense may result in any or all of the following:

- Minimum of a five (5) days out-of-school suspension
- Notification to Law Enforcement Agency
- Superintendent's Hearing will be held to determine the future status of the student.

Students involved in extra-curricular and/or interscholastic sports may be subject to additional restrictions and/or consequences other than those listed above. For example: a student athlete who is in attendance at an underage drinking party, may be subject to consequences whether or not he/she actually used, possessed, and/or distributed the items above. Furthermore, students engaged in the promotion of the use of alcohol and/or drugs may be subject to disciplinary actions.

GUIDELINES FOR DISCIPLINE INVOLVING TOBACCO, TOBACCO PRODUCTS AND ANY FORM OF ELECTRONIC CIGARETTE

Possession may result in any or all of the following:

- **1st Offense** - Minimum of a three (3) nights of detention
- **2nd Offense** – Minimum of two (2) days in-school suspension
- **3rd and Subsequent Offenses** – Appropriate actions as deemed necessary by administration.

Use/Distribution may result in any or all of the following:

- **1st Offense** - Minimum of one (1) day in-school suspension
- **2nd Offense** – Minimum of two (2) days in-school suspension
- **3rd and Subsequent Offenses** – Appropriate actions as deemed necessary by administration.
- In cases involving distribution, a Law Enforcement Agency may become involved if necessary.

Students violating the rules pertaining to Drugs/Alcohol/Tobacco will be offered the opportunity to meet with personnel from the Cattaraugus County Council on Alcohol & Substance Abuse, which provides our school with a Prevention Specialist who works with students in individual and group activities.

GUIDELINES FOR HANDLING ACTS OF VIOLENCE AND/OR WEAPONS

A violent person is defined as one whom:

- Commits an act of violence or threatens violence on a teacher, other school district employee or student
- Possesses, displays, or threatens to use a gun, knife, or other dangerous weapon
- Knowingly and intentionally destroys the personal property of a teacher or other school district property (New York State Law 12:108)

Students that acted in a violent manner as outlined above will be subject to a minimum 1 day in-school suspension. However, these students need to realize and understand that such activities often carry much more severe consequences.

“Weapon” means a firearm defined in 18 USC§921 for the purpose 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 dart gun, Kung Fu star, electronic stun gun, pepper spray, or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause injury or death.

Refer to Board Policy 7360. In accordance with the Gun Free School Act 1994, any student who is determined to have brought a “firearm”, as defined by federal law, to school will be expelled from school for a period of not less than one calendar year.

POSSESSION, DISPLAY, SALE OR USE OF FIREWORKS AND/OR ARSON

Possession, display, sale, or use of fireworks and arson (New York State Law 12:140) is prohibited. Students caught in possession or using these items, or engaging in related activities will be subject to a minimum 1 day in-school suspension. However, these students need to realize and understand that such activities often carry much more severe consequences.

AFFIRMATIVE DUTY TO REPORT

One of the biggest responsibilities that the Ellicottville Central School and its employees have is to ensure the health, safety and welfare of students and staff at all times. In light of this, all students, school employees, parents, persons in a parental relation, and visitors to the school have an affirmative duty to report incidents that are illegal; violent; involve the use/possession/distribution of drugs, alcohol, or tobacco; involve the possession and/or use of weapons; constitute discrimination, harassment and/or bullying; or otherwise compromise the health, safety and/or welfare of students and/or staff. In all cases, the anonymity of an individual making a report will be maintained to the greatest extent possible; but anonymity is not a guarantee.

If it is determined that the student did not follow through on his/her affirmative duty to report; knowingly making a false statement to staff or administration; or otherwise withholds information crucial to ensuring everyone's health, safety and welfare, he/she may be subject to disciplinary actions deemed appropriate by administration.

REPORTING INCIDENTS OF DISCRIMINATION, HARASSMENT, AND BULLYING

Incidents of discrimination, harassment and bullying should be reported to school officials as soon as possible using any of the following methods:

- Contact the DAC or an administrator to make a verbal report (in person or via the phone).
- Telling a teacher who will contact a DAC or a principal.
- Making a report via the "Report a Concern" link in the District website (www.ellicottvillecentral.com). These reports will be reviewed by a school administrator who will either investigate the report directly or turn it over to the DAC to investigate. After an investigation, the situation will be handled according to the District Code of Conduct.
- Making a written report. Reports may be mailed to the school or dropped off in the "Concerns Container" located in the Guidance Offices. Reports may be anonymous. Written reports should include: a description of the incident(s), the date(s) of the incident(s), the location(s) of the incidents, the time(s) of the incident(s), the name of the victim, the name of the alleged aggressor(s), the name(s) of the witness(es) (if applicable), and a number to call if the reporter would like to be contacted.

Appeals to Outcomes of Incidents of Discrimination, Harassment and Bullying

If a person making a report on an incident(s) of discrimination, harassment and bullying is dissatisfied with the outcome of the report, he/she may appeal the situation to the next subsequent level of supervision. These levels, in order are:

- Dignity Act Coordinator (DAC)
- Principal
- Superintendent
- Board of Education

Individuals making a report or requesting an appeal should note that immediately going to the Superintendent or Board of Education will not necessarily provide the quickest results. Talking with the individual closest to the situation with the most facts often provides for a quicker solution to an incident.

HUMAN SERVICE AGENCIES

E.C.S. is committed to ensuring that all avenues are exhausted when trying to assist students in need of help, whether it is at school or outside the building. In light of this, there may be times when the school will work with parents or persons in parental relations with appropriate human service agencies. For example, a school administrator may recommend that a family seek family counseling services outside of the school environment.

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. A student's dress must be safe, appropriate and not disruptive or interfere with the educational process.

The following types of clothing and jewelry have been a particular concern in the past and ARE NOT TO BE WORN IN SCHOOL:

1. Dresses, skirts or shorts where the bottom hem rises above the fingertips of the student when that student is standing in a relaxed state.
2. Tops that do not come below the waistline and cover the midriff area, sitting or standing. The navel and back must be covered at all times.
3. Brief garments, such as, but not limited to: tube, net, halter-tops, fishnet, open mesh, shirts with excessive openings for the arms, spaghetti straps, plunging neck lines, or "see-through" shirts. Shirts that do not extend beyond the shoulder **MUST** cover any and all parts of undergarments at all times.
4. Inappropriate writing, symbols, or pictures on clothing or jewelry (including, but not limited to, violence, sex/sexual innuendos, tobacco, alcohol or drugs).
5. Pants with slits, holes, or openings "other than the fly". Pants must be worn at the hip and in conjunction with the shirt covering the navel and back at all times (sitting or standing).
6. Undergarments or their images should be concealed at all times.
7. Hats, hoods and headgear, except for medical or religious reasons. Hats and headgear not attached to a shirt are to be left in lockers during school hours. They are not to be carried by students throughout the day. If a hat is being worn in conjunction with an outfit on spirit day, class color day, etc., the majority of the hat must fit the criteria of the day (for example, on class color day, at least 75% of the hat must match the class color).
8. Items that are vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
9. Heelys (any shoe with affixed wheels) are not allowed in the school at any time.

If a student is inappropriately dressed, he/she may comply by:

- Changing into or covering up with something else they have.
- Turning an inappropriate t-shirt inside out.
- Wearing one of our "office" t-shirts.
- Calling and asking a parent to bring in appropriate clothing.

If a student refuses to comply, further administrative action may be taken.

******* End of Student Code of Conduct and Discipline Code *******