

Code of Conduct

Mission Statement:

The Franklin Square School District is committed to educating elementary students by providing a productive learning environment in cooperation with family so that each child is given a solid Foundation for Success in order to become a contributory member of the community by learning, growing, and reaching their full potential.

Philosophy & Procedures:

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to self-discipline.

Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age;
2. The student's developmental level and understanding of their actions;
3. The nature of the offense and the circumstances which led to the offense;
4. The student's prior disciplinary record;
5. The effectiveness of other forms of discipline;
6. Information from parents/guardians, teachers, and/or others, as appropriate; and
7. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education. Discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to the student's disability in compliance with the applicable law.

When the violation of the Code of Conduct is related to discrimination and/or harassment/bullying of students by students and/or employees, measured, balanced, and age-appropriate remedies and procedures that make appropriate use of prevention, education, intervention, and discipline will be utilized.

For the purposes of this Code of Conduct, "harassment" and "bullying" means the creation of a hostile environment by conduct or by threats, intimidation, or abuse, including cyberbullying, that (a) 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 (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her their physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying include, but are not limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual

orientation, gender or sex. For purposes of this definition, the term “threats, intimidation, or abuse” includes verbal and non-verbal actions.

The nature and severity of the offending student’s behavior(s), the developmental age of the student, the previous disciplinary record of the student, other extenuating circumstances, and the impact the student’s behaviors had on the individual(s) who was physically injured or emotionally harmed will be considered.

Remedial responses to bullying, harassment and/or discrimination will be designed to correct the problem behavior, prevent another occurrence of the behavior, and protect the target of the act. Remedial responses which place the focus of discipline on discerning and correcting the reasons why discrimination and/or harassment/bullying occurred may be included as outlined in the District’s MTSS plan.

Students' Rights & Responsibilities

It shall be the **RIGHT** of each District student:

1. To have a safe, healthy, orderly, and courteous school environment without the fear of threat to their well-being.
2. To take part in all District activities on an equal basis and not be subjected to discrimination based on their actual or perceived race, sex, sex orientation, religion, national origin, weight, religion, religious practice, ethnic group, or disability by students or school employees on school property or at a school function.
3. To attend school and participate in school programs unless suspended from instruction and participation for legally sufficient cause as determined in accordance with due process of law. Students will be provided alternative instruction if excluded from school pursuant to this Code of Conduct.
4. To have school rules and conditions accessible and available for review and, whenever necessary, explanation of the rules by school personnel.
5. To be suspended from instruction only after their rights pursuant to Education Law 3214 have been observed.
6. In all disciplinary matters, to have the opportunity to present their version of the facts and circumstances leading to the imposition of disciplinary sanctions to the professional staff member imposing such sanction. Each student shall have the right to be informed of the infraction for which the student is charged. The principal or designee may question a student in regard to a possible violation of school rules.

It shall be the **RESPONSIBILITY** of each District student:

1. To be familiar with and abide by all District policies, rules, and regulations pertaining to student conduct.
2. To work to the best of each student's ability in all academic pursuits and strive toward the highest level of achievement possible.
3. To seek help in solving problems that might lead to discipline procedures.
4. To be in regular attendance at school and in class.
5. To contribute to the maintenance of an environment that is conducive to learning and to show respect to other persons and to property.
6. To dress in accordance with standards promulgated by the Board and the Superintendent.
7. To make constructive contributions to the school, and to report fairly the circumstances of school-related issues.
8. To react respectfully and positively to direction(s) given by teachers, administrators, and other school personnel.
9. Maintain behavior that is free from all forms of harassment, bullying, and/or discrimination.

LEVEL I Behaviors:

Students will not:

- Interfere with the education of another student.
- Exhibit disruptive behavior that interferes with the orderly operation of a classroom, activity or school bus.
- Talk in a way to tease, hurt, or harass others.
- Disobey adult directions.
- Dress in a manner that interferes with the educational process or causes disruption.
- Use inappropriate language.
- Engage in the use of technology not related to academic or other educational pursuits, including but not limited to the inappropriate use of smartphones, smartwatches, tablets, iPads, iPods, cameras, PDAs, and other portable and hand-held devices, District-issued and/or personal devices, computers, software, or internet/intranet accounts, access of inappropriate websites, video or photograph without permission from teacher.
- Lie, cheat, destroy the work of others, or commit forgery.
- Have any medications (prescription or non-prescription) in their possession.
- Arrive late to school, miss school, or leave school early without being accompanied by an authorized adult or bringing a written excuse. In this regard, students are required to be aware of the District's Attendance Policy and comply with it.

Supports for Level I Behaviors:

- Restorative conversation
- Meeting with classroom teacher
- Reflection time
- Skill-building with social worker (*May include restorative discussion with affected peers or an apology*)

Potential Consequences of Level I Behaviors:

- Teacher warning or conference
- Parent notification
- Teacher detention
- Loss of privileges or participation in extracurricular or school activities
- Administrative notification and/or warning
- Behavior agreement (short-term)

LEVEL II Behaviors:

Students will not:

- Act in a disrespectful or defiant manner toward any student or school personnel.
- Leave a classroom or the school without the permission from a staff member or not being in an assigned place on school premises.
- Engage in fighting or other violent behavior such as hitting, kicking, punching, pushing, and scratching a teacher, administrator, or other school employee, another student, or any other person lawfully on school property, or attempting or threatening to do so, or instigating, intimidating or harassing others to do so.
- Commit theft, destroy or damage school or personal property of a student, teacher, administrator, other District employee or any person lawfully on school property, including graffiti or arson.
- Act in a way that endangers the safety, physical or mental health or welfare themselves or others.
- Exhibit lewd or indecent behavior.
- Use profanity; obscene or abusive language; racial, ethnic, religious or sexual derogatory terms; or obscene gestures.
- Repeatedly violate Level I behaviors.

Supports for Level II Behaviors:

- Restorative reflection
- Conflict resolution or peer mediation (with social worker or school psychologist)
- Behavior chart
- Check-in with support staff and/or counseling sessions

Potential Consequences of Level II Behaviors:

- Combination of Level I consequences
- Parent conference
- Behavior agreement (long-term)
- Loss of privileges or participation in extracurricular or school activities
- In-school suspension (Up to five days)
- Out-of-school suspension with academic support (Up to five days)

LEVEL III Behaviors:

Students will not:

- Threaten or strike a staff member or student.
- Endanger the safety of others (bomb threat, illegal telephone calls, unauthorized use of fire alarms).
- Cause significant vandalism or damage to school or personal property.
- Possess, consume, sell, distribute, exchange, or use controlled or illegal substances on school grounds, or being under the influence of either illegal substances, including but not limited to inhalants, marijuana, synthetic cannabinoids (synthetic marijuana), cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any synthetic version thereof, whether specifically illegal or not, commonly referred to as “designer drug” which are substances designed and synthesized to mimic the intended effects and usages of, which are chemically substantially similar to, illegal drugs, which may or may not be labeled for human consumption.
- Possess, display, use, or threats of using of any weapon on school grounds. A “weapon” means a firearm as defined in 18 USC § 921 for purposes of the Gun-Free Schools Act. It also includes but is not limited to any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.
- Perform or attempt to perform arson.
- Commit aggravated assault, which causes injury to another.

Supports for Level III Behaviors:

- Participation in educational and restorative project
- Ongoing check-ins with support staff and/or counseling sessions
- Behavioral plan

Potential Consequences of Level III Behaviors:

- Exclusion from grade-level activity
- In-school suspension (Up to five days)
- Out-of-school suspension with academic support (Up to five days)
- Parent meeting
- Referral to Superintendent for hearing
- Extended suspension from school, including suspension from school for at least one calendar year and permanent suspension
- Referral to law enforcement authorities