

SUBJECT: CODE OF CONDUCT ON BOCES PROPERTY

The BOCES has developed and will amend, as appropriate, a written *Code of Conduct for the Maintenance of Order on BOCES Property*, including BOCES functions, which shall govern the conduct of students, teachers and other BOCES personnel, as well as visitors, students' family members and friends, and/or vendors. The BOCES Board shall further provide for the enforcement of such Code of Conduct.

For purposes of this policy, and the implemented Code of Conduct, BOCES property means in or within any owned or leased building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the BOCES' schools or Centers, or in or on a BOCES supervised school bus; and a BOCES function shall mean a BOCES-sponsored extracurricular event or activity.

BOCES programs or services provided in component districts/"host building" locations shall comply with the Code of Conduct prescribed by that building/district.

The BOCES Code of Conduct shall be developed in collaboration with student, teacher, administrator, and parent organizations, BOCES safety personnel and other personnel.

The Code of Conduct shall include, at a minimum, the following:

- a) Provisions regarding conduct, dress and language deemed appropriate and acceptable on BOCES property and at BOCES; and provisions regarding acceptable civil and respectful treatment of teachers, BOCES administrators, other BOCES personnel, students and visitors on BOCES property and at BOCES functions; the appropriate range of disciplinary measures which may be imposed for violation of such Code; and the roles of teachers, administrators, other BOCES personnel, the BOCES Board and parents/persons in parental relation to the student;
- b) Provisions prohibiting discrimination and harassment against any student, by employees or students on BOCES property or at a BOCES function, that creates a hostile environment by conduct, with or without physical contact and/or verbal threats, intimidation or abuse, of such a severe nature that:
 - 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.

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SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)

Such conduct shall include, but is not limited to, threats, intimidation, or abuse based on person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender as defined in Education Law Section 11(6), or sex; provided that nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a person's gender that would be permissible under Education Law Sections 3201-a or 2854(2) (a) and Title IX of the Education Amendments of 1972 (20 USC Section 1681, et seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under 504 of the Rehabilitation Act of 1973;

- c) Standards and procedures to assure security and safety of BOCES students and personnel;
- d) Provisions for the removal from the classroom and from BOCES property, including a BOCES function, of students and other persons who violate the Code;
- e) Disciplinary measures to be taken for incidents on BOCES property or at BOCES functions involving the possession or use of illegal substances or weapons, the use of physical force, vandalism, violation of another student's civil rights, harassment and threats of violence;
- f) Provisions for responding to acts of discrimination and harassment against students by employees or students on BOCES property or at a BOCES function pursuant to clause (b) of this subparagraph;
- g) Provisions for detention, suspension and removal from the classroom of students, including provisions for continued educational programming and activities for students removed from the classroom, placed in detention, or suspended from BOCES;
- h) Procedures by which violations are reported and determined, and the disciplinary measures imposed and carried out;
- i) Provisions ensuring the Code of Conduct and its enforcement are in compliance with state and federal laws relating to students with disabilities;
- j) Provisions setting forth the procedures by which local law enforcement agencies shall be notified of Code violations which constitute a crime;
- k) Provisions setting forth the circumstances under and procedures by which parents/persons in parental relation to the student shall be notified of Code violations;
- l) Provisions setting forth the circumstances under and procedures by which a complaint in criminal court, a juvenile delinquency petition or person in need of supervision ("PINS") petition will be filed;

(Continued)

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- m) Circumstances under and procedures by which referral to appropriate human service agencies shall be made;
- n) A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, (as defined in Commissioner's Regulations) However, the suspending authority may reduce the suspension period on a case-by-case basis consistent with state and federal law;
- o) Guidelines and programs for in-service education programs for all BOCES employees to ensure effective implementation of BOCES policy on BOCES conduct and discipline, including but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, discrimination or harassment against students by students and/or BOCES employees; and including safe and supportive BOCES climate concepts in the curriculum and classroom management.

The Code of Conduct has been adopted by the Board only after at least one public hearing that provided for the participation of BOCES personnel, parents/persons in parental relation, students, and any other interested parties. Copies of the Code of Conduct shall be disseminated pursuant to law and Commissioner's Regulations.

The BOCES' Code of Conduct shall be reviewed on an annual basis, and updated if necessary in accordance with law. The BOCES Board shall reapprove any updated Code of Conduct or adopt revisions only after at least one public hearing that provides for the participation of BOCES personnel, parents/persons in parental relation, students, and any other interested parties.

The BOCES Board shall ensure community awareness of its Code of Conduct by:

- a. Posting the complete Code of Conduct on the Internet website, including any annual updates and other amendments to the Code;
- b. Providing copies of a summary of the Code of Conduct to all students in an age-appropriate version, written in plain language, at the beginning of each school year.
- c. Providing a plain language summary of the Code of Conduct to all parents or persons in parental relation to students before the beginning of each school year and making the summary available thereafter upon request;
- d. Providing each existing teacher with a copy of the complete Code of Conduct and a copy of any amendments to the Code as soon as practicable following initial adoption or amendment of the Code. New teachers shall be provided a complete copy of the current Code upon their employment; and
- e. Making complete copies available for review by students, parents or persons in parental relation to students, other school staff, and other community members.

***REQUIRED POLICY**

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Community Relations

Privacy Rights

As part of any investigation, the BOCES has the right to search all school property and equipment including BOCES computers, rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Education Law Sections 2801 and 3214
Family Court Act Articles 3 and 7
Vehicle and Traffic Law Section 142
8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(1)(2)

NOTE: Refer also to [Policy #6210 – Student Conduct](#).

Adopted: 7/10/02
Revised: 8/9/12