

Student Code of Conduct

I. Introduction

The mission of the Chappaqua Central School District is to create a community for learning, in which students, parents and staff are joined in the pursuit of academic excellence, personal growth and responsible citizenship. The District's objective in creating the Student Code of Conduct is to establish an orderly educational environment and to enable students to become responsible, respectful and caring citizens within the school and community setting.

The Student Code of Conduct defines individual responsibilities, describes unacceptable behavior and provides for appropriate disciplinary and remedial actions. All students are expected to treat other students, school personnel, business invitees and visitors with respect. The District will not tolerate behavior which infringes on the rights of others to learn or work productively in a safe non-hostile environment. The Code shall accomplish the following objectives:

- recognize and encourage acceptable behavior;
- identify, recognize and deter unacceptable behavior;
- promote self-discipline and help students to accept responsibility for their own actions, consistent with their readiness;
- consider the welfare of the individual as well as that of the school community as a whole;
- promote a close working relationship between parents and the school staff;
- distinguish between minor and serious offenses, as well as between first time and repeated offenses;
- provide disciplinary responses that are appropriate to the misbehavior;
- outline procedures to ensure that the Code is administered in a way that is fair, reasonable and consistent;
- ensure every student's right to reasonable due process when accused of misconduct;
- comply with the provisions of federal, state and local laws, as well as the guidelines and directives of the NYS Education Department and the Board of Regents.

The Student Code of Conduct applies to any student behavior that occurs on school property, at a school function (whether on or off school property), or during a school sponsored trip, or which constitutes off campus misconduct, all of which terms are defined herein. The Bill of Rights and Responsibilities of Students ([Policy 5020](#)), Student Sexual Harassment Policy ([Policy 5080](#)) and School Policy on Alcohol and Drug Use by Students Participating in Sports and Extracurricular Activities ([Policy 5005](#)) provide additional guidelines and specific regulations although the Student Code of Conduct and its Administrative Regulations takes precedence over these policies and any related regulations.

The District believes that order and discipline are a shared responsibility between school, home and community. In accordance with State education law, this Student Code of Conduct was developed in collaboration with students, teachers, administrators, parent organizations, school safety personnel and other Board approved school personnel. It recognizes that the Board of Education is responsible for ensuring that the essential regulations are established and adequate discipline is maintained in the operation of the schools to effectively promote safety, as well as

the social and educational growth of students. The Superintendent and administrative staff are responsible for the development of administrative regulations to implement the Student Code of Conduct. The District encourages a strong, cooperative relationship between school and home so that parents will provide the necessary structure to promote students' social and educational growth.

II. Essential Partners

Parents, students, staff, faculty, administrators and the Board of Education are essential partners in providing an appropriate educational environment for all district students. A successful learning community depends on a shared commitment to education and to communicating respectfully with one another.

ROLE OF STUDENTS

- to conduct themselves in an appropriate and civil manner, with due regard for the rights and welfare of all others in the school community, as well as for District facilities and equipment and the property of others;
- to know the school rules and obey them;
- to accept responsibility for one's own actions;
- to help in promoting order and preventing school violence by reporting any person observed on school grounds or at a school function with a weapon, alcohol, or an illegal substance and to report any vandalism, harassment, discrimination or threat of violence to a school official or other responsible adult.

ROLE OF SCHOOL DISTRICT PERSONNEL AND CONTRACTOR EMPLOYEES

- to promote a climate of mutual respect and dignity which will strengthen each student's positive self-image;
- to report to the Principal, or the Principal's designee, any student who violates the Student Code of Conduct or jeopardizes the safety of themselves or others;
- to maintain confidentiality in accordance with federal and state law.

ROLE OF TEACHERS

- to promote a climate of mutual respect and dignity which will strengthen each student's positive self-image, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex;
- to create a classroom environment that contributes to the total instructional program and to the student's development of civic responsibility;
- to communicate to students and parents about course objectives and requirements, grading procedures, assignment deadlines, expectations for classroom behavior and consequences;
- to seek to develop close cooperative relationships with building staff and parents for the educational benefit of the student;
- to report to the Principal, or the Principal's designee, any student who violates the Student Code of Conduct, jeopardizes the safety of themselves or others, or who seriously interferes with the instructional program of the class;
- to maintain student confidentiality in accordance with federal and state law;

- to demonstrate desirable standards of behavior through personal example;
- to comply with state education law and regulations regarding corporal punishment, mandated reporting of suspected child abuse in a domestic setting and in an educational setting.

ROLE OF THE PRINCIPAL

- to seek to develop a sound and healthful atmosphere of mutual respect;
- to collaborate with and support teachers and parents in working with students;
- to assume responsibility for the dissemination and enforcement of the Student Code of Conduct and Student Rights and Responsibilities and ensure that all discipline cases referred are resolved promptly;
- to ensure that students are provided with fair, reasonable and consistent discipline;
- to comply with pertinent state and federal laws governing hearings, suspensions and student rights;
- to develop and implement an effective Student Code of Conduct supported by students, parents, staff and community;
- to maintain student confidentiality in accordance with federal and state law;
- to demonstrate desirable standards of behavior through personal example;
- to comply with state education law and regulations regarding corporal punishment, mandated reporting of suspected child abuse in a domestic setting and in an educational setting.

ROLE OF DISTRICT ADMINISTRATORS

- to collaborate with and support building administrators in fulfilling their obligations under the Student Code of Conduct;
- to recommend to the Board of Education appropriate policy, regulations and actions to achieve optimum conditions for positive learning;
- to develop and implement an effective Student Code of Conduct supported by students, parents, staff and community;
- to maintain student confidentiality in accordance with federal and state law;
- to demonstrate desirable standards of behavior through personal example;
- to comply with state education law and regulations regarding corporal punishment, mandated reporting of suspected child abuse in a domestic setting and in an educational setting.

ROLE OF THE BOARD OF EDUCATION

- to fulfill its obligations under the Student Code of Conduct;
- to annually review and approve the Student Code of Conduct, making changes, if necessary;
- to maintain student confidentiality in accordance with federal and state law;
- to comply with state education law and regulations regarding corporal punishment, mandated reporting of suspected child abuse in an educational setting.

ROLE OF PARENTS

- to promote a climate of mutual respect, dignity, and cooperative relationships;
- to know school rules and help their children understand and follow them;
- to cooperate with the school in jointly resolving any school related problem;
- to notify school officials about concerns in a respectful and timely manner;
- to be respectful and courteous to staff, other parents and students;
- to assume responsibility for any financial obligations incurred as the result of their child's damage to, loss of or destruction of property.

III. Definitions

Administrators - includes Principal, Assistant Principal, Athletic Director and Superintendent, or any such person designated as acting in such capacity by an appropriate official of the District.

Bullying or Intimidation - For purposes of this policy bullying shall have the same meaning as harassment.

Controlled Substance - is a drug or other substance identified in certain provisions of the federal Controlled Substance Act specified in both federal and New York State law and regulations applicable to this Code.

Cyberbullying - Cyberbullying is defined as harassment or bullying through any form of electronic communication. In order to be actionable under this Policy, cyberbullying that occurs off school property must create, 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.

Discrimination - For purposes of this policy, the term discrimination means the denial of rights, benefits, justice, equitable treatment or access to facilities based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity and expression) and sex.

Discrimination or harassment within the meaning of this policy shall include a single severe incident or multiple incidents that are pervasive in nature that create a hostile environment.

Firearm - pursuant to 18 USC 921 for purposes of the Gun Free Schools Act means (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include a non-functional antique firearm.

Harassment – For purposes of this policy, the term harassment shall mean the creation of a hostile environment by conduct, verbal threats, intimidation or abuse including cyberbullying that (a) has or would have the effect of unreasonable and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her their own physical safety, or (c) reasonably causes or 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 the school property. Acts of harassment and bullying shall include, but not be 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 the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions.

Hazing - is any action taken or situation created by a student or group of students intentionally to produce mental or physical discomfort, embarrassment or ridicule in the course of another student's initiation into or affiliation with any organization or group, regardless of the student's willingness to participate.

Illegal drugs - mean any controlled substance except those legally possessed or used under the supervision of a licensed health care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

Inappropriate Dress and Grooming - any dress or appearance which constitutes a threat or danger to the health and safety of students or constitutes a disruption to the educational process, including, but not limited to, wearing any attire which is lewd, vulgar or indecent or contains any expressions or insignia that: are obscene or libelous; denigrate others on account of race, color, religion, national origin, sex, sexual orientation, gender (including gender identity or expression), or disability; or promotes, endorses, or encourages the use of alcohol, tobacco, controlled substances, illegal drugs, or other illegal or violent activities.

Parent - means a parent, guardian, or person in parental relation to a student. Such definition shall also include those individuals identified as parents under Section 200.1 of the Commissioner of Education's regulations with respect to students with educational disabilities.

Pupil Personnel Services Staff (PPS) - includes social workers, school psychologists, and Special Education and Related Services staff.

Off campus misconduct - any violation of the Student Code of Conduct which occurs beyond school property or outside of a school function that may endanger the health or safety of pupils within the educational system or adversely affect the educative process, in accordance with the decisional law of the Commissioner of Education.

School property - means in or within any building, structure, athletic playing field, playground, parking lot, or land within the real property boundary line of a Chappaqua Central School District elementary or secondary school or in or on a school bus, as defined in Vehicle and Traffic Law 142.

School function - a school-sponsored event or activity, regardless of location.

School-sponsored Trip - both field trips and extracurricular trips officially sanctioned by the District in accordance with [Policy 4055](#).

Vandalism - the intentional or reckless damage or destruction of school property or the property of others, including, but not limited to, the marking, drawing or painting of school property with any impression or insignia that are: obscene or libelous; denigrates others on account of race, color, religion, national origin, sex, sexual orientation, gender identity or expression, or disability.

Violent student - an elementary or secondary student under twenty-one years of age who: (1) commits an act of violence upon a teacher, administrator or other school employee; (2) commits an act of violence upon another student or any other person; (3) possesses a gun, knife, explosive or incendiary bomb, or other dangerous instrument capable of causing physical injury or death; (4) displays what appears to be a gun, knife, explosive or incendiary bomb or other dangerous instrument capable of causing death or physical injury; (5) threatens to use any instrument that appears capable of causing physical injury or death; (6) knowingly and intentionally damages or destroys the personal property of a school district employee, another student, or any person; or (7) knowingly and intentionally damages or destroys school property.

Weapon - means any firearm, rifle, shotgun, dagger, dangerous knife, dirk, razor, box cutter, stiletto, electronic dart gun, electronic gun, gravity knife, switchblade knife, pilum ballistic knife, knuckle knife, cane sword, billy, blackjack, bludgeon, metal knuckles, chuka stick, sandclub, wrist-brace type slingshot or slingshot, shiriken or Kung Fu star or any weapon specified in Section 265.01 of the New York State Penal Law.

IV. Disciplinary Actions

Staff members will deal fairly, impartially, and directly with an infraction of the Student Code of Conduct when and where it occurs. Those authorized to impose consequences will consider the factors such as student's age; nature and circumstances of the offense; whether or not the student has been subject to prior relevant disciplinary intervention for similar and/or unrelated conduct; effectiveness of discipline; information from parents, teachers and others as appropriate.

In general, discipline will be progressive; a second violation will merit more severe consequences than the first, and so on. The District reserves the right to take the most severe action in a first event of serious misconduct and/or to notify appropriate law enforcement agencies if a student is suspected of engaging in conduct which would constitute a crime (see VIII. Reporting Code Violations).

The range of disciplinary actions for violations of this Code which may be imposed by the individuals noted below include the following:

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| 1. Oral warning; | School personnel |
| 2. Written warning; | Teacher, PPS, Guidance,
Administrator |
| 3. Oral or written notification to parents; | Teacher, PPS, Guidance,
Administrator |
| 4. Detention; (including Saturday detention) | Teacher, Administrator |

5. Parent conference;	Teacher, PPS, Guidance, Administrator
6. Probation;	Administrator
7. Confiscation;	School personnel
8. Reprimand;	Teacher, PPS, Guidance, Administrator
9. Removal of privileges;	Administrator
10. Restitution;	Administrator
11. Removal, cover up, replacement of offending clothing and/or accessories;	Teacher, PPS, Guidance, Administrator
12. Removal from classroom;	Teacher, Principal, Administrator
13. Academic penalties;	Teacher, Administrator
14. Suspension from transportation;	Principal, Superintendent
15. Suspension from athletic participation;	Administrator
16. Suspension from social, extra-curricular, or other school-related activities;	Administrator
17. Exclusion from a particular class;	Administrator
18. Restricted study/alternative learning site (In-School Suspension);	Principal
19. Suspension from school for up to five (5) school days;	Principal, Superintendent, Board of Education
20. Suspension from school in excess of five (5) school days;	Superintendent, Board of Education
21. Suspension from school for at least one (1) year;	Superintendent, Board of Education
22. Placement in an interim alternative educational setting for a period of up to forty-five (45) school days;	Superintendent, Board of Education
23. Permanent suspension (expulsion);	Superintendent, Board of Education
24. Police, court, or social agency referral	Administrator, Board of Education

V. Infractions and Potential Disciplinary Actions

Attachment I provides some examples of infractions and the potential consequences. The list is not intended to be all inclusive. The Board of Education reserves the right to review the list and

modify, as necessary. Each infraction corresponds to a range of possible consequences. In addition, further guidance for infractions and disciplinary measures are referenced in the Athletic Handbook (for Horace Greeley High School, Bell Middle School and Seven Bridges Middle School) and the School Policy on Alcohol and Drug Use by Students Participating in Sports and Extracurricular Activities ([Policy 5005](#)).

VI. Disciplinary Procedures

The due process a student is entitled to receive before a disciplinary action is imposed depends on the nature of the infraction. A school official empowered to impose a disciplinary measure shall inform the student of the alleged misconduct and investigate the matter in a way a reasonable person would deem fair. A student may have an opportunity to present their own version of the facts to the appropriate school official prior to the imposition of discipline. Removal of a student from the classroom by a teacher and suspension of a student from required attendance upon instruction shall be in accordance with Section 3214 of the Education Law and Section 100.2(l) of the Commissioner's Regulations. Additional due process rights to which a student may be entitled are put forth in Administrative Regulations.

VIII. Reporting Code Violations

If a student's conduct is related to a disability or suspected disability, the case may be referred to the Committee on Special Education (CSE). If a student with a disability receives an out of school suspension, the CSE will be notified by the Principal or the Principal's designee. Any discipline will be administered in accordance with the section in Administrative Regulations relating to students with, or presumed to have, a disability. The suspension of students with educational disabilities shall also comply with the Individuals with Disabilities Education Improvement Act and Part 201 of the Commissioner's Regulations.

The suspension of a student with a disability pursuant to Section 504 of the Rehabilitation Act of 1973 shall be in accordance with such law, as well as the decisional law of the Commissioner of Education. Such procedures shall be placed in Administrative Regulations and disseminated with the Student Code of Conduct.

VII. Alternative Instruction

Pursuant to the Education Law, no student of compulsory school age (through school year during which student turns 16) shall be suspended from school in their regularly scheduled classes without being provided alternative equivalent instruction, either in the form of home instruction or instruction in an alternative setting. A good faith effort shall be made to provide such instruction immediately.

The District will report any acts of violence against persons that may constitute a felony or misdemeanor and other violations of the Student Code of Conduct which may constitute a felony to the appropriate local law enforcement agency. When necessary, the District will file a complaint in criminal court against the student. In addition, the District may report any violations of the Student Code of Conduct which constitute a misdemeanor to the appropriate authorities. When necessary, the District will file a juvenile delinquency petition or a person in need of supervision (PINS) petition in Family Court. The District shall submit to the State Education Department Violent and Disruptive Incident Reports (VADIR) for each school building on an annual basis.

IX. Dissemination

The District shall:

- Provide digital access to a summary of the Code to all students in an age-appropriate version, at the beginning each school year.
- Provide parents/persons in parental relation to students with digital access to the Code and a summary of the Code, at the beginning of each school year and may require a written acknowledgement that the Code was received by the parents and student.
- Provide all current teachers and other staff members with digital access to the Code and any amendments to the Code as soon as practicable after adoption.
- Provide all new employees with digital access to the current Code when they are hired.
- Post a copy of this Code and its Administrative Regulations on the District website for review by students, parents and other community members.

The Board of Education shall review and update, if necessary, the Code annually. Any revisions to the Code will follow the same Board procedure used to adopt District policy and shall also include a public hearing. The Code and its Administrative Regulations will be filed with the Commissioner of Education consistent with statute.

Rescinds:

5114.1 Disciplinary Code; 5114Suspension

5131.1 Early Identification and Resolution of Student Disciplinary Problem

Adopted by Board of Education: July 11, 2006; revised: May 22, 2007; revised October 10, 2012; June 19, 2013; August 30, 2018

Cross reference:

5020 [Bill of Rights and Responsibilities](#)

5005 [School Policy on Alcohol and Drug Use by Students Participating in Sports and Extracurricular Activities](#)

5052 [Harassment, Bullying and Discrimination Prevention and Intervention](#)

5080 [Student Sexual Harassment](#)

Athletic handbook

Regulations

[Attachment to 5030: Code of Conduct](#)