

[X] Required
 [] Local
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Code of Conduct

I. INTRODUCTION

The Capital Region BOCES Board of Education recognizes that students, parents, teaching staff, counseling staff, administrators, and the board play active and important roles in implementing this code. The Board of Education endeavors to provide a safe and orderly school environment that supports high quality education without disruption or interference. Responsible behavior by students, teachers, other BOCES/district personnel, parents and other visitors is essential to achieving this goal.

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, identify the possible consequences of unacceptable conduct, and to ensure that discipline, when necessary, is administered promptly and fairly. To this end, the Board adopts this code of conduct ("code").

Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

II. CODE OF CONDUCT DEFINITIONS/EXPLANATIONS

Term	Definition/Explanation
Disruptive Behavior	A deliberate action that negatively affects the education of others; a behavior which causes an interruption in a class activity.
Disruptive Student	A secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom.
ISS	In School Suspension
OSS	Out of School Suspension
Parent	A parent, guardian or person in parental relation to a student.
SAVE	Safe Schools Against Violence in Education – New York State's violence prevention legislation
School function	Any school sponsored extra-curricular event, activity, or field trip on or off campus.
School property	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, as defined in Vehicle and Traffic Law §142.
*VADIR	Violent and Disruptive Incident Reporting – New York State Education uniform reporting system for violent incidents
Violent Student	<ol style="list-style-type: none"> 1. Commits an act of violence upon a school employee, or attempts to do so 2. Commits, while on school property or at a school function, an act of violence upon another student or any other person on school property or at the school function, or attempts to do so. 3. Possesses, while on school property or at a school function, a weapon. 4. Displays, while on school property or at a school function, what appears to be a weapon. 5. Threatens, while on school property or at a school function, to use a weapon. 6. Knowingly and intentionally damages or destroys the personal property of any school employee or any other person on school property or at a school function. 7. Knowingly and intentionally damages or destroys school property.

<p>Weapon</p>	<p>Any firearm as defined in § 18 USC 921 for purposes of the Gun-Free School 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, sling shot, metal knuckle knife, box cutters, 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, object, material or substance that is used to cause physical injury or death to another person.</p>
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III. STUDENT RIGHTS AND RESPONSIBILITIES

A. Student Rights

The bill of rights and responsibilities of all students shall be placed in the student handbook and made available to all students. In addition, this information will be explained to all students on an annual basis. The BOCES/district endeavors to safeguard the rights given to all students under state and federal law. In addition, to promote a safe, healthy, orderly and civil school environment, all BOCES/district students have the right to:

1. Take part in all BOCES/district activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation or 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 Responsibilities

All BOCES/district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all BOCES/district policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, prepared to learn, and comply with the attendance policy previously established by the Capital Region BOCES.
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 to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the BOCES/district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.

IV. 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 BOCES/district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting. Attire that is disruptive to the educational process is prohibited.

Exceptions may be made to the Dress Code for religious, cultural, or medical reasons. This exception shall be authorized prior to the occurrence of a dress code violation.

V. STUDENT CONDUCT

Students and staff are expected to work together in an atmosphere of respect to ensure a safe and productive learning environment. The following chart applies conduct at all times including school functions, including, but not limited to, those off campus, i.e., field trips, conferences and competitions.

Administrators at the Capital Region BOCES retain discretion to reduce or augment the recommended penalties enumerated below if mitigating or exacerbating factors and/or the student’s anecdotal record of prior offenses warrant the consideration. It is impossible to identify all types of offenses and penalties. If a student is insubordinate or disorderly in a manner not specifically enumerated below, it will be treated within the context of the overall policy. Reference may be made to Education Law §2801.

BOCES staff are expected to cooperate with local school districts and parents in the event they are called upon to participate in legal proceeding involving action of BOCES students.

The range of penalties may include, but are not limited to:

1. Verbal warning	7. Suspension of other privileges
2. Written warning	8. In-school suspension
3. Verbal or written notification to parent	9. Removal from classroom by teacher
4. Lunch detention	10. Suspension from school
5. Suspension from social or extracurricular activities	11. Permanent suspension from BOCES
6. Parent conference	

*Denotes items that are VADIR reportable

OFFENSE	1 ST Occurrence	2 ND Occurrence	3 RD Occurrence
Tardiness to school or class	Three + offenses, referral to administrator, parent phone contact; home school notification	Four – Five offenses, ISS, possible revocation of parking privileges.	Subsequent offenses treated as repeated insubordination.
Misuse of Hall Pass	Verbal Warning	Component School and parent notified	Administrator referral; One day ISS and parent contact; subsequent offenses treated as repeated insubordination

Excessive display of affection	Verbal Warning	Component School and parent notified	One day ISS, Component School and parent contact
Disruptive Behavior	<i>A deliberate action that negatively affects the education of others; a behavior which causes an interruption in a class activity.</i>		
	Parent notified, Component school notification; 1-5 days ISS	Component School and parent notified and 1-5 days ISS	Component School and parent notified; 1-5 day ISS; parent conference; 1-5 days OSS
Unauthorized Use of Electronic Device	<i>Use of electronic devices including but not limited to use of cell phones, ipods, iphones, etc. during school hours is prohibited. Cell phones must be silenced at all times.</i>		
	Verbal Warning	Confiscation of device	Administrator referral, 1-5 days ISS/OSS, subsequent offenses treated as repeated insubordination
Cutting Class	<i>Missing or skipping a class</i>		
	Administrator referral, verbal warning, parent contact	Verbal warning, Administrator referral; parent contact, Component School contact, ISS	Verbal warning Administrator referral; parent conference, Component School contact, ISS
Dress Code Violation	<i>Students are expected to dress according to the requirements of their program. Additionally, dress, grooming and appearance must be safe, appropriate and not disrupt or interfere with the educational process. The intent of the dress code is to foster an environment that is sanitary, safe and conducive to teaching and student learning. It is also intended to provide guidance to prepare students for their role in the work place and society.</i>		
	Administrator referral, verbal warning, change of clothing	Administrator referral, parent contact, change of clothing, ISS	Administrator referral; ISS or OSS and parent conference; subsequent offenses treated as repeated insubordination
Driving without a permit; Unauthorized passengers	Administrator referral, verbal warning, component school notification, parent contact	Administrator referral; loss of driving privileges, parent contact; ISS	Administrator referral; ISS/OSS, loss of driving privileges, parent contact; subsequent offenses treated as repeated insubordination
Inappropriate Computer Usage as per BOCES acceptable use Board Policy #5095	Administrator referral, verbal warning, parent contact	Administrator referral, loss of computer privileges, parent contact	Administrator referral; complete loss of computer privileges, ISS/OSS, subsequent offenses treated as repeated insubordination
Truancy	<i>Missing school without a legal excuse</i>		
	Component School and parent notified	Component School and parent notified, 1 – 5 days ISS	Administrator referral; 1 -5 days ISS; parent conference; possible dismissal hearing
Cheating/Plagiarizing in Class/Exams	“0” on assignment, Component School and parent notified	Administrator referral; Component School and parent notified; 1 -5 days ISS	Administrator referral; 1-5 days OSS; possible dismissal hearing
Gambling	Administrator referral; verbal warning, parent contact	Treat as Insubordination	Treat as Insubordination
Insubordination	<i>Refusing to follow a staff member’s direction; talking back; being deliberately or socially rude, expressed disrespect toward any BOCES employee, or becoming argumentative with any BOCES employee.</i>		
	Administrator referral, 1 -3 day ISS or OSS and parent contact	Administrator referral; Component School and parent conference; 1-5 days ISS or OSS; possible dismissal hearing	Administrator referral; 1-5 days OSS; Component School and parent contact, possible dismissal hearing

Profanity/Abusive language	Administrator referral; verbal warning and/or possible ISS	Administrator referral; Component School and parent notified; ISS or OSS and parent conference	Administrator referral; OSS; Component School and parent notified; possible dismissal hearing
Profanity/Abusive Language directed at staff	Administrator referral, 1-3 days ISS/OSS; parent contact	Administrator referral; Component School and parent notified; 3 + days OSS, parent conference	Administrator referral; 3 + days OSS; Component School and parent notified; possible dismissal hearing
Use of Tobacco on School Grounds or During School Function	Administrator referral; verbal warning, parent contact	Administrator referral; 1 -3 days ISS/OSS, parent conference, Component School and parent notified	Administrator referral; 3-5 days ISS/OSS, Component School notified and parent conference, possible dismissal hearing
Forging Notes	Administrator referral; Component School and parent notified; One day ISS	Administrator referral; Component School and parent notified; ISS/OSS	Administrator referral; Component School and parent notified; ISS/OSS
Leaving School Grounds without written consent or BOCES permission	Administrator referral; Component School and parent notified; 1 day ISS	Administrator referral; Component School and parent notified; 1-3 days ISS/OSS	Administrator referral; Component School and parent notified; 3+ days ISS/OSS
*Minor Altercation	<i>Involving physical contact and no physical injury. Striking, shoving, or kicking another person or subjecting another person to unwanted physical contact with intent to harass alarm or seriously annoy another person, but no physical injury results.</i>		
	Administrator referral; Component School and parent notified; 1-5 days ISS/OSS	Administrator referral; Component School and parent notified; 1-5 days ISS/OSS	Administrator referral; Component School and parent notified; 3-5 days OSS; possible dismissal hearing
*Reckless Endangerment	<i>Subjecting individuals to danger by recklessly engaging in conduct that creates a grave risk of death or serious physical injury, but no actual physical injury.</i>		
	Administrator referral; Component School and parent notified; 1-5 days OSS	Administrator referral; Component School and parent conference; 1-5 days OSS and possible dismissal hearing	Administrator referral; Component School and parent conference; 1-5 days OSS and possible dismissal hearing
Dangerous Action	<i>Any action that is considered dangerous or unsafe, but does not meet the criteria of other offenses.</i>		
	Administrator referral; Component School and parent notified; 1-3 days ISS/OSS	Administrator referral; Component School and parent notification; 1-5 days ISS/OSS and possible dismissal hearing	Administrator referral; Component School and parent conference; 1-5 days OSS and possible dismissal hearing
Violent Student	<i>Any action by a student that is violent in nature, but does not meet the criteria of the other offenses.</i>		
	Administrator referral; Component School and parent notified; 1-3 days ISS/OSS	Administrator referral; Component School and parent notification; 1-5 days ISS/OSS and possible dismissal hearing	Administrator referral; Component School and parent conference; 1-5 days OSS and possible dismissal hearing
*Criminal Mischief	<i>Intentional or reckless damaging of the property of the school or of another person, including, but not limited to, vandalism and the defacing of property</i>		
	Administrator referral; Component School and parent notified; ISS, restitution	Administrator referral; ISS/OSS, restitution and parent conference	Administrator referral; ISS/OSS, restitution and parent conference; possible legal action

*Assault with Physical Injury	<i>Intentionally or recklessly causing physical injury to another person</i>		
	Administrator referral; Component School and parent notified; 1-3 days OSS; notification of authorities and/or law enforcement	Administrator referral; Component School and parent notified, 3+ days OSS; dismissal hearing; notification of authorities and/or law enforcement	Administrator referral; Component School and parent notified, 3+ days OSS; dismissal hearing; notification of authorities and/or law enforcement
*Assault with Serious Physical Injury	<i>Intentionally or recklessly causing serious physical injury to another person</i>		
	Administrator referral; Component School and parent notified; 5 days OSS, notification of authorities and/or law enforcement, dismissal hearing		
*Possession, Use, Distribution of Weapon	<i>Bringing a weapon or possessing a weapon at school, which may include a pocket, pen or other knives, look alike fake weapons, or other devices, instruments, materials or substances (“Other Items”) that can cause physical injury or death when used to cause physical injury or death or, when such Other Items are brandished as a weapon.</i>		
	Administrator referral; Component School and parent notified, 1-5 days OSS, notification of authorities and/or law enforcement; possible dismissal hearing	Administrator referral; Component School and parent notified, 1-5 days OSS, notification of authorities and/or law enforcement; possible dismissal hearing	
*Larceny or Other Theft Offenses	<i>Unlawful taking and carrying away of personal property with intent to deprive the rightful owner of property. Permanently or unlawfully withholding property from another.</i>		
	Administrator referral; Component School and parent notified; ISS/OSS; notification of authorities and/or law enforcement, restitution/ payment	Administrator referral; Component School and parent notified; ISS/OSS; notification of authorities and/or law enforcement, restitution/ payment	Administrator referral; Component School and parent notified; ISS/OSS; notification of authorities and/or law enforcement, restitution/ payment, possible dismissal hearing
*Use, Possession, sale, distribution of Drugs or Alcohol	<i>Illegally using or possessing alcohol or a controlled substance on school property, including having such substance on a person or in a locker, vehicle, or other personal space; selling or distributing alcohol or a controlled substance, including look-alikes, and prescription or over-the-counter drugs when possession is unauthorized or such are inappropriately used or shared with others. A student shall be considered “under the influence” if he or she has consumed an illegal substance or alcohol within a time period reasonably approximate to his/her presence on school property, on a school bus, in a school vehicle, or at a school-sponsored function.</i>		
	Administrator referral; Component School and parent notified; notification of authorities and/or law enforcement, 1-5 days OSS, possible dismissal hearing	Administrator referral; Component School and parent notified; notification of authorities and/or law enforcement, 1-5 days OSS, possible dismissal hearing	Administrator referral; Component School and parent notified; notification of authorities and/or law enforcement, 5 days OSS, dismissal hearing
Possession of drug paraphernalia	Administrator referral, Component School and parent notified, notification of authorities and/or law enforcement, 1 -5 days OSS	Administrator referral, Component School and parent notified, notification of authorities and/or law enforcement, 1 -5 days OSS, possible dismissal hearing	Administrator referral, Component School and parent notified, notification of authorities and/or law enforcement, 1 -5 days OSS, possible dismissal hearing

*Intimidation, Harassment, Menacing, Bullying	<i>Threatening, stalking, or seeking to coerce or compel a person to do something, engaging in verbal or physical conduct that threatens another with harm, including intimidation through the use of epithets, or slurs involving race, ethnicity, national origin, religion, religious practices, gender, sexual orientation, age, or disability, which includes any form of sexual harassment defined under BOCES Sexual Harassment Policy</i>		
	Administrator referral; Component School and parent notified; 1-3 days ISS/OSS; notification of authorities and/or law enforcement	Administrator referral, Component School and parent notified; 1-5 days ISS/OSS; notification of authorities and/or law enforcement; possible dismissal hearing	Administrator referral, Component School and parent notified; 1-5 days ISS/OSS; notification of authorities and/or law enforcement; possible dismissal hearing
*Sexual Offenses	<i>Voluntary or forcible inappropriate sexual contact</i>		
	Administrator referral; Component School and parent notified, 1-5 days OSS, notification of authorities and/or law enforcement; possible dismissal hearing	Administrator referral; Component School and parent notified, 1-5 days OSS, notification of authorities and/or law enforcement; possible dismissal hearing	
*False Alarm	<i>Falsely activating a fire alarm or other disaster alarm</i>		
	Administrator referral; Component School, parents and authorities notified, OSS, dismissal hearing	Administrator referral; Component School, parents and authorities notified, OSS, dismissal hearing	
*Arson *Bomb Threat *Burglary *Robbery *Homicide *Kidnapping	<i>Deliberately starting a fire. A telephoned, written, or electronic message that a bomb, explosive, chemical, or biological weapon has been placed on school property. Entering or remaining unlawfully on school property with intent to commit a crime. Forcible stealing of property from a person by using or threatening the immediate use of physical force upon that person, with or without the use of a weapon. Any conduct that results in the death of another person To abduct a person so as to restrain such person with intent to prevent his or her liberation</i>		
	Administrator referral; Component School and parent notified; OSS; notification of authorities and/or law enforcement, dismissal hearing		

Students may be subject to disciplinary action, up to and including suspension or removal from school when they engage in the following behaviors:

1. **Bullying:** This includes the repeated harassment or intimidation of others by the real or threatened infliction of physical, emotional or psychological abuse. This abuse can be perpetrated by various means including physically, verbally, socially, written, pictorial, or electronically transmitted. It can also occur through attacks on the property of another, and can occur on school grounds, on a school bus or off school grounds but that is designed to, or has the effect of, interfering with one’s ability to attend school and/or to be educated in a safe, non-hostile environment. Bullying includes, but is not limited to taunts, name-calling, and put-downs etc. by any means, about a person’s race, ethnicity, economic status, religion, family composition, appearance, weight, gender, or sexual orientation. It also includes the extortion of

money, exclusion from social groups, or the posting or forwarding of unacceptable information or images to a public domain. Such conduct is harmful to the individual and disruptive to the educational process, and therefore it is not acceptable behavior in this BOCES/district and is prohibited.

This Code of conduct shall be implemented in a manner that recognizes the ability of teachers to remove disruptive pupils in accord with Education Law §3214(3-a). In addition, the staff at Capital Region BOCES recognizes that working with students and parents and strengthening their social emotional skills and abilities can have a positive impact on student behavior. To that end, school counselors and social workers will provide interventions and supports and when indicated through assessment and collaboration with significant others will provide referral to community based human services resources.

VI. Reporting Violations

BOCES will comply with Violent and Disruptive Incident Reporting and will periodically evaluate the Code of Conduct based on review of VADIR Report and materials provided by administration.

VII. DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board of Education recognizes that it may become necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. Additionally, the Board of Education recognizes that a student may be “presumed to have a disability” if the LEA (Local Educational Agency) or the IEA (Intermediate Educational Agency – or BOCES in New York) is deemed to have knowledge that the student had a disability that was not formally identified. This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly deemed applicable by federal and state laws and regulations.

- A. Authorized Suspensions or Removals of Students with Disabilities (or presumed to have a disability)
 - 1. Students identified as having a disability or presumed to have a disability may be suspended or removed from school in a manner consistent with Part 200 and Part 201 of the Regulations of the Commissioner of Education for The State of New York.
 - 2. A new and revised version of Part 200 and Part 201 will be distributed to all BOCES principals each year in conjunction with a training and update on these policies. All new Principals will receive the training as part of their orientation to BOCES.
- B. An outline of Disciplinary Procedures for Students with Disabilities
 - 1. Students identified as having a disability or presumed to have a disability may be suspended up to five days should the judgment of the principal, superintendent or Board of Education member determine this to be an appropriate response to a student’s actions.

2. During any suspension lasting five days or less, the student may have a right to be provided with alternate instruction pursuant to education law 3214(e) on the same basis as non-disabled students. Component BOCES/districts will be notified concerning the necessity of providing alternative educational services to students with disabilities or presumed to have a disability. Additionally, during any suspension, students with disabilities shall be provided services to the extent required under the Individuals with Disabilities Education Act.
3. If a student identified as having a disability or presumed to have a disability is suspended for a period of five consecutive days, or a period of time totaling more than five days over multiple suspensions, a superintendent's hearing may be convened if the suspension or suspensions are based on the same behavior pattern. Following the superintendent's hearing, the CSE will meet to determine if the student's behavior was a manifestation of the student's disability. This determination provides the superintendent with direction as to how to carry out the punishment phase of disciplinary action (see Part 201.9). If a student with a disability or presumed to have a disability is suspended for five consecutive days or multiple times totaling five or more days based on different behaviors, the CSE must meet to create or revise a Functional Behavior Analysis and Behavior Intervention Plan.
4. All suspensions of Students with Disabilities will require that the school, parent and CSE perform a Functional Behavior Analysis and design and implement a Behavior Intervention Program. This must be done immediately following a suspension and with the signed consent of the parent.
5. Misconduct of a student with a disability or presumed to have a disability that involves weapons, illegal drugs or controlled substances may result in a suspension of up to 45 days, but not to exceed the length of time a non-disabled student would be suspended for the same offense under the school's discipline policy.
6. An Interim Alternative Educational Placement (IAES) will be determined by the CSE in all cases involving suspensions of students with disabilities or students presumed to have a disability.
7. Students with Disabilities or presumed to have a disability that receive multiple suspensions totaling more than ten days during a school year that do not constitute a disciplinary change in placement will be provided with program changes through their CSE that constitute new and significant changes to their IEP designed to assist in ameliorating the behavior subject to suspension.
8. Referral to Law Enforcement and Judicial Authorities

In accordance with the provisions of IDEA and its implementing regulations:

- a. The BOCES/district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.

- b. The Superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

VIII. STUDENT INTERROGATIONS AND SEARCHES

The Board of Education endeavors to provide an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the BOCES/district code of conduct. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

The Board authorizes administrators to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the BOCES/district code of conduct.

An authorized school administrator may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

The rules in this code regarding searches of students and their personal belongings do not apply to student lockers, desks, and other school storage places which are school property. School property may be searched at any time by school officials, without prior notice to students and without their consent.

No BOCES employee may give consent for police questioning of students; only a student's parents may authorize police questioning. (Formal Opinion of Counsel 91, 1 Ed. Dept. Rep. 800 (1959).

IX. VISITORS TO THE SCHOOLS

The Board encourages parents and other citizens to visit the schools and classrooms to observe the work of students, teachers and other staff. Since schools are a place of work and learning, however, certain limits must be set for such visits. The Principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Anyone who is not a staff member or student of the school will be considered a visitor.
2. All visitors to classrooms must report to the Main Office upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the Main Office before leaving the building.
3. Principals have the discretion to waive the sign in requirement for special events.

4. Parents or citizens who wish to observe a classroom while school is in session are required to arrange such visits in advance with the classroom teacher(s).
5. Teachers shall not take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property must be reported by any person to the Principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors must abide by the rules for public conduct on school property contained in this code of conduct.

X. Public Conduct on School Property

The BOCES/district endeavors to provide an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school function including students, teachers and BOCES/district personnel.

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The BOCES/district recognizes that free inquiry and free expression are indispensable to the objectives of the BOCES/district. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Penalties

Persons who violate this code shall be subject to the following penalties:

1. Visitors. Their authorization to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection and criminal charges for trespassing may be lodged.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Employees. They shall be subject to discipline, up to and including dismissal from employment, as allowed by law or by contract.

B. Enforcement

The Principal or his/her designee(s) shall be responsible for enforcing the conduct required by this code.

When the Principal or his or her designee(s) sees an individual engaged in conduct which is prohibited under this code and which in his or her judgment does not pose any immediate threat of injury to persons or property, the Principal or designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal or designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the Principal or designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The BOCES/district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the BOCES/district reserves its right to pursue a civil or criminal legal action against any person violating the code.

XI. Dissemination and Review

A. Dissemination of Code of Conduct

The Board will work to ensure that the community is aware of this code of conduct by:

1. Providing copies of the code to all students in the CTE and Special Education Student Handbooks.
2. Making copies of the code available to all parents at the beginning of the school year by placing on the BOCES website.
3. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption through posting on the BOCES website.
4. Providing all new teachers with a hard copy of the current code of conduct when they are first hired.
5. Upon adoption or amendment of this code, a copy shall be filed with the Commissioner of Education within 30 days.

Prior to adoption, the code will be reviewed first by members of Labor Management and then at a public meeting to coincide with the adoption of the Code of Conduct to include participation of school personnel, parents, students and any interested party. This meeting will precede the regularly scheduled meeting of the Board of Education scheduled for August 29, 2011. An in-service education program for all BOCES/district staff members to ensure the effective implementation of the code of conduct will be offered annually.

The Capital Region BOCES will maintain a copy of the current Code of Conduct at its website: www.capregboces.org.

CAPITAL REGION BOCES

The instructional leaders will meet in May to determine if there are any changes we would like to make prior to the reorganizational meeting. The Board will review this code of conduct at the reorganizational meeting of the Board of Education and update it as necessary. In conducting the review, the Board will consider how effective the code's provisions have been and whether the code has been applied fairly and consistently.

Adoption date: August 29, 2011