

# Regulation

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COMMUNITY RELATIONS

1011.1

## PLAIN LANGUAGE SUMMARY OF THE MADISON ONEIDA BOCES' CODE OF CONDUCT

### **I. Introduction**

The MOBOCES establishes this summary of its Code of Conduct for the Maintenance of Public Order on MOBOCES Property and at MOBOCES Functions (Policy No. 1011) to govern the conduct of students, teachers and other MOBOCES personnel, and visitors. This summary does not replace the complete Code of Conduct.

### **II. HARASSMENT, DISCRIMINATION AND BULLYING IS PROHIBITED AT MOBOCES**

You should never feel that it is not safe to come to MOBOCES and participate in all MOBOCES activities. You should never be prevented from concentrating on your schoolwork because another student or a MOBOCES staff member is teasing you, making fun of you, pushing you around, or threatening you in some way, because of your race, color, weight, national origin (where your family comes from), ethnic group, religion, religious practices, disability, sexual orientation, gender (including gender identity or expression), or sex, or for any other reason.

A student may not act toward another student in a way that reasonably might make that other student feel threatened or unsafe, or that might reasonably make that other student unable to concentrate on their school work, because of the other student's actual or perceived race, color, weight, national origin (where their family comes from), ethnic group, religion, religious practices, disability, sexual orientation, gender (including gender identity or expression), or sex, or for any other reason. It is against MOBOCES rules for any student or MOBOCES staff member to do this by physical actions or by verbal statements, including electronic messages. This kind of conduct is prohibited on MOBOCES property, on MOBOCES buses, and at all MOBOCES sponsored events.

### **III. The Role of Teachers, Administrators, Other MOBOCES Personnel, the MOBOCES Board and Parents**

Students, parents/guardians, instructional staff, administrators, the District Superintendent and the MOBOCES Board are all parties in maintaining safe, orderly and effective schools. The roles of and expectations for each of these individuals are specified in the Code of Conduct.

The MOBOCES Dignity Act Coordinators for each school are as follows:

James Weaver, Director Secondary Programs, 315-361-5627  
Brenda Wolak, Director of Continuing Education, 315-361-5800  
Owen Maranville, Director Middle-Level Programs, 315-361-8404  
Amanda Hopkins, Director Elementary Programs, 315-361-8458

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The Dignity Act Coordinators are trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender (including gender identity or expression), and sex. They are available to speak with any person who has witnessed possible discrimination, harassment, or bullying or if that person has experienced treatment that may be prohibited discrimination, harassment or bullying.

**IV. Prohibited Conduct and Consequences**

- A. The following conduct is prohibited on MOBOCES property and at MOBOCES events:
1. Willfully causing physical injury or emotional harm to any other person, or engaging in any physical altercation or fight, whether or not anyone is injured.
  2. Verbal or physical intimidation, including threatening to cause physical injury to any other person; acts that constitute harassment as defined in the Code of Conduct.
  3. Willfully damaging, defacing, or destroying property that doesn't belong to the person causing the damage, or removing or using such property without authorization; this includes the posting of notices, placards, and the like on surfaces where all such postings are prohibited.
  4. Entering into any private office of an administrator or staff member without permission.
  5. No one other than a student or employee may enter a classroom or the building beyond the administrative office without written permission of the District Superintendent or designee. Parents of students (who are not prohibited by being in their child's classroom by court order) need not obtain written permission from the District Superintendent or designee. However, such individuals must check in with the building principal's office upon arrival and departure. At that time confirmation of the meetings with individuals and appropriate time frames will be made.
  6. Misuse of the MOBOCES computer network, which includes any conduct that does not comply with the MOBOCES Acceptable Use Policy.
  7. Gambling.
  8. Use of any illegal drug or, misuse of any prescription drugs.
  9. The possession, use, sale, or consumption of any form of tobacco, any substance containing nicotine (except prescribed medications), any e-cigarette or oil or

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vaping product intended for use in an e-cigarette, and any associated paraphernalia.

10. Obstructing the free movement of persons and vehicles in any place to which these rules apply.
11. Deliberately disrupting or preventing the peaceful and orderly conduct of classes, lectures and meetings.
12. Having possession of any knife, shotgun, pistol, revolver, pellet gun or other firearm or weapon without the written authorization of the District Superintendent, whether or not a license to possess the weapon same has been issued to.
13. The use, possession, sale, gift or purchase, or the attempt to sell, use, possess, buy or procure alcohol; and, with respect to students and other minors, being under the influence of alcohol.
14. The use, possession, sale, gift, or purchase, or the attempted use, possession, sale, gift, or purchase of:
  - a. marijuana or any substance listed by the local, state or federal government as a controlled substance;
  - b. synthetic marijuana, or cannabinoids, including, but not limited to, items labeled as incense, herbal mixtures, or potpourri;
  - c. any prescription medication other than in compliance with a valid prescription;
  - d. any non-prescription (over-the-counter) medication other than in accordance with the manufacturer's directions for use;
  - e. any substance that the possessor or one of the persons involved in a transaction believes to be a substance described in this subsection; or
  - f. any pipes, bongs, clips, or other paraphernalia associated with the use of any of the substances described in this subsection.
15. Communicating messages through words or symbols (including those printed on items of clothing or tattoos visible to others) that (i) are profane, lewd, sexually explicit, vulgar or abusive; (ii) which may incite or offend another person on the basis of race, color, creed, religion, religious practice, national origin, weight, ethnic group, gender, gender identity, physical or mental ability, or affiliation

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with any school or non-school group, gang, or organization; (iii) advocates or encourages the use of alcohol, tobacco, nicotine, e-cigarettes or other prohibited substances; (iv) advocates, encourages, or celebrates the use of weapons or violence; (v.) constitutes a health or safety hazard or (vi.) creates, or reasonably might create, a substantial disruption or material interference with the mission, work or discipline of the school community.

16. Urging or aiding others in the commission of any of the acts prohibited.

17. Otherwise violating any law, school rule, or MOBOCES Board policy.

B. Consequences of Engaging in Prohibited Conduct

1. In the case of a violation of the Code of Conduct:

a. Any visitor authorized to be on MOBOCES premises or at a MOBOCES function (other than students or staff) who is substantially disruptive or violates the rules of this code will be directed to leave the premises or function. In the event of his/her failure or refusal to do so, the District Superintendent or designee shall cause his/her ejection from such property.

b. In the case of any unauthorized individual (other than students or staff) who is on MOBOCES property or at a MOBOCES function, the District Superintendent or designee shall inform the individual that he/she is not authorized to remain and direct him/her to leave such premises. In the event of his/her failure to do so, the District Superintendent or designee shall cause his/her ejection from such property. Nothing in this section shall at any time, nor affect his/her liability for prosecution for trespassing, loitering, etc., as prescribed in the Penal Law.

c. In the case of a student, charges for violation of any of these rules shall be presented and shall be heard and determined in the manner provided in the applicable sections of the Code of Conduct or Section 3214(3) of the Education Law.

d. In the case of any employee who is charged with misconduct and/or violation of these rules such discipline shall be administered in accordance with applicable law, contract, or MOBOCES Board policy.

C. Law Enforcement Agencies and Juvenile Delinquency Complaints

1. Whether a particular act in violation of this Code is reported to a law enforcement agency shall be determined by the building administrator, in consultation with the

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Program Director. When MOBOCES utilizes a School Resource Officer (SRO) who is an employee of a law enforcement agency, the SRO shall be the initial point of reporting.

**V. Student Rights and Responsibilities**

**A. Rights of Students**

1. Expect a school environment conducive to learning;
2. Be treated respectfully by those in the MOBOCES community;
3. Receive notice of the expectations for their behavior, and, when circumstances permit, an opportunity to explain their conduct;
4. Access to educational and extracurricular activities on an equal basis, regardless of actual or perceived race, color, creed, religion, national origin, weight, ethnic group, gender, gender orientation, or physical or mental ability including conduct that reasonably causes or would reasonably be expected to cause emotional harm;
5. Learn in an environment free of discrimination, harassment, and bullying based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression) or sex or reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student or to cause a student to fear for their physical safety;
6. Participate equally in all MOBOCES activities regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender (including gender identity or expression) or sex;
7. Have complaints about MOBOCES related incidents that occur on MOBOCES property or at MOBOCES-function, as well as to acts occurring off MOBOCES property when those create or would foreseeably create a risk of substantial disruption within the MOBOCES environment, and it is foreseeable that the conduct, threats, intimidation, or abuse might reach MOBOCES properly investigated and responded to;
8. All other rights afforded to students under the provisions of the Federal and State Constitutions and the laws of the State of New York.

**B. Responsibilities of the Students**

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1. Comply with the standards of conduct listed in Section IV.
2. Be aware of and obey all laws, school rules and regulations.
3. Accept responsibility for their own actions.
4. Respect the rights of others, including the right to secure an education in an environment that is orderly and disciplined.
5. Attend MOBOCES regularly and punctually.
6. Maintain habits of personal cleanliness.
7. Respect MOBOCES property and the property of others.
8. Strive for mutually respectful relationships with teachers and administrators, recognizing their role as surrogate parents in matters of behavior and discipline.
9. Report threats of violence, observed or overheard, made towards staff and students. Reports may be made anonymously and confidentiality will be respected to the extent possible.
10. Be honest in all situations.
11. Act and speak respectfully about issues/concerns.
12. Use non-sexist, non-racist and other non-biased language.
13. Respect and treat others with tolerance and dignity regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression) or sex.
14. Use communication that is non-confrontational and is not obscene or defamatory.
15. Report acts of bullying, discrimination, harassment and other inappropriate actions that hurt others.

C. Security Searches (Students)

Physical evidence of misconduct will be gathered in accordance with the Security Searches (Students) Policy 7021. The MOBOCES Board authorizes administrators to undertake searches of students and their possessions (e.g. pocket contents, bookbags, handbags, etc.) when there is reasonable individualized suspicion that a student has

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violated or is violating the law, MOBOCES policy or regulation or MOBOCES rules. MOBOCES also retains the authority to examine the contents of all MOBOCES property, such as student lockers, staff work areas, and both physical and digital files.

D. Student Conduct

1. Acceptable and appropriate conduct by students shall be consistent with the standards of conduct and student responsibilities outlined in the Code of Conduct.
2. In addition, the following conduct is not acceptable if engaged in by students:
  - a. Stealing, lying, cheating, plagiarism or other acts of dishonesty.
  - b. Disrespect toward an administrator, faculty or other staff member, student or visitor.
  - c. Failure to attend MOBOCES programs as scheduled, without a valid excuse, including failure to remain for the full scheduled school day.
  - d. Any willful act which disrupts the normal operation of the MOBOCES community, including failure to comply with the directions of a teacher, administrator, or other staff member or volunteer.
  - e. Unacceptable behavior on buses being operated by or on behalf of MOBOCES, including not staying seated, throwing objects, excessive loudness or other activities that distract the driver of the bus.
  - f. Public displays of affection.
  - g. Possession of any medication, prescription or non-prescription, on MOBOCES property or while attending a MOBOCES event, unless possession is authorized by MOBOCES Policy 7044, Student Medications.

E. Appropriate Dress

1. Students are not permitted to wear articles of clothing, accessories, or jewelry that do not comply with the Code of Conduct.
2. Extremely brief or revealing clothing is not appropriate for school. Underwear and undergarments should be covered by outer clothing. Hats and other headgear are not permitted to be worn during the instructional day, except for medical, religious, or other approved purpose.

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3. Students are not permitted to wear articles of clothing, accessories, or jewelry that constitute a health or safety hazard, including items that are, or reasonably may be perceived as being, associated with gang or other unlawful behavior.
4. Dress should be occupationally appropriate based on the needs of each CTE class. Students may be required to wear appropriate protective gear in applicable classes.

F. Possession of a Firearm

A student who possesses a firearm on MOBOCES property or at a MOBOCES event shall be suspended out-of-school for a minimum of 12 months, provided that the District Superintendent or designee may modify this period of suspension on a case-by-case basis.

G. Disciplinary Responses to Student Misconduct

The purpose of all discipline is to teach students appropriate and constructive behaviors. Disciplinary measures shall be appropriate to the seriousness of the offense and, where applicable, to the previous discipline record of the student.

For students with disabilities refer to the applicable provisions of the Code of Conduct.

This code divides types of misbehaviors into four levels of increasing seriousness, with more stringent disciplinary measures provided for at each level. If an infraction appears to fall between two levels, it should be categorized and dealt with at the less stringent level. At each level there are examples of infractions to be treated at that level. The list is intended to be descriptive rather than exhaustive. Each level also has a description of procedures which school officials should follow in administering discipline, and a menu of disciplinary choices. Because each child and each misbehavior is different, MOBOCES officials should tailor the discipline for each infraction to best encourage the child to make better choices in the future.

Responses to acts of harassment, bullying and/or discrimination against students by students shall use measured, balanced, and age-appropriate remedies and procedures, with the goals of prevention and education, as well as intervention and discipline. We will consider the nature and severity of the conduct, the developmental age of the student engaging in the conduct, the actor's prior disciplinary record, and the impact of the conduct on the student at whom it was directed.

H. Removal of Disruptive Students from the Classroom.

Teachers are authorized by the Education Law and the Code of Conduct to remove a student from the teacher's classroom if the student is substantially disruptive of the



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educational process, or if the student substantially interferes with the teacher's authority over the classroom.

I. Student Suspension from MOBOCES

1. The suspension of students shall be conducted in accordance with the Code of Conduct and with Section 3214 of the NYS Education Law.
2. Minimum Suspension for students who Repeatedly are Substantially Disruptive: Students who repeatedly are substantially disruptive to the educational process or who substantially interfere with the teacher's authority in the classroom may be subject to an in-school or an out-of-school suspension.
3. Minimum Suspension for Violent Students

Students who are deemed to be "violent students" as defined by Education Law Section 3214 (2-a) (a) shall be subject to a minimum out-of-school suspension as defined by the Code of Conduct.

J. PINS Petition/Referral to Human Services Agencies

Students may be referred to outside agencies, as appropriate for assistance in addressing behavioral or other problems.

**VI. Responses to Instances of Inappropriate Conduct**

**Students, Parents and others** shall report students who are having problems or appear to be having problems regarding matters covered in the Code of Conduct to the building administrator.

**Teachers and Student Service Personnel** shall report orally to their principal, the District Superintendent, or designee any incident of harassment, bullying and/or discrimination that they witness or that is reported to them, not more than one day later; and file a written report not later than two (2) school days after the initial oral report.

**Principals/Administrators** shall report to the District Superintendent or designee any incident of harassment, bullying and/or discrimination that they witness or that is reported to them, not more than one day later.

The **District Superintendent** shall process all reports of harassment, bullying and/or discrimination, including ensuring that an appropriate investigation is conducted and appropriate reports are made to law enforcement.

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**VII. Discipline of Students with Disabilities**

The MOBOCES Board recognizes that the need to address disruptive or problem behavior within its schools may result in the suspension, removal or other discipline of students with disabilities eligible for services under the Individuals with Disabilities Education Act (IDEA) and Article 89 of the Education Law (Article 89) and their implementing regulations. It also recognizes that these students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them.

**VIII. Conduct by MOBOCES Employees**

Acceptable conduct by school employees shall be consistent with the role of teachers and staff outlined in the code of conduct.

**IX. Prohibition of Corporal Punishment**

- A. No teacher, administrator, officer, employee or agent of the MOBOCES shall use corporal punishment against a student. Corporal punishment means any act of physical force upon a student for the purpose of punishing that student.
- B. However, reasonable physical force may be used: to protect oneself, another student, teacher or any other person from physical injury; to protect the property of the MOBOCES or others; or to restrain or remove a student whose behavior is interfering with the orderly exercise and performance of MOBOCES functions, powers and duties, if that student has refused to comply with a request to refrain from further disruptive acts.

**X. Standards and Procedures to Assure the Security and Safety of Students and MOBOCES Personnel.**

The MOBOCES has an established emergency management/school safety plan, which has been developed in accordance with applicable law and regulation to assure the security and safety of students and MOBOCES personnel.

**XI. Copies of the MOBOCES' Code of Conduct**

This document is a plain language summary of the MOBOCES' Code of Conduct. Copies of the MOBOCES' Code of Conduct may be obtained through your student's school office or the Office of the District Superintendent.