

# BERLIN

Middle/High School



## CODE OF CONDUCT

# 2015-16

ALMA MATER

*DEAR BERLIN CENTRAL, TO YOU WE WILL BE TRUE.*

*WE'LL CHERISH FOND MEMORIES OUR WHOLE LIVES THROUGH.*

*IDEALS AND HOPES WE'VE GAINED HERE WILL BE TO US A LIGHT.*

*KNOWING THAT YOU'VE DONE YOUR BEST TO GUIDE US TO THE RIGHT.*

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## BERLIN CENTRAL SCHOOL DISTRICT STUDENT RIGHTS AND RESPONSIBILITIES

### STUDENT BILL OF RIGHTS

- ✓ Students have the right to pursue their education in an atmosphere that is safe and conducive to learning, and to achieve all that they are capable of achieving.
- ✓ Students have the right to pursue a particular course of study, which is developed with the guidance and assistance of their parents and school personnel as best meeting their educational needs and potential.
- ✓ Students have the right to be respected as individuals.
- ✓ Students have the right to procedural due process guaranteed by the United States Constitution and New York State Education Law prior to disciplinary action being taken against them.
- ✓ Students have the right to freedom of speech and expression, which does not interfere with the educational process or infringe upon the rights of others in accordance with the United States Constitution and the laws of the United States and the State of New York.
- ✓ Students have the right to freedom from discrimination relative to participation in curriculum offerings and extracurricular activities.
- ✓ Students have the right to have rules clearly stated, explained and distributed at the beginning of every school year or at the start of their enrollment in Berlin Central School District.
- ✓ Students have the right to freedom from unreasonable search and seizure.
- ✓ Students with special needs have the right to have their educational needs and their behavior evaluated on the basis of their special needs.

## STUDENT RESPONSIBILITIES

- ✓ Students will conduct themselves with respect for themselves, fellow students, teachers and others.
- ✓ Students will strive to achieve their potential in all areas.
- ✓ Students will follow the directions of the staff, faculty and administration.
- ✓ Students will fulfill all classroom and other educational obligations.
- ✓ Students will show respect for Berlin Central School District property and for the property of others.
- ✓ Students will strive to demonstrate good conduct and positive attitude at all times in all Berlin Central School District activities.
- ✓ Students will dress and groom themselves neatly in clothes that are suitable for school activities. Students will wear footwear at all times and refrain from wearing hats in the *school building while school is in session* unless for a medical or religious purpose. All clothing, accessories or appearance, which interferes with the learning process, is not compatible with safety or interferes with the ability to engage in the activities required by the educational program, is prohibited. Specifically, students shall refrain from clothing, accessories or appearance that: is sexually suggestive or provocative; does not provide appropriate coverage of the body, including the torso and undergarments worn on the torso; is vulgar, obscene or libelous; is denigrating to the race, color, creed, gender, national origin, disability, sexual orientation or physical condition of another; features, promotes or encourages violent behavior or use of guns, knives or other instruments of violence; features, promotes or encourages the use of illegal drugs, alcohol and tobacco.
- ✓ Students are financially responsible for texts, tools, locks or any other Berlin Central School District property or equipment provided to them.

## SCHOOL RESPONSE TO STUDENT BEHAVIOR

Berlin Central School District subscribes to the philosophy that student behavior management is best focused on behavioral change rather than punishment. Punishment merely perpetuates the misbehavior/punishment cycle.

Fear of punishment generates student anger, which is not conducive to behavior change. Administrators and teachers can use punishment as a means of retribution or out of frustration. Punishment can have detrimental effects on the student's self-concept and relations with teachers. It may reduce a student's ability to maintain self-control over the long-term and can be used by students as a means of raising status with peers. Punishment is an undesirable model for solving problems.

The best form of behavior management is self-discipline. Administrators and teachers should strive to develop a school environment that fosters the development of self-discipline in our students.

Addressing student behavior issues is primarily the responsibility of the classroom teacher. Consistent and fair response to student behavior issues is critical to maintaining an appropriate learning environment. Teachers must routinely document their efforts to address student behavior issues. When a teacher has exhausted all reasonable efforts to address a particular student behavior without desired results, s/he should refer the student to the appropriate building administrator. The challenge of addressing student behavior issues in a learning environment is to develop a school response that: encourages and allows students to accept responsibility for their actions; places importance on the value of maintaining academic participation and achievement; builds positive self-image and teaches appropriate methods of dealing with problems. Students need to know that the school response to inappropriate behavior will be fair and consistent and that the school will hold them accountable for such behavior.

## ADDRESSING STUDENT BEHAVIOR ISSUES

Any student who violates the student code of conduct shall be subject to immediate and appropriate school response, which may include one or more of the following: warning, reprimand, parental notification, counseling (not psychiatric counseling), loss of privileges, compulsory restitution, temporary removal from class, suspension or exclusion and/or police involvement in accordance with provisions and proceedings of the Education Law.

A student will not be subject to lower grades because of inappropriate behavior unless such behavior is related to his or her academic performance, such as cheating on an exam, failing to turn in homework, assigned papers, or being illegally absent.

Out of school suspension is to be used judiciously and only when other responses would be ineffective in addressing student behavior. The provisions of Section 3214 of the Education Law shall be followed when suspension occurs.

Law enforcement authorities will be informed about any activity constituting a crime, including:

- ✓ Persons participating in unlawful activities in or on any Berlin Central School District building, facility, vehicle, property, or premises.
- ✓ Persons threatening, planning or attempting to damage or destroy or damaging or destroying Berlin Central School District property.
- ✓ Persons selling, offering for sale, purchasing, possessing, or using drugs or illegal substances in or on any Berlin Central School District building, facility, vehicle, property, or premises.
- ✓ Persons or situations posing a significant threat to the health, safety or welfare of the occupants of Berlin Central School District buildings, facilities, vehicles, property or premises.

## DISCRIMINATION AND HARASSMENT PROHIBITED

The New York State Dignity for All Students Act finds that students' ability to learn and to meet high academic standards, and a school's ability to educate its students, are compromised by incidents of discrimination or harassment, which includes bullying, taunting or intimidation. Discrimination or harassment can take many forms and may be called labels which tend to minimize the impact these behaviors have on students (for example, "hazing," "name-calling"). In fact, harassment and bullying may severely impact the targeted student, including:

- ✓ Lowered academic achievement and aspirations
- ✓ Increased anxiety
- ✓ Loss of self-esteem and confidence
- ✓ Depression and post-traumatic stress
- ✓ General deterioration in physical health
- ✓ Self-harm and suicidal thinking
- ✓ Feelings of alienation in the school environment
- ✓ Absenteeism from school

Harassment may be based on the targeted student's:

- ✓ Actual or perceived race
- ✓ Color
- ✓ Weight
- ✓ National origin
- ✓ Ethnic group
- ✓ Religion
- ✓ Religious practice
- ✓ Disability (physical, mental, medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques; or having a record of such condition; or a condition regarded by others as an impairment)
- ✓ Sexual orientation (actual or perceived heterosexuality, homosexuality or bisexuality)

- ✓ Gender or sex
- ✓ Gender or sexual identity
- ✓ Associations or friendships

It is the goal of Berlin Central School District to create school environments which recognize and promote tolerance, respect for others, and awareness and sensitivity of discrimination or harassment, and civility among, people of all kinds.

### HARASSMENT IS PROHIBITED

Harassment of students by other students, employees, or third parties, is prohibited on school property or at any school function. Harassment may take the form of bullying, taunting or intimidation. Harassment is the creation of a hostile environment by conduct, verbal threats, intimidation or abuse that:

- ✓ has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or a student's mental, emotional and/or physical well-being; or
- ✓ interferes with the student's access or participation in educational programs or school activities; or
- ✓ reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety

Discrimination is Prohibited In accordance with the Berlin Central School District policies, no student shall be subjected to discrimination (unless otherwise authorized by law) by another student, employee, or third party on school grounds or at a school function based on his or her:

- ✓ Actual or perceived race
- ✓ Color
- ✓ Weight
- ✓ National origin
- ✓ Ethnic group
- ✓ Religion
- ✓ Religious practice

- ✓ Disability (physical, mental, medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques; or having a record of such condition; or a condition regarded by others as an impairment)
- ✓ Sexual orientation (actual or perceived heterosexuality, homosexuality or bisexuality)
- ✓ Gender (actual or perceived sex)
- ✓ Gender identity or expression
- ✓ Associations or friendships

All Berlin Central School District staff members who have reasonable cause to suspect that a student has been subjected to harassment or discrimination by an employee, student, or other person on school grounds or at a school function, shall promptly report such matter to the school principal or another Questar III administrator. Any such reported matter will be investigated promptly in accordance with Berlin Central School District policies.

Nothing in this Code of Conduct shall be construed to prohibit denial of admission into or exclusion from a course of instruction based on a person's gender that would be permissible under Education Law section 3201-a or section 2854(2)(a) and Title IX of the Education Amendments of 1972 (20 U.S.C. section 1681, *et seq.*) or to prohibit, as discrimination based upon disability, actions that would be permissible under section 504 of the Rehabilitation Act of 1973.

### REPORTING

Students are expected to report incidents of discrimination, harassment and bullying to a teacher, principal, or another staff member.

All Berlin Central School District staff members are required to report incidents of discrimination, harassment and bullying - whether directly observed or reported to them by others - to the appropriate building or

program principal, or to the Dignity Act coordinator for the building or educational program. All reports of discrimination, harassment and bullying shall be investigated through the Dignity Act coordinator, who shall seek assistance from the building or educational program principal, the Superintendent of Schools, or the School Attorney as appropriate.

Material incidents of harassment or discrimination on school grounds or at school functions shall be reported to the NYS Department of Education as required by the Commissioner of Education.

### DRESS CODE

#### Prohibition of Inappropriate Clothing

The Berlin Central School District Board of Education establishes that, in order to maintain order and promote a positive environment conducive to learning, clothing that is inappropriate shall not be worn by students, teachers, administrators, other school personnel, or visitors on the Berlin School property.

#### "Inappropriate Clothing" Described

The term "inappropriate clothing," as used herein, shall include, but shall not be limited to, clothing containing commentary, illustration or innuendo promoting the use of alcohol or drugs; vulgar, sexual, or indecent themes or expressions; and obscene or pornographic pictures or references. Inappropriate clothing shall also be clothing that contains commentary, illustrations or innuendo that depict or suggest violence, hate, or the denigration of a particular gender, race, religion, ethnic or other group or person. Inappropriate clothing shall also be clothing that is otherwise distracting, and may disrupt the educational process, or is otherwise lewd or offensive.

#### Students shall not wear the following types of clothing:

Miniskirts/dresses see through clothing, tube tops, and tops exposing the midriff, halter tops, bare shoulders, or clothing which causes undue distraction and/or attention.

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 district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance for the school day.

The principal and his/her designees shall be responsible for informing all students and their parents of specific descriptors of acceptable student dress. The principal shall also inform students of any changes to the dress code during the year.

A student's dress, grooming and appearance shall:

- ✓ Be safe and appropriate and not disrupt the educational process
- ✓ Be free of any type of headgear (hats, hoods, knit caps, bandanas, etc.)
- ✓ Exclude clothing intended for outerwear (jackets, coats, ski jackets, etc.)
- ✓ Cover all undergarments. Clothing must provide coverage to cleavage, midriff, buttocks and groin area, and excludes halter tops, tank tops and muscle shirts.
- ✓ Include safe footwear which does not have wheels; slippers are not acceptable
- ✓ Not include backpacks or book bags
- ✓ All clothing shall not include items that are vulgar, obscene, and libelous or that denigrate others' race, color, religion, creed, national origin, gender, sexual orientation or disability. Clothing may not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
- ✓ Jewelry and other accessories must be safe and not include; sunglasses, pointed studs,

chains or straps, safety pins, straight pins, toothpicks, studs, or any other items not intended for piercing.

This list is intended to provide guidance on clothing. Principals shall have final determination on any attire in question.

Protective Eyewear

Eye safety devices (e.g., eye goggles) shall be provided by the Board for use in all circumstances where they may be required by law or Commissioner's Regulations. Such devices shall be worn in all shops or

laboratories by students whenever they are in dangerous proximity to a potential eye hazard.

Physical Education

The Superintendent or building principals may establish reasonable requirements for the wearing of clothing suitable for physical education activities, in particular that students wear only clothing that is compatible with safety and that enables the student to participate in required physical education activities. No specified brand, color, or insignia shall be required for such clothing.

**ILLUSTRATED DRESS CODE GUIDE**

Miniskirts/dresses, see through clothing, tube tops, and tops exposing the midriff, halter tops, bare shoulders, or clothing which causes undue distraction and/or attention. Cover all undergarments. Clothing must provide coverage to cleavage, midriff, buttocks and groin area, and excludes halter tops, tank tops and muscle shirts (bottom clothing must be at or below fingertips when standing with shoulders casual).



A student's dress, grooming, and appearance shall:

Be safe and appropriate and not disrupt the educational process.

Be free of any type of headgear (hats, hoods, knit caps, bandanas, etc.).



Exclude clothing intended for outerwear (jackets, coats, ski jackets, etc.).



Include safe footwear which does not have wheels; slippers are not acceptable.





Not include backpacks or book bags.



All clothing shall not include items that are vulgar, obscene, and libelous or that denigrate others' race, color, religion, creed, national origin, gender, sexual orientation or disability. Clothing may not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.



Jewelry and other accessories must be safe and not include; pajama bottoms/tops, sunglasses, pointed studs, chains or straps, safety pins, straight pins, toothpicks, studs, or any other items not intended for piercing.



This list is intended to provide guidance on clothing. Principals shall have final determination on any attire in question.

## STUDENT ATTENDANCE

Purpose/Statement of Objectives: Good attendance is a central component of the educational process. The educational program offered by the District is predicated upon student presence and requires continuity of instruction and classroom participation. This Board of Education attendance policy has been developed and implemented to ensure the maintenance of an adequate record verifying the attendance of all children at instruction in accordance with Education Law §§ 3205 and 3210 and establishes a mechanism by which the patterns of pupil absence can be examined to develop effective intervention strategies to improve school attendance.

The District will employ the following strategies to ensure good attendance of all of its students:

- ✓ Development of this policy and appropriate record-keeping mechanisms to ensure that the attendance of all students is tracked and analyzed.
- ✓ Development of mechanisms to intervene on the individual student level when a student's attendance record demonstrates a need for improvement.
- ✓ Development of a District-wide program to encourage good attendance and improve the attendance of all District students.

### Excused and Unexcused Absences:

The student and his/her parent or person in parental relation are responsible for providing written notification of the reason for such absences upon the student's return to school. Whenever possible, parents or persons in parental relation are encouraged to contact the school in writing or by telephone prior to the absence. The following list represents legal and appropriate basis for being absent from school or tardy.

- ✓ Personal Illness
- ✓ Sickness or death in family
- ✓ Medical Appointments
- ✓ Court Appearances
- ✓ Religious Observance

- ✓ Quarantine
- ✓ Supervised Education Project
- ✓ Approved cooperative work program
- ✓ Impassable Roads or Adverse Weather Conditions
- ✓ Military Obligation
- ✓ Pre-approved college visits for H.S. juniors and seniors
- ✓ Such other reasons as may be approved or permitted by the Commissioner of Education

Absence for any reason not included in the list set forth in Section III, A is an unexcused absence. Absences for reasons set forth in section III, A for which a student does not have pre-approval from the District or for which the student does not provide an appropriate note or documentation within three (3) school days of his/her return to school will also be recorded as an unexcused absence. At the request of a building principal or his/her designee, a student who has been absent for more than five consecutive school days, or more than 10 days per quarter, due to reported illness may be required to submit a doctor's note to substantiate those absences as excused.

Parental requests excusing their child from school for reasons not included above (i.e., to take a driver's test, to get a haircut, to go shopping, to go on a family trip, to care for a younger sibling, or not stating a specific reason) are unexcused absences under state law. Excuses that a student "overslept" or had "car trouble" are also unacceptable and will constitute an unexcused absence or tardy.

Attendance shall be taken at the beginning of each period of scheduled instruction. Each classroom teacher shall record the students' presence or absence in a classroom record and shall report all absence or tardiness to the building office on an attendance report form.

In the event that a student is absent from school without a previous notification to the teacher or building principal, the school will call the student's home to confirm the student's absence. If no parent or person in parental relation is home, the District will contact a

parent or person in parental relationship at their place of employment or number listed on the student's emergency contact form. In both situations, if contact is not made with a parent or person in parental relation, a message will be left for the parent or person in parental relation to call the school immediately.

In addition to the likelihood of enhanced educational progress, good attendance will be the basis for student recognition awards. Any student who attends 95% or more of his or her scheduled instructional periods will be eligible for good attendance recognition. Any student who has perfect attendance shall be eligible for perfect attendance recognition. In addition, good attendance will be a positive endorsement factor in any letter of recommendation written by a school employee.

Chronic unexcused absences and tardiness are disruptive to the educational process and will not be tolerated. The following procedures are in place to deal with excessive unexcused absences.

- ✓ 10 days absent – letter to parents
- ✓ 15 days absent – letter to parents, attendance office called to visit home; absence reported to superintendent; student may be banned from participating in any school-sponsored activity requiring them to miss classes
- ✓ 20 days absent – letter to parents advising that a PINS petition may be filed, if the student is less than 16 years of age
- ✓ 30 days absent – District may file a PINS petition, if the student is less than 16 years of age

The District retains discretion whether or not to file a PINS petition. PINS petitions may be filed earlier than these guidelines if the situation warrants such action.

Students who have been absent shall be afforded an opportunity to make-up missed class assignments, tests, and homework, regardless of whether the absence was excused or unexcused. If make-up work is not completed by the deadline specified by the teacher, (consistent with any applicable

building-level guidelines) the teacher shall have the discretion to reduce the student's grade, or refuse to accept and grade the work. Course credit shall not be denied solely due to absences. If, however, a student who has been absent fails to timely complete required make-up work, and such missing or late class assignments, tests, or homework assignments result in the student receiving a failing grade for the course, course credit shall be denied.

Unexcused tardiness and absences will also subject a student to the range of penalties specified in the District's Code of Conduct, except that a student shall not be suspended due to unexcused absences.

#### **PROHIBITION OF DISRUPTIVE AND DISTRACTING DEVICES**

The Board of Education of the Berlin Central School District hereby affirms that certain devices create a significant distraction and obstruct the education process. These devices include but are not limited to paging devices ("beepers") and cellular and digital telephones, other portable electronic communication devices, laser pointers, water guns and other toy guns and such other devices and objects which in the judgment of the superintendent or a building principal interfere with the educational process.

Accordingly, students shall be prohibited from bringing any such devices into school buildings.

Exceptions to this prohibition may be granted upon written application to the superintendent or a building principal.

The building principal or superintendent may make such exceptions upon a finding that such a device is required due to student membership and active participation in an organization that provides emergency services to the community. Those given permission to carry electronic paging devices must operate and use them in a way which is least disruptive to the educational process. Such exceptions may be rescinded by the building principal or superintendent at his or her sole discretion upon a finding that use of the device has interfered with the educational process.

## STUDENTS AND PERSONAL ELECTRONIC DEVICES

The Board of Education recognizes that there are personal electronic devices that have educational applications such as iPads, computers, tablets, calculators, voice recorders, digital cameras and music listening devices.

For the purposes of this policy "Personal Electronic Device" means a privately owned device that is used for audio, video, or text communication or any other type of computer-like instrument.

Personal Electronic Devices (PEDs) may include but are not limited to:

- ✓ Existing and emerging mobile communication systems and smart technologies (cellular phones, iPhones, Smartphones, internet-enabled phones, Droids, Blackberries, etc.)
- ✓ Personal Digital Assistants (PDA) (Palm organizers, pocket PCs, etc.)
- ✓ Handheld entertainment systems (video games, CD players, compact DVD players, MP3 players, iPods, earphones, etc.)
- ✓ Portable internet devices (mobile messengers, iPads, Tablets, Kindles, Nooks, etc.)
- ✓ Current or emerging wireless handheld technologies or portable information technology systems that can be used for word processing, wireless internet access, image capture/recording sound recording, and information transmitting/receiving/storing, etc.

These personal electronic devices shall not be used in classrooms unless there is a direct connection to the curriculum, as part of a lesson under the direction of a teacher or other academic activity. The personal electronic devices will only be approved for use during lunch periods, study halls, or in the library if they are being used as part of a lesson under the direction of a teacher. Any other use of these personal electronic devices may only be allowed with permission of the building principal and with the expectation that they do

not disrupt the normal activities occurring in these locations.

However, no cell phones or personal electronic devices may be turned on during the day without meeting the conditions mentioned previously. Students may not use cell phones between classes for personal calls or any time during the school day without the permission of the principal. Head phones and ear buds connected to these devices is not allowed during the day. Personal electronic devices not being used as part of a lesson under direction of a teacher should be left in student lockers.

The distraction and disturbance provision of the policy is there to protect teaching and learning and if a cell phone or any other device detracts from the teacher's capacity to teach, offending devices will be confiscated by school employees and returned only to the parent of the student by the administrator or principal.

In order to ensure examination security and the privacy of individuals, the Board of Education prohibits the use of such devices as follows:

- ✓ These devices are specifically prohibited during any test, examination, etc. or in any way that involves plagiarism or cheating.
- ✓ These devices are specifically prohibited in any bathroom, locker room or other area where individuals have an expectation of privacy.
- ✓ These devices are strictly prohibited from use by students during a school emergency unless directed by an adult in authority.
- ✓ Students who choose to bring personal electronic devices on school property do so at their own risk. If these devices are stolen, lost, or broken the district does not accept responsibility.

First time misuse of any of these personal electronic devices will result in its confiscation until the end of the school day, as outlined in the code of conduct. Some uses of personal electronic devices constitute violation of the school district code of conduct and in some instances, the law. The school district will cooperate with law enforcement officials as appropriate.

A student, who habitually violates the provisions of disturbing or distracting behaviors through the inappropriate access to cell phones or any other communication device, will surrender the privilege of having one on school property.

### **PROGRESSIVE RESPONSE TO BEHAVIOR ISSUES**

The code of conduct is designed to provide for a progressive school response to student behavior issues. The code of conduct recognizes that certain inappropriate behavior is more serious and presents a greater disruption to the educational process. The code describes inappropriate behaviors in three categories and offers a range of school responses for implementation by teachers and/or administrators for each category. This will encourage and facilitate the application of the code to inappropriate student behavior by teachers and administrators in proportion to the severity of the behavior. Generally, the categories are as follows:

- ✓ Category I prohibits certain student behaviors. Teachers are primarily responsible for addressing these behaviors with their students. Teachers are responsible for documenting an incident and the school response, which must be consistent with the range of responses authorized in the code of conduct for this category. Documentation about such incidents should be sent to the building administration office to keep the building administration informed. Forms are available in the principal administrator's office.
- ✓ Category II prohibits certain other student behaviors and addresses situations of repeated Category I behavior. Teachers are primarily responsible for initiating response to such behaviors but will introduce the guidance counselor, parents and guardians and appropriate building administrators into the response.

- ✓ Category III prohibits certain serious or threatening behaviors and situations where a student persists in exhibiting certain Category I and II behaviors. It also includes students who are "repeatedly substantially disruptive of the educational process," those who "substantially interfere with a teacher's authority over the classroom" or those who have committed acts of violence. Students engaging in Category III behaviors are immediately referred to building administrators who will confer with parents / guardians, teachers and the student and implement an appropriate Category III school response. Students who are "repeatedly substantially disruptive of the educational process," those who "substantially interfere with a teacher's authority over the classroom" and those who have committed acts of violence are subject to minimum periods of out of school suspension.

### **CATEGORY 1 STUDENT BEHAVIOR**

Category I behavior is activity on the part of the student, which impedes orderly classroom procedures or interferes with the orderly operation of the school and shall include the following:

- ✓ Behavior, which interferes with the educational program and normal operation of the school community.
- ✓ Inappropriate language, gestures or symbols (obscene, profane, vulgar, abusive).
- ✓ Violation of the dress code.
- ✓ Tardiness to school or class.
- ✓ Leaving class without permission.
- ✓ Out of class without a pass.
- ✓ Excessive or offensive public displays of affection.
- ✓ Possession or use of radios, headphones, Walkman, beeper, cell phone or other disruptive device or equipment unless otherwise permitted for the purpose of student participation in emergency services activities; or used for instructional and educational purposes under the direction of

a teacher or other employee of Berlin Central School District or a school district.

- ✓ Inappropriate use of the school computer network or failure to follow the Acceptable Use Policy.
- ✓ Insubordination or disrespect, including the failure to follow the reasonable and lawful directions of school personnel.
- ✓ Possession of tobacco or tobacco products.
- ✓ The overt display of cigarettes or of any tobacco product.
- ✓ Taking medications without the appropriate medical authorization.
- ✓ Lying to school personnel.

### SCHOOL RESPONSE

Category One behavior will usually be addressed by an individual staff member but may, at times, require the intervention of other school support personnel.

There will be immediate intervention by the staff member who is supervising the student or who observes the behavior.

Repeated behavior requires a parent / teacher conference; conference with the counselor and or administrators.

The staff member will maintain a proper and accurate record of student actions and school response.

The range of possible school responses includes:

- ✓ A warning
- ✓ Teacher or staff member will discuss behavior with student
- ✓ Written behavior agreement
- ✓ Parent / guardian contact
- ✓ Verbal or written referral to principal, guidance or social worker
- ✓ Verbal reprimand
- ✓ Reduction in classroom privileges

### CATEGORY 2 STUDENT BEHAVIOR

Behavior, overt or otherwise, whose frequency or seriousness tends to disrupt the learning climate of the school shall include:

- ✓ Repeated incidents of Category I prohibited behavior
- ✓ Abusive or hateful language, gestures or symbols involving the use of slurs regarding ethnicity, disability, religion, race, sexual orientation or physical condition of another
- ✓ Any form of sexual harassment
- ✓ Leaving school and/or school grounds without permission
- ✓ Excessive unexcused absences (Monday/Friday patterns, 3 day consecutive, 5 days per quarter)
- ✓ Selling, trading, using or possessing obscene or offensive materials
- ✓ Smoking at any time of day on school property including all school grounds, facilities, vehicles or property or at any school sponsored activity
- ✓ Possession or use of matches, lighters or any incendiary device, unless authorized by a teacher while engaged in an educational or instructional program
- ✓ Possession or use of "electric cigarettes" or "E-cigarettes"
- ✓ Unauthorized driving or riding to or from school premises, facilities or property
- ✓ Violation of school parking or driving regulations

### SCHOOL RESPONSE

The school response to Category II prohibited behavior shall include one or more of the following:

A teacher may initiate a meeting with the student and his/her guidance counselor to discuss the situation. Teachers must notify the building administrator and the student's parent/guardian.

The building administrator may initiate an investigation of the allegation and confer with staff on the appropriate school response.

The building administrator may meet with the student and confer with his/her parent/guardian about the student's conduct and resulting school response.

The building administrator will maintain a proper and accurate record of student behaviors and school response.

The range of possible school responses includes:

- ✓ Written behavior contract/Functional Behavior Assessment
- ✓ Parent conference
- ✓ Written referral to guidance and or social worker or psychologist
- ✓ Reduction of school privileges (e.g. driving)
- ✓ Reduction of classroom privileges
- ✓ Referral to administration
- ✓ Home school contact
- ✓ After-school detention
- ✓ In school suspension
- ✓ Out of school suspension
- ✓ A teacher may remove a "disruptive student" from the classroom, for a period not to exceed one day, to another location with continued educational programming and activities when practicable. Prior to the student's return to the classroom, the principal shall determine whether the parent should be contacted, whether suspension is warranted, and what additional steps should be taken to successfully re-integrate the student into the classroom.

### **CATEGORY 3 STUDENT BEHAVIOR**

Category III behavior is demonstrated when a student shows no sign of modifying prohibited behavior after having been requested to do so by school personnel. Such behavior also includes that which constitutes academic dishonesty and misconduct or poses a direct threat to the emotional and physical well-being of others, or is in violation of the law. Category III prohibited behavior includes:

- ✓ Chronic incidents of Category I behavior and repeated or chronic incidents of category II behavior.
- ✓ Exposure of the private parts of the human body.
- ✓ Illegal gambling in or on school premises or property.
- ✓ Making false or misleading statements about another individual or group of individuals.
- ✓ Discrimination or harassment based upon race, sex, religion, national origin, disability, sexual orientation or physical condition.
- ✓ Intimidation or bullying in any form.
- ✓ Hazing, including intentional or reckless acts directed against another for the purpose of obtaining or maintaining membership on a team or in a club, activity or organization sponsored by Berlin Central School District.
- ✓ Forgery.
- ✓ Academic dishonesty and misconduct, including plagiarism, cheating and alteration of academic records.
- ✓ Use or attempted use of physical force on another, including a teacher, administrator or student.
- ✓ Stealing, larceny or petty theft.
- ✓ Trespassing (entering or remaining on school property without authorization, license or invitation).
- ✓ Possession and or transfer of firearms or deadly weapons in or on school premises, facilities, vehicles or property.
- ✓ Possession of what appears to be a weapon.
- ✓ Speeding or reckless driving on school premises or property.
- ✓ Vandalism or destruction of private or public property.
- ✓ Sale, attempted sale, or gift of legal prescription medications to another
- ✓ Use, possession, sale, attempted sale or attending school under the influence of any synthetic cannabinoid or under the influence of any substance used to intoxicate.
- ✓ Use, possession, sale, attempted sale or attending school under the influence of illegal drugs, alcohol or other unauthorized controlled substances.

- ✓ Possession of pipes or paraphernalia associated with controlled substances
- ✓ Assault or battery.
- ✓ Violent behavior of any kind or the threat of such behavior.
- ✓ Harassment, intimidation, bullying in any form, threats, threatening language, or any intentional and unauthorized contact with another.
- ✓ Cyber bullying of another student or staff member, regardless of the location or site where communication is initiated.
- ✓ "Sexting" or any lewd or obscene electronic transmission, whether initiated or received at a BCSD facility or elsewhere.
- ✓ Electronic transmission to another student or staff member of violent images, whether initiated or received at a BCSD facility or elsewhere.
- ✓ Creating false emergency alarms.
- ✓ Failing to comply with emergency directions or procedures.
- ✓ Endangering the health, safety or welfare of another

Category III behavior also includes students who are "repeatedly substantially disruptive of the educational process," those who "substantially interfere with a teacher's authority over the classroom" or those who have committed acts of violence.

### SCHOOL RESPONSE

The school response to Category III prohibited behavior shall include one or more of the following:

The building administrator will investigate the allegations and consult with staff as to the appropriate consequences if the allegations are supported by substantial and credible evidence.

The building administrator will meet with the student and confer with the parent/guardian about the student's conduct and the resulting school response.

The building administrator will maintain a proper and accurate record of student behavior and school response.

Unless otherwise provided by law, the range of possible school responses may include:

- ✓ After-school detention
- ✓ In-school suspension
- ✓ Out of school suspension
- ✓ Conference with home school principal
- ✓ Mediation
- ✓ Restitution
- ✓ Loss of privileges
- ✓ Conference with teacher
- ✓ Superintendent's hearing
- ✓ Parent conference
- ✓ Police notification
- ✓ Criminal charges
- ✓ Referral to Student Services
- ✓ Confiscation of contraband
- ✓ Recommend Persons in Need of Supervision (PINS) petition
- ✓ A teacher may remove a "disruptive student" from the classroom
- ✓ Expulsion

### Minimum Periods of Out of School Suspension:

The school response to students who are "repeatedly substantially disruptive of the educational process," those who "substantially interfere with a teacher's authority over the classroom" or those who have committed acts of violence shall include minimum out of school suspension periods as follows:

- ✓ Repeated substantial disruption of the educational process - minimum 2 days out of school suspension
- ✓ Substantial interference with a teacher's authority over the classroom – minimum 2 days out of school suspension
- ✓ Act(s) of violence - minimum 5 days out of school suspension
- ✓ Weapons on school property - minimum one-year out of school suspension.

Additionally, unless otherwise provided by law, the school response may include:



✓ Referral to Student Services

✓ Recommend Persons in Need of Supervision (PINS) petition

STUDENT BEHAVIORS		
CATEGORY I	CATEGORY II	CATEGORY III
Impedes orderly classroom procedures or interferes with orderly operation of the school	Behavior whose frequency or seriousness disrupts the learning climate of the school	Behavior that poses a threat to emotional or physical well-being of others; serious misconduct; violation of law
Inappropriate language, gestures, or symbols	Abusive/hateful language, gestures, or symbols	Use or attempted use of physical force; bullying (including cyber bullying) or intimidation, hazing or harassment; actual or threat of violent behavior; assault
Violation of dress code	Violation of school parking or driving regulations	Endangering the health, safety, or welfare of another
Tardiness	Excessive unexcused absences	Stealing, larceny, or petty theft; illegal gambling
Leaving class or location without permission/pass	Leaving school/school grounds without permission	Trespassing on school property without authorization
Excessive or offensive public display of affection	Any form of sexual harassment	Exposure of the private parts of the human body; sexting; lewd/obscene acts, or transmissions
Unauthorized possession and/or use of electronic equipment	Slurs regarding ethnicity, disability, race, sexual orientation, or physical condition of another	Discrimination or harassment based on race, ethnicity, disability, sexual orientation, condition
Inappropriate use of the school computer network	Possession or use of obscene or offensive material	Academic dishonesty and misconduct; forgery; transmitting violent images
Possession or display of any tobacco product	Possession or use of incendiary devices	Possession or transfer of firearms, deadly weapons; item appearing to be a weapon
Possession/consumption of medication without medical authorization	Smoking on school property or at school events	Sale, attempted sale, or gift of medications to another; use; possession or under influence of intoxicating substances or paraphernalia
Insubordination, lying, or disrespect toward school personnel	Repeated incidents of category I behaviors	Violent and/or repeatedly substantially disruptive; substantially interfere with authority

SCHOOL RESPONSE		
CATEGORY I	CATEGORY II	CATEGORY III
Usually addressed by individual staff member but may require intervention by other school support personnel	Teacher may initiate a meeting with the student and guidance counselor to discuss; Teacher must notify parent/guardian and the building administrator	Building administrator will investigate allegations/ consult with staff as to consequences if allegations supported by substantial and credible evidence
Immediate intervention by the staff member supervising student or observing the behavior	Building administrator may meet with student; may confer with parent/guardian and behavior and response	Building administrator will meet with student and confer with parent/guardian about situation and response
Staff member maintains proper and accurate record of student action and school response	Building administrator will maintain a proper and accurate record of student behaviors and response	Building administrator will maintain proper and accurate record of student behavior and response
<p>Range of possible school responses may include:</p> <ul style="list-style-type: none"> <li>✓ A warning</li> <li>✓ Discussion of behavior with student</li> <li>✓ Written behavior agreement</li> <li>✓ Parent/guardian contact</li> <li>✓ Verbal/written referral to principal, guidance or social worker</li> <li>✓ Verbal reprimand</li> <li>✓ Reduction in classroom privileges</li> </ul>	<p>Range of possible school responses may include:</p> <ul style="list-style-type: none"> <li>✓ Written behavior contract/FBA</li> <li>✓ Parent conference</li> <li>✓ Written referral to Pupil Services</li> <li>✓ Reduction of school privileges</li> <li>✓ Referral to administration</li> <li>✓ Home school contact</li> <li>✓ After-school detention</li> <li>✓ In school suspension (ISS)</li> <li>✓ Out of school suspension (OSS)</li> </ul>	<p>Unless otherwise provided by law, range of possible school responses may include:</p> <ul style="list-style-type: none"> <li>✓ After-school detention</li> <li>✓ In school suspension (ISS)</li> <li>✓ Out of school suspension(OSS)</li> <li>✓ Conference with teachers/ administrators</li> <li>✓ Mediation</li> <li>✓ Restitution</li> <li>✓ Loss of privileges</li> <li>✓ Superintendent’s hearing</li> <li>✓ Parent conference</li> <li>✓ Police notification/ criminal charges</li> <li>✓ Referral to student services</li> <li>✓ Confiscation of contraband</li> <li>✓ PINS petition</li> <li>✓ Expulsion</li> </ul>
Repeated behavior requires a parent/teacher conference; conference with the counselor and or administrators	Teacher may remove “disruptive student” from classroom, for period not to exceed one day, to location with continued educational programming when practicable. Principal determines additional steps for classroom return	Response to students who are “repeatedly substantially disruptive” or “substantially interfere with teacher’s authority over the classroom, minimum of 2 days OSS; those who commit acts of violence minimum 5 days OSS; weapons on school property, minimum one year OSS