

HAWTHORNE CEDAR KNOLLS UNION FREE SCHOOL DISTRICT



Draft CODE OF CONDUCT (2026)

TABLE OF CONTENTS

Notice of Nondiscrimination	1
I. Introduction.....	3
II. Definitions	4
III. Student Rights and Responsibilities.....	9
IV. Essential Partners in Creating a Positive School Climate	10
V. Student Civility and Dress Code	15
VI. Use of Internet-Enabled Devices and Other Personal Technology	16
VII. Prohibited Student Conduct.....	18
VIII. Harassment, Bullying, and Discrimination	22
IX. Reporting Violations.....	23
X. Disciplinary Consequences and Procedures.....	24
XI. Minimum Periods of Suspension.....	28
XII. Referrals	29
XIII. Disciplining Students with Disabilities.....	30
XIV. Timeout and Physical Restraint.....	32
XV. Student Searches and Interrogations.....	33
XVI. Visitors to BOCES.....	35
XVII. Public Conduct on BOCES Property.....	36
XVIII. Dissemination and Review	38

DEFINITIONS

Acronym	Definition
HCKS	Hawthorne Cedar Knolls Schools
SAVE Act	Safe Schools Against Violence in Education Act
DASA	Dignity for All Students
IDEA	Individuals with Disabilities Education Act
IEP	Individualized Education Program
RSP	Related Service Providers (e.g. occupational therapist, speech therapist, counselor, guidance counselor)
SEL	Social-Emotional Learning
MTSS-i	Multi Tiered System of Supports for Inclusion
PBIS	Positive Behavioral Interventions and Supports
TCI	Therapeutic Crisis Intervention
FERPA	Family Educational Rights and Privacy Act
HIPAA	Health Insurance Portability and Accountability Act
DAC	Dignity Act Coordinator

INTRODUCTION

At Hawthorne Cedar Knolls Union Free School District, we nurture the whole child through standards-aligned, flexible, and therapeutic learning experiences that foster both academic and social-emotional growth. Our mission is to ensure every student is seen, supported, and empowered to build meaningful relationships, regulate behavior, and thrive as engaged, life-long learners.

The Board of Education of the Hawthorne Cedar Knolls (HCKS) union-free school district is committed to fostering a safe, orderly, and supportive educational environment in which all students, staff, families, and community members are treated with dignity and respect. HCKS believes that a well-defined Code of Conduct is essential to promote positive behavior, ensure equitable treatment, protect the rights of all individuals, and maintain a school climate that supports teaching and learning.

This Code of Conduct has been developed and will be maintained in collaboration with students, teachers, administrators, parents/guardians, school personnel, and other representatives.

The Code of Conduct outlines provisions governing the behavior of all students, teachers, and other school district personnel, as well as visitors. Certain sections also apply to visitors, volunteers, vendors, and consultants, as specified.

Unless otherwise stated in this Code, students may be subject to disciplinary action for misconduct that occurs off school property if the behavior endangers the health or safety of students, substantially disrupts school operations, or otherwise negatively impacts the educational process.

The Code of Conduct has been developed in accordance with the Safe Schools Against Violence in Education (SAVE) Act, the Dignity for All Students Act (DASA), and relevant provisions of the Education Law and Commissioner's regulations. These laws aim to enhance school safety and promote a secure, supportive learning environment.

This Code of Conduct applies to all students, employees, vendors, volunteers, consultants, visitors, and community members while on school property, at school-sponsored events, on school transportation, or engaged in any activity that has a direct and immediate effect on the school environment. It provides a clear framework for:

- **Establishing Expectations:** Articulating the rights and responsibilities of students, staff, and other members of the school community.
- **Promoting Safety and Respect:** Ensuring that the physical and emotional safety of all members of the school community is maintained.
- **Supporting Equity and Inclusion:** Upholding the principles of fairness, nondiscrimination, and cultural responsiveness in all aspects of school life.
- **Guiding Discipline and Interventions:** Outlining fair and consistent disciplinary procedures and possible interventions, including progressive discipline and restorative practices.
- **Encouraging Community Engagement:** Supporting positive collaboration among students, families, staff, and community partners in the educational process.
- **Complying with State Law and Regulations:** Aligning with Education Law §2801, Commissioner's Regulations Part 100.2, the Dignity for All Students Act (DASA), IDEA, SAVE and other applicable state and federal statutes.

The Board of Education recognizes that maintaining a safe and supportive environment requires the active participation of all stakeholders. It is the shared responsibility of students, staff, parents/guardians, vendors, volunteers, consultants, visitors, and community members to model and uphold the standards set forth in this Code of Conduct.

This Code is designed not only to address misconduct but also to promote positive behaviors, encourage restorative practices, and reinforce the development of social-emotional skills that contribute to lifelong learning and responsible citizenship.

The Code will be reviewed annually and updated as needed to reflect changes in law, district policies, or emerging best practices in education and school climate management.

SECTION 1: RIGHTS AND RESPONSIBILITIES

A. Student Rights and Responsibilities

	Student Rights	Student Responsibilities
I.	Attend HCKS and be granted the opportunity to receive a quality education.	Attend school regularly and punctually, be prepared to learn, and actively engage in all academic activities.
II.	Take part in all district activities on an equal basis, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex.	Treat all members of the school community with respect and fairness, and participate in school activities in a cooperative and responsible manner.
III.	Be made aware of HCKS rules and policies, and to be treated in a manner consistent with these rules and policies when resolving disciplinary matters.	Familiarize themselves with the Code of Conduct and all school rules, and comply with all district policies and procedures.
IV.	Present their version of relevant events to school staff and administrators when facing disciplinary action.	Communicate honestly and respectfully with staff, and provide accurate information when involved in disciplinary proceedings.
V.	Be provided with alternative instruction when removed from class or suspended.	Participate fully in alternative instruction and complete all assigned work to the best of their ability.
VI.	Learn in an environment that is free from bullying, harassment, discrimination, and violence.	Refrain from bullying, harassment, discrimination, or violent behavior, and report incidents to staff promptly.
VII.	Learn in a safe, orderly, and supportive school climate.	Contribute to maintaining a safe, orderly, and positive school environment by following rules, cooperating with staff, and showing respect for others.
VIII.	Express their individuality through personal style and dress, provided that their choices are safe, appropriate for the school environment, and consistent with the standards outlined in this Code of Conduct.	Ensure that attire and personal appearance do not disrupt learning, compromise health or safety, or infringe upon the rights of others, in accordance with the Dress Code.

B. PARENTS/GUARDIANS RIGHTS AND RESPONSIBILITIES

Parents and guardians are expected to recognize that the education of their child is a shared responsibility between home and school. They should ensure that their child attends school regularly, arrives prepared to learn, and is supported in meeting academic and behavioral expectations. Additionally, parents and guardians are encouraged to build positive, collaborative relationships with teachers and administrators to foster a supportive and productive learning environment for their child.

	Parent/Guardian Rights	Parent/Guardian Responsibilities
I.	Be informed about their child's educational progress, programs, and services.	Maintain regular communication with school staff, review reports, and participate in conferences and meetings as appropriate.
II.	Be treated with respect and have their concerns heard and addressed promptly.	Communicate respectfully and constructively with school staff, administrators, and other members of the school community.
III.	Participate in decisions regarding their child's education, including Individualized Education Programs (IEPs) or other specialized services.	Actively engage in planning and decision-making processes, providing relevant information and supporting agreed-upon educational goals
IV.	Receive timely notification of incidents affecting their child's safety, well-being, or discipline.	Cooperate with school staff to address behavioral or safety concerns and reinforce positive behavior at home.
V.	Collaborate with school staff to support their child's academic, social, and emotional growth.	Reinforce learning at home, encourage attendance and participation, and support school initiatives that promote a positive school climate.
VI.	Expect that their child's rights and privacy will be respected.	Respect the rights and privacy of other students, families, and staff members, and model appropriate conduct within the school community.

C. Teachers and Related Service Providers RIGHTS AND RESPONSIBILITIES

Teachers and related service providers are expected to maintain a climate of mutual respect and dignity, ensuring that all interactions with students, families, and colleagues are professional and inclusive. They are responsible for being prepared to deliver meaningful instruction that engages students and supports their learning, and for communicating regularly with students and families regarding academic progress, behavioral expectations, and other relevant matters.

	Teacher and RSP Rights	Teacher and RSP Responsibilities
I.	Work in a safe, supportive, and respectful school environment.	Maintain a professional demeanor, follow all district policies, and contribute to a positive school climate that models respect and safety for students and staff.
II.	Be treated with fairness, respect, and professionalism by students, families, colleagues, and community partners.	Interact respectfully with all members of the school community and address concerns through appropriate channels.
III.	Contribute to a school environment that maintains and encourages a climate of mutual respect and dignity for all students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity or expression, or sex.	Model respectful and inclusive behavior, promoting equity and fairness in all interactions, and actively supporting policies and practices that foster a safe and respectful learning environment for all students.
IV.	Receive clear expectations, guidance, and support from administration regarding instructional and behavioral practices.	Utilize professional development, collaborate with colleagues, and implement district guidance consistently in the classroom.
V.	Have access to necessary resources, materials, and support to provide high-quality instruction and interventions.	Employ evidence-based instructional strategies, SEL practices, and MTSS-i frameworks to meet the academic and behavioral needs of all students.
VI.	Implement proactive strategies to support student social-emotional and behavioral development.	Consistently apply Positive Behavioral Interventions and Supports (PBIS) and Therapeutic Crisis Interventions (TCI) to prevent and respond to challenging behaviors.
VII.	Provide equitable instruction and interventions to all students.	Use a Multi-Tiered System of Supports for instruction and behavior (MTSS-i) to identify, monitor, and adjust interventions based on student data.
VIII.	Participate in decisions regarding school programs and initiatives that affect classroom instruction or student outcomes.	Contribute constructively to decision-making processes and support school-wide initiatives that enhance student learning and school climate.

IX.	Maintain student confidentiality and act in accordance with professional ethical standards.	Protect student privacy, maintain accurate records, and communicate appropriately with parents/guardians and staff regarding student progress and needs.
X.	Receive feedback and evaluation that is fair, constructive, and supportive of professional growth.	Reflect on feedback, implement recommendations, and seek clarification or support when needed to improve practice.

D. Administrator RIGHTS AND RESPONSIBILITIES:

Administrators are expected to promote a safe, orderly, and supportive learning environment that fosters student learning, social-emotional growth, and positive school climate. They are responsible for ensuring that staff receive appropriate training in behavioral supports, de-escalation strategies, restorative practices, and other evidence-based interventions. Additionally, administrators must consistently and fairly review, implement, and enforce the Code of Conduct, modeling professional standards, upholding the district's expectations for all members of the school community, and promoting a safe, orderly, and supportive learning environment.

	Administrator Rights	Administrator Responsibilities
I.	Work in a safe, professional, and respectful school environment.	Model professional behavior and foster a safe, supportive, and respectful climate for staff, students, and visitors.
II.	Receive clear guidance, expectations, and support from the Board of Education and district leadership.	Communicate expectations clearly, provide consistent guidance to staff, and ensure policies are implemented effectively.
III.	Access resources, personnel, and data necessary to make informed decisions regarding instruction, behavior, and school operations.	Allocate resources strategically, use data to guide decisions, and ensure evidence-based practices are applied school-wide.
IV.	Lead and support professional development and staff collaboration.	Provide ongoing training, coaching, and mentoring in PBIS, SEL, TCI, MTSS-i, and restorative practices, supporting staff growth and fidelity of implementation.
V.	Promote positive student outcomes academically, socially, and emotionally	Ensure school-wide systems support student learning and behavior, monitor progress, and adjust interventions using MTSS-i frameworks
VI.	Be treated with fairness, respect, and professionalism by students, families, staff, and community partners.	Address conflicts and concerns professionally, maintaining equitable treatment for all stakeholders.
VII.	Participate in policy development and school improvement initiatives.	Contribute constructively to decision-making, support implementation of policies, and engage the school community in improvement efforts.
VIII.	Maintain compliance with legal, ethical, and policy requirements.	Ensure staff adhere to federal, state, and district policies, including DASA, IDEA, confidentiality, and student safety regulations.
IX.	Foster strong partnerships with families and the community.	Engage parents/guardians and community stakeholders in collaborative problem-solving, student support, and school initiatives.
X.	Receive fair, constructive, and timely evaluation and feedback.	Reflect on feedback, implement recommendations, and seek clarification or support to improve leadership practices.

E. Teacher Aides & Support Staff

Teacher aides are expected to contribute to a safe, orderly, and supportive learning environment by modeling professional behavior and interacting respectfully with students, staff, and families. They support teachers in delivering instruction, implementing behavioral strategies, and reinforcing classroom expectations, while actively participating in training and professional development, including PBIS, SEL, TCI, and MTSS-i practices. Teacher aides are responsible for collaborating effectively with colleagues, maintaining student confidentiality, assisting in the implementation of academic and behavioral interventions, monitoring student progress, and upholding the standards and expectations outlined in the Code of Conduct.

Aides, Assistants, Support Staff Rights

Aides, Assistants, Support Staff Responsibilities

I.	Work in a safe, professional, and respectful school environment.	Model professional behavior, contribute to a positive and safe school climate, and interact respectfully with students, staff, and families.
II.	Receive clear instructions and guidance from teachers and administrators regarding duties and expectations.	Follow directions carefully, seek clarification when needed, and support teachers in implementing instructional and behavioral strategies.
III.	Access training and professional development to support student learning and behavior.	Participate in training, including PBIS, SEL, TCI, and MTSS-i practices, and apply strategies consistently in supporting students.
IV.	Collaborate with teachers, staff, and administrators.	Work cooperatively with colleagues, communicate effectively, and contribute to team efforts to meet students' academic and behavioral needs.
V.	Engage in meaningful interactions with students to support learning and social-emotional development.	Assist in delivering instruction, reinforcing classroom expectations, and supporting PBIS and SEL initiatives.
VI.	Be treated with fairness, respect, and professionalism by students, staff, and families.	Maintain professional conduct, address conflicts appropriately, and model positive behavior for students.
VII.	Provide support in implementing interventions for academic and behavioral needs.	Assist in delivering targeted interventions under teacher guidance, collect and report data, and monitor student progress according to MTSS-i or other frameworks.
VIII.	Maintain student confidentiality and act in accordance with ethical standards.	Protect student privacy, maintain accurate records, and communicate student information only with authorized personnel.

F. SUPERINTENDENT RIGHTS AND RESPONSIBILITIES

The superintendent is entrusted with the authority and responsibility to provide leadership that ensures all students are afforded the opportunity to receive a high-quality education within a safe, supportive, and equitable learning environment. As the chief executive officer of the district, the superintendent is responsible for implementing Board of Education policies, including the Code of Conduct, and ensuring compliance with state and federal laws. The superintendent is expected to provide vision and leadership that promote student achievement, social-emotional development, and a positive school climate. This includes allocating resources to support academic and behavioral interventions, professional development, and evidence-based practices such as PBIS, MTSS-i, restorative practices, and therapeutic crisis interventions. The superintendent must model integrity and professionalism, communicate effectively with all stakeholders, and foster collaboration among administrators, staff, families, and community partners to uphold the mission and values of the district.

G. BOARD OF EDUCATION RIGHTS AND RESPONSIBILITIES

The Board of Education is expected to establish policies that promote a safe, orderly, and supportive learning environment while ensuring that the rights of all students, staff, and community members are protected. The Board of Education is responsible for adopting and annually reviewing the Code of Conduct, providing the necessary resources to support its implementation, and ensuring compliance with all applicable state and federal laws. Members of the Board of Education are expected to model ethical and professional conduct, demonstrate respect in their interactions with the school community, and maintain transparency and accountability in decision-making. In collaboration with administrators, staff, families, and community partners, the Board of Education upholds its duty to foster student achievement, social-emotional growth, and equity across the district.

SECTION 2: DRESS CODE FOR STUDENTS

Students may express their individuality through their choice of clothing and personal style, provided that their appearance is safe and does not pose a hazard to themselves or others, is appropriate for the school setting, does not disrupt or interfere with the educational process, and is consistent with the standards established in this Code of Conduct. The Dress Code will be enforced equitably and respectfully, without discrimination based on gender, gender identity or expression, race, ethnicity, religion, weight, disability, or cultural background, and students' personal expression, including hairstyles, cultural attire, and religious garments, will be honored within the parameters of safety and appropriateness.

A. Acceptable Standards

- I. Clothing must cover the chest, torso, and undergarments.
- II. Shoes must be worn at all times for health and safety reasons.
- III. Attire should be clean, not excessively revealing, and free from offensive or vulgar messages.

- IV. Clothing should be appropriate for the activities in which students are participating (e.g., physical education, labs, and vocational classes).

B. Prohibited Attire

- I. Items promoting alcohol, tobacco, vaping, or illegal substances.
- II. Items containing obscene, vulgar, or discriminatory language, images, or symbols.
- III. Clothing or accessories that advocate or encourage illegal activity, violence, or gang affiliation.
- IV. Hats, hoods, or head coverings inside school buildings, except for religious or medical reasons.
- V. Footwear that poses a safety hazard (e.g., slippers, cleats, shoes with wheels).

C. Enforcement

Dress code enforcement will be applied consistently, equitably, and respectfully, without discrimination based on gender, gender identity or expression, race, ethnicity, religion, weight, disability, or cultural background. Students in violation will be asked to modify their appearance, and parents/guardians may be contacted if necessary. Repeated violations may result in progressive discipline consistent with this Code of Conduct. The District honors students' personal expression, including hairstyles, cultural attire, and religious garments, within the parameters of safety and appropriateness outlined in this Code.

SECTION 3: STUDENT CONDUCT

In order to maintain a safe, orderly, and supportive learning environment, it is essential that all students conduct themselves in ways that demonstrate respect for themselves, others, and the school community. The following section outlines behaviors that are strictly prohibited, as they interfere with the rights of others to learn, compromise the safety and well-being of students and staff, and disrupt the educational process. These expectations are intended to guide students toward responsible decision-making, accountability, and positive citizenship, while ensuring that consequences for misconduct are applied fairly and consistently in accordance with this Code of Conduct and applicable laws and regulations.

A. Disorderly/Disruptive Behavior:

- I. Engaging in any willful act which disrupts the normal operation of the school community; or in any act which endangers or threatens to endanger the health, safety, welfare or morals of others (specific allegations are required).

- II. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students in a manner which is substantially disruptive of the educational process or substantially interferes with the education of other students, or with the teacher's ability to present material and otherwise provide for the educational needs of other students.
- III. Refusal to cease fighting and/or horseplying upon the intervention from staff.
- IV. Possession or use of any personal internet-enabled device, including smartphones, tablets, smartwatches, or other connected devices—during the school day (from the first bell to the last bell) is prohibited on school property unless explicitly authorized for instructional, medical, translation, emergency, or IEP-specified purposes. The school will provide approved storage options (such as lockers or phone pouches) and ensure that a method is available for parents to contact students during the school day. (Education Law § 2803)
- V. Using language or gestures that are profane, lewd, vulgar or abusive, or which a reasonable person would find intentionally discriminatory toward any person or group entitled to protection in their right to obtain an education under the New York State Executive Law.
- VI. Obstructing vehicular or pedestrian traffic.
- VII. Making unreasonable noise.
- VIII. Misuse of computer/electronic communication, including any unauthorized use of telephones, two-way radios, cell phones, computers, social networks, software, or internet account; accessing inappropriate websites (which includes, but is not limited to pornographic sites, violent or hate sites, sites encouraging the making of bombs, incendiary devices, or devices to counteract locks or security systems, gaming and gambling sites, or other sites not reasonably and directly related to the educational function of the district); cyberbullying (using computers, websites, chat rooms, etc. as a method of harassment or threat to others); attempts to hack or compromise any computer system; downloading music, videos, or other copyrighted material for personal use without license, authorization, or legal privilege; or any other violation of federal or state law, or of the District's acceptable use policy and regulations.
- IX. Insubordination includes but is not limited to:
 - Failing to comply with District rules, or with the reasonable directions of teachers, school administrators, or other school employees in charge of students or otherwise showing disrespect.
 - Lateness for, missing, or leaving school without permission.
 - Refusal to show identification and to give one's correct name to school district employees upon request.
 - Refusal to submit to metal detection scans during random screenings or upon reasonable suspicion.
 - Refusal to vacate any school room, building or grounds upon the request of a staff member.
 - Failure to report to a school administrator when required to do so.

- Unauthorized absences from classes or detention.
- Lying to school personnel.

X. Violent or threatening behavior includes but it not limited to:

- Willful assault on any student, staff member, or person lawfully on District property. For purposes of suspension, willful assault is defined as the intentional, unprovoked striking of another person. Intent may be demonstrated by verbal statements and/or physical acts, heard or witnessed by students, staff, or other persons lawfully upon District property.
- Reckless assault, stalking, or criminal harassment (as defined by the Commissioner of Education's Regulations) on any student, staff member, or person lawfully on District property. For purposes of suspension, reckless assault, stalking, or criminal harassment occurs when a student strikes, pushes, or otherwise makes contact with another person without regard to the person's safety and well-being and causes physical injury. Physical injury is defined as any impairment of physical condition, or infliction of pain.
- Group or gang assault upon any student, staff member, or person lawfully on District property. For purposes of student discipline, group or gang assault includes riot, and is defined as the reckless or intentional, unprovoked striking of another person when aided by two or more other people actually present, causing physical injury or creating a grave risk of physical injury or public alarm.
- Committing or participating in any other violent or disruptive incident or act as defined by this Code of Conduct. Such incidents include menacing (intentionally placing or attempting to place another person in fear of imminent physical injury) and reckless endangerment (subjecting individuals to danger by recklessly engaging in conduct that creates a substantial risk of physical injury) or kidnapping (restraining a person with intent to prevent her or his liberation by either hiding the person in a place where he or she is unlikely to be found, or threatening to use deadly physical force).
- Possessing or using any object that reasonably appears to be a weapon, including replicas or look-alike items, in a manner that causes or could reasonably cause fear, intimidation, or disruption. No individual—other than a school resource officer, law enforcement official, or licensed security guard—may possess a weapon on school property or during school functions. Possession of a rifle, shotgun, or firearm by any other person, even if turned over to school administration, may constitute criminal possession under New York Penal Law § 265.01-a. School staff must immediately report and relinquish any discovered weapon to law enforcement, ensuring compliance with the law. (New York Penal Law § 265.01-a)
- Transferring, selling, or attempting to distribute a weapon to another person on school property or at a school function.
- Failing to promptly surrender a weapon discovered in one's possession to a school official or law enforcement

XI. Endangering safety, health, or welfare includes but is not limited to:

- **Arson or Attempted Arson**
Intentionally starting a fire or causing an explosion on District property or property

under the control of the District is prohibited. Under New York Penal Law § 150.01, arson in the fifth degree is a Class A misdemeanor, while higher degrees of arson are classified as felonies, with penalties increasing based on severity.

- **Theft and Intellectual Property Violations**

Stealing the property of other students, school personnel, or any other person lawfully on school property or attending a school function is prohibited. Additionally, knowingly violating the copyright, patent, or other intellectual property rights of others is prohibited.

- **Defamation**

Making false statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them is prohibited.

- **Discrimination**

Using race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex as a basis for treating another in a negative manner is prohibited.

- **Harassment**

Engaging in conduct or making threats, intimidation, or abuse, including cyberbullying, that creates a hostile environment and has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities, or benefits, or mental, emotional, or physical well-being is prohibited. Such conduct may include, but is not limited to, actions based on a student's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

- **Intimidation or Bullying**

Engaging in actions or statements that put an individual in fear of bodily harm; threatening, stalking, or seeking to coerce or compel a person to do something; or using epithets or slurs involving race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity, or sex that substantially disrupts the educational process is prohibited. Such intimidation may be person-to-person or communicated indirectly by writing, or by any telephonic or electronic means, including use of computers or the Internet and/or social media.

- **Hazing**

Engaging in any intentional or reckless act directed against another for the purpose of initiation into, affiliating with, or maintaining membership in any school-sponsored activity, organization, club, or team is prohibited. Hazing shall also be deemed to include any intentional or reckless act directed against another on District property or at any school function, for the purpose of initiation into, affiliating with, or maintaining membership in any street gang or group identified by the Police Department as engaged in unlawful or criminal behavior.

- **Obscene Material**
Selling, using, downloading, or possessing obscene material is prohibited.
- **Vulgar or Abusive Language**
Using vulgar or abusive language, cursing, or swearing is prohibited.
- **Tobacco Possession and Use**
Possessing, selling, distributing, exchanging, or using cigarettes, cigars, pipes, or chewing or smokeless tobacco on school property or at school functions is prohibited. This includes e-cigarettes and vaping devices. (Public Health Law § 1399, Ed. Law § 2801)
- **Alcohol and Illegal Substances**
Possessing, consuming, selling, distributing, exchanging, or being under the influence of alcohol or illegal substances is prohibited. “Illegal substances” include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, ecstasy, “designer drugs,” and any look-alike substances. Representing any substance as an alcoholic beverage or illegal drug for purposes of sale or distribution is treated as an attempted violation. (Penal Law §§ 220, 221, Ed. Law § 2801)
- **Prescription and Over-the-Counter Drugs**
Inappropriately using or sharing prescription or over-the-counter drugs is prohibited. This does not apply to the lawful administration of a prescription drug to the student for whom it was prescribed, in accordance with school policy and law. (Ed. Law § 914, 911)
- **Gambling**
Engaging in gambling or wagering of any kind on school property or during school activities is prohibited.
- **Indecent Exposure**
Exposing one’s private parts in a lewd or indecent manner on school property or at school functions is prohibited. (Penal Law § 245.01)
- **False Alarms and Misuse of Emergency Systems**
Initiating a report warning of fire, bomb, or other catastrophe without valid cause, misusing 911, discharging a fire extinguisher, or setting off a smoke detector or sprinkler is prohibited. (Penal Law §§ 240.50, 240.55)
- **Lying to School Personnel**
Knowingly providing false information or lying to school personnel in a way that disrupts the educational process or affects the safety and well-being of the school community is prohibited.

B. Academic Misconduct.

Students are prohibited from engaging in any form of academic misconduct, which undermines the integrity of the educational process. Examples of academic misconduct include, but are not limited to:

- **Plagiarism** – Using another person’s work, including materials obtained from the Internet or digital sources, without proper attribution.
- **Cheating** – Using unauthorized assistance, materials, or devices during assignments, assessments, or examinations.
- **Copying** – Illegally duplicating another student’s work or allowing one’s own work to be copied.
- **Altering Records** – Falsifying or tampering with academic records, grades, or other official documents.
- **Unauthorized Absences from Classes** – Failing to attend classes without a lawful excuse authorized by appropriate school officials.
- **Assisting Others** – Helping, encouraging, or facilitating any of the above actions by another student.

C. Misconduct while on a school bus.

Students are expected to conduct themselves in a safe, orderly, and respectful manner while riding school buses. The following behaviors are prohibited, in accordance with **Education Law § 3623** and **Commissioner of Education regulations 8 NYCRR § 156.3**:

- Disruptive Behavior – Any action that distracts the bus driver, endangers the safety of passengers, or interferes with the safe operation of the bus.
- Physical Aggression – Hitting, pushing, or otherwise physically harming another student, staff member, or driver.
- Verbal Abuse – Using vulgar, abusive, or threatening language toward other students, bus staff, or driver.
- Possession of Prohibited Items – Bringing weapons, illegal substances, tobacco, vaping devices, or any object that could endanger others on the bus.
- Throwing Objects – Throwing items inside the bus or out of the windows.
- Failure to Follow Directions – Refusing to comply with the bus driver’s or attendant’s instructions.
- Damage to Bus Property – Vandalizing, defacing, or destroying any part of the bus.

D. Trespassing

Students who are serving a suspension are not permitted to enter any school building other than the one specifically designated for their alternative instruction.

Students who are not under suspension may only be on school property if they are on the grounds of the school they regularly attend and have received permission from the building administrator, or if they are present at times and for purposes when members of the general public are permitted on the property.

In addition, students may not ride any school bus other than the one assigned for their regular transportation to and from school, or for a special event or extracurricular activity, unless they have received express permission from authorized District personnel.

Consequences for bus misconduct may include warnings, parent/guardian notification, loss of bus riding privileges, suspension from school, or other disciplinary actions consistent with **Education Law § 3214**.

E. Violation of building-level Conduct or Safety Codes.

Students are prohibited from engaging in any conduct that violates building-level conduct or safety codes. Each District building maintains a safety code designed to address issues of building security, emergency preparedness, and day-to-day safety. Buildings may also establish rules supplemental to the District Code of Conduct. All students, staff, and visitors are expected to:

- Comply with all building-specific rules and procedures.
- Follow instructions issued in response to alerts or guidance from the U.S. Department of Homeland Security or other authorities.
- Contribute to maintaining a safe, orderly, and supportive school environment for all members of the school community.

Failure to adhere to building-level safety or conduct codes may result in disciplinary action consistent with **Education Law §3214** and other applicable district policies.

SECTION 4: EXPECTED CONDUCT FOR ALL

In accordance with New York State Education Law §2801, all persons on HCKS property or attending HCKS-sponsored functions, including students, staff, vendors, consultants, visitors, and community members, are expected to conduct themselves in a respectful, responsible, and orderly manner that does not endanger the safety, morals, health, or welfare of others. Such individuals shall comply with all District policies, rules, and procedures; adhere to established safety and security protocols; and interact with members of the school community in a courteous and professional manner. Vendors, consultants, and other third parties share responsibility for supporting a safe and orderly school environment, maintaining confidentiality where required, and modeling conduct consistent with the District's educational mission and standards of civility, dignity, and mutual respect.

A. EMPLOYEES & VOLUNTEERS CONDUCT

- I. Maintain a safe, supportive, and inclusive environment for students.
- II. Refrain from engaging in harassment, discrimination, or intimidation of students, families, or colleagues.
- III. Avoid conflicts of interest, including accepting gifts or favors that could impair judgment.
- IV. Use district resources responsibly and only for authorized purposes.
- V. Comply with all district policies, collective bargaining agreements, and state/federal laws.
- VI. Report suspected child abuse, safety concerns, or code violations in accordance with mandated reporter laws and district procedures.
- VII. Adhere to the HCKS Code of Conduct and know school and district policies and rules, and enforce them in a fair and consistent manner.

- VIII. Confront issues of discrimination, bullying, and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee, or any person who is lawfully on HCKS property or at a HCKS function.
- IX. Adhere to professional and ethical standards of conduct, including confidentiality (FERPA, HIPAA as applicable).
- X. Report incidents of discrimination, bullying, and harassment that are witnessed or otherwise brought to a member's attention to the building administrator, Civil Rights Compliance Officer, Title IX Coordinator, or Dignity Act Coordinator (DAC), as appropriate, in a timely manner.
- XI. Report to the State Education Department any known incident of testing misconduct by a certified educator or any known conduct by a non-certified individual involved in the handling, administration, or scoring of state assessments in violation of New York State law. This report will be made in accordance with directions and procedures established by the Commissioner to maintain the security and confidentiality of State assessments.

B. Vendors and Consultants CONDUCT

All individuals and organizations conducting business with the district must:

- I. Interact with students, staff, and community members in a respectful, professional manner.
- II. Protect the confidentiality of any student or employee information encountered.
- III. Conduct business honestly, ethically, and in compliance with applicable laws and contracts.
- IV. Avoid conduct that undermines school operations, safety, or the educational mission.
- V. Abide by all security procedures while on district property.

Violations of these standards may result in disciplinary action, termination of employment or contracts, removal from district property, or referral to legal authorities where appropriate.

C. Prohibited Conduct for All (includes but is not limited to):

1. Intentionally injuring or threatening to injure any person.
2. Intentionally damaging or destroying HCKS property or personal property of any person lawfully on HCKS property.
3. Disrupting the orderly conduct of classes, programs, activities, internships, or work sites.
4. Distributing or displaying materials that are obscene, advocate illegal action, are libelous, obstruct the rights of others, or disrupt HCKS programs or workplaces.

5. Intimidating, harassing, or discriminating against any person based on legally protected categories (race, color, religion, national origin, sex, sexual orientation, gender identity or expression, age, disability, or other protected status).
6. Unauthorized entry or remaining on HCKS property after closing hours.
7. Obstructing free movement on HCKS property or at functions.
8. Violating traffic or parking regulations on HCKS property.
9. Possessing, consuming, selling, distributing, or being under the influence of alcohol, illegal drugs, controlled substances (including drug paraphernalia) on HCKS property or at functions.
 - The term illegal drugs includes all controlled substances as defined by federal and New York State law. While New York State has legalized adult-use cannabis under certain conditions, it remains illegal for anyone under the age of 21 to purchase, possess, or use adult-use cannabis (New York Cannabis Law, McKinney's CPL § 221.05).
 - Regardless of age, the sale, purchase, possession, and/or use of cannabis is strictly prohibited on HCKS property, including host school grounds, and at all HCKS functions, consistent with state and federal laws and HCKS policy.
10. Using tobacco or tobacco products on HCKS property except as permitted by law and Board policy.
11. Smoking or vaping within 100 feet of entrances, exits, or outdoor areas of HCKS schools or buildings.
12. Possessing, displaying, using, or threatening to use weapons, as defined in this Code, on HCKS property or at functions, except as authorized by law enforcement or HCKS authorization.
13. Loitering on HCKS property.
14. Refusing to comply with lawful orders from HCKS officials performing their duties.
15. Inciting others to violate this Code of Conduct.
16. Violating any federal, state, or local law, ordinance, Board policy, or this Code while on HCKS property or at functions.

SECTION 5: GENERAL GUIDELINES FOR REPORTING VIOLATIONS

All members of the school community share the responsibility for maintaining a safe and supportive school climate. Students, staff, parents/guardians, and visitors are encouraged—and, in some cases, required—to promptly report any observed or suspected violations of the Code of Conduct, including but not limited to acts of harassment, bullying, discrimination, violence, threats, or possession/use of prohibited items or substances. Reports may be made verbally or in writing and will be treated confidentially to the greatest extent possible.

- All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, the building principal or their designee.
- All district staff that are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair, and lawful manner. District staff that are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.
- Any weapon, alcohol, or illegal substance found on District property or in the possession of any person on District property shall be confiscated immediately, if possible. Where the material was possessed by a student, confiscation shall be followed by notification to the parent of the student involved and the appropriate disciplinary sanction, which may include permanent suspension and referral for prosecution. Possession by an employee subjects that person to discipline in accordance with District practices and, where applicable, the collective bargaining agreement covering such employee.
- The principal, or their designee, must notify the Office of the Superintendent of Schools and the Local Police Department of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or their designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification to the superintendent must identify the student or other person accused and explain the conduct that violated the Code of Conduct and constituted a crime. If the principal or their designee knows or reasonably should know that any person, while on school property or at a school function, caused intentional injury to any employee of the District; or if any person who is not a student of the school district, while on school grounds, causes injury to a student of the school who is attending or present for educational purposes, whether or not such injury is intentional, then the principal or their designee shall notify the Local Police Department to seek investigation and will at the same time contact the Office of the Superintendent to insure that the District is fully apprised of the circumstances.

A. REPORTING VIOLATIONS

All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, building principal, or designee. All HCKS staff authorized to impose disciplinary sanctions shall do so promptly, fairly, and in accordance with the law. Staff not authorized to impose disciplinary sanctions are required to report violations promptly to their supervisor, who will either impose appropriate sanctions or refer the matter to authorized personnel. Reports of violations should be made to any of the following school officials:

- A teacher, counselor, or classroom staff member;
- The Building Principal or Assistant Principal;
- The Superintendent of Schools
- The Dignity Act Coordinator (DAC), in cases of harassment, bullying, or discrimination; or
- Any other District employee, who is then responsible for forwarding the report to the appropriate administrator.

In an emergency or where there is imminent danger, reports should also be made directly to **law enforcement** by calling 911.

B. Violation by Students

They shall be subject to disciplinary action as the facts may warrant, in accordance with this Code. Students and parents may also be subject to civil liability for property damage under the provisions of the General Obligations Law or other state statute or common law.

C. Violation by Teachers and School Administrators.

Tenured teachers and school administrators shall be subject to disciplinary action as the facts may warrant in accordance with Education Law § 3020-a or any other legal rights that they may have, pursuant to collective bargaining agreement or otherwise. Non-tenured teachers and school administrators shall be subject to disciplinary action as the facts may warrant in accordance with such legal rights as they may have, pursuant to collective bargaining agreement or otherwise.

D. Violation by Parents, Guardians or other Visitors

Their authorization, if any, 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. Any use permit(s) issued to the visitor or to any organization or group which permitted such person to come on school property may be suspended or withdrawn. If any participant in a meeting, conference or hearing, including a visitor, is physically or verbally abusive or uncivil toward any other participant, or remains disruptive after being asked to desist from such conduct, that person may be removed from the meeting, conference or hearing and/or the meeting, conference or hearing may be immediately adjourned. Such visitors may be removed from the building, and/or may be restricted as to future visits. If any such visitor acts in a manner which is threatening, or

which violates any federal, state or local penal law, such person may be subject to criminal prosecution. Any visitor causing personal injury or damage to the property of the District, or its staff or students may be subject to civil liability for such damage.

E. Violation by staff members in the classified service of the civil service entitled to the protection of Civil Service Law § 75.

They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law § 75 or any other legal rights that they may have, pursuant to collective bargaining agreement or otherwise.

F. Violation by staff members or other district personnel, including volunteers, other than those previously described.

They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have, pursuant to collective bargaining agreement or otherwise.

The penalties listed above relate to enforcement of the Code of Conduct. Separately, and in addition to Code of Conduct or civil remedies which may be invoked by the District and its officials, any person may be subject to investigation, arrest and prosecution for acts or omissions which may constitute violations of the criminal laws of the United States or the State of New York or of its political subdivisions.

G. ENFORCEMENT

District and building administrators, or their designees, are responsible for the enforcement of this Code of Conduct. Any individual observed engaging in prohibited conduct will be directed to cease such behavior and advised of the potential consequences. When conduct persists or presents an immediate threat to the safety of individuals, school property, or the orderly operation of the school, an administrator or designee may remove the individual from school property or school-sponsored events and may request law enforcement assistance as appropriate. The District may impose disciplinary measures consistent with this Code of Conduct and reserves the right to pursue civil or criminal action when warranted by law.

Visitors who violate this Code may be immediately removed from District property and restricted from future access in accordance with Education Law §2801. Employees are subject to disciplinary action in accordance with applicable laws, collective bargaining agreements, and due process protections. Contractors and vendors who fail to comply with District policies and procedures may be subject to contractual remedies, including suspension of services, non-renewal, or termination of their contracts.

SECTION 6: BUILDING ACCESS AND VISITOR MANAGEMENT

To ensure the safety and security of students, staff, and school property, all visitors and guests are subject to District building access procedures. Effective November 3, 2025, the District utilizes the

Raptor Technologies Visitor Management System for all visitors and guests entering District buildings. All visitors must present a valid, government-issued photo identification upon arrival. Individuals who fail to provide acceptable identification will not be permitted to enter the building.

All visitors are required to comply with sign-in and sign-out procedures, wear visitor identification while on school property, and adhere to all District policies, safety protocols, and directives of school personnel. Failure to comply with building access procedures or this Code of Conduct may result in removal from school property, restriction of future access, and, where appropriate, involvement of law enforcement pursuant to Education Law §2801.

SECTION 7: HARRASSMENT, BULLYING, AND DISCRIMINATION

The District is committed to creating and maintaining an environment that is free from harassment, bullying, and discrimination, fostering civility, respect, and a safe educational setting. The District prohibits all forms of harassment and bullying of students by employees, other students, or any third parties on school property, at school functions, and at school-sponsored events off school property.

Discrimination against students is strictly prohibited, including, but not limited to, acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, gender identity or expression, or sex.

Harassment or bullying that occurs off school property, including through electronic or digital means, may also be subject to disciplinary or corrective action if the conduct creates, or is reasonably expected to create, a substantial disruption within the school environment or foreseeably reaches the school setting.

The District will respond to incidents of harassment, bullying, or discrimination with disciplinary measures consistent with this Code of Conduct. Such responses will be reasonably calculated to end the harassment, bullying, or discrimination, prevent recurrence, and eliminate any hostile environment. The District may also implement remedial interventions, which may include, but are not limited to, peer support programs, corrective instruction or relevant learning experiences, supportive interventions, or other research-based strategies designed to prevent and address harassment, bullying, or discrimination.

SECTION 8: DIGNITY FOR ALL STUDENTS ACT (DASA) & DIGNITY ACT COORDINATORS (DAC)

A. Policy Statement

The District is committed to providing a safe and supportive learning environment that promotes respect, civility, and dignity for all students. In accordance with the Dignity for All Students Act (DASA), harassment, bullying, and discrimination are strictly prohibited. This prohibition applies to all students, employees, and third parties on school property, on school buses, at school-sponsored events and activities, and through electronic communication (cyberbullying), even when such communication occurs off school grounds if it creates or would reasonably be expected to create a

substantial disruption within the school environment.

B. Reporting & Investigation

The District encourages students, staff, parents/guardians, and third parties to promptly report any incidents of harassment, bullying, or discrimination. Reports may be made verbally, in writing, or anonymously (where systems exist), to any staff member or directly to a Dignity Act Coordinator (DAC). All complaints will be investigated promptly, fairly, and thoroughly by trained personnel. Following the investigation, appropriate corrective and disciplinary action will be taken in accordance with the Code of Conduct and applicable law. Retaliation against individuals who make a report in good faith is strictly prohibited.

C. Dignity Act Coordinators

Each school building will designate at least one trained Dignity Act Coordinator (DAC) who is accessible to students, staff, and parents/guardians. In accordance with the regulations of the Commissioner of Education, each DAC has received or will receive comprehensive training in the areas of human relations, harassment, bullying, and discrimination, as well as bias, exclusion, and aggression in the educational setting. DACs are responsible for coordinating and enforcing the requirements of the Dignity for All Students Act (DASA) and the District's related policies and regulations. The DACs responsibilities include receiving and investigating reports of harassment, bullying, and discrimination, supporting students involved in such incidents, and ensuring compliance with DASA requirements. The name, contact information, and location of each DAC will be posted prominently in each school building, published in student and staff handbooks, and made available on the District's website.

Location	Dignity Act Coordinators	Phone
Cedar Knolls Academy	School Counselors	914-749-2963
Linden Hill	School Counselors	914-749-2975

D. Training & Prevention

The District will provide annual training to all staff on DASA, including how to recognize, respond to, and prevent harassment, bullying, and discrimination. Training will emphasize creating safe, supportive, and inclusive school environments and the importance of early intervention. Additionally, students will receive age-appropriate instruction that fosters civility, citizenship, tolerance, respect for diversity, and dignity for all individuals. This instruction will be integrated into the curriculum and reinforced through schoolwide initiatives that promote positive behavior,

E. Prohibition of Retaliatory Behavior

In accordance with Education Law, any person who, acting reasonably and in good faith, reports or has reasonable cause to suspect that a student has been subjected to harassment, bullying, or discrimination by an employee or student on HCKS property or at a HCKS function, and who

reports this information to HCKS officials, the Commissioner of Education, or law enforcement authorities, or who participates in or assists in any formal or informal proceedings related to such reports, is immune from civil liability that may arise from such actions. The Board of Education strictly prohibits any retaliatory behavior against individuals who, in good faith, make reports or participate in investigations concerning harassment, bullying, or discrimination

The building principal or designee shall notify the appropriate local law enforcement agency of any Code violations that constitute a crime and significantly impact the safety or order of HCKS property as soon as practicable, but no later than the close of business on the day the violation is discovered. Notification may initially be made by telephone, followed by a written letter mailed the same day. The notification must identify the student involved and describe the conduct that violated the Code and constituted a crime.

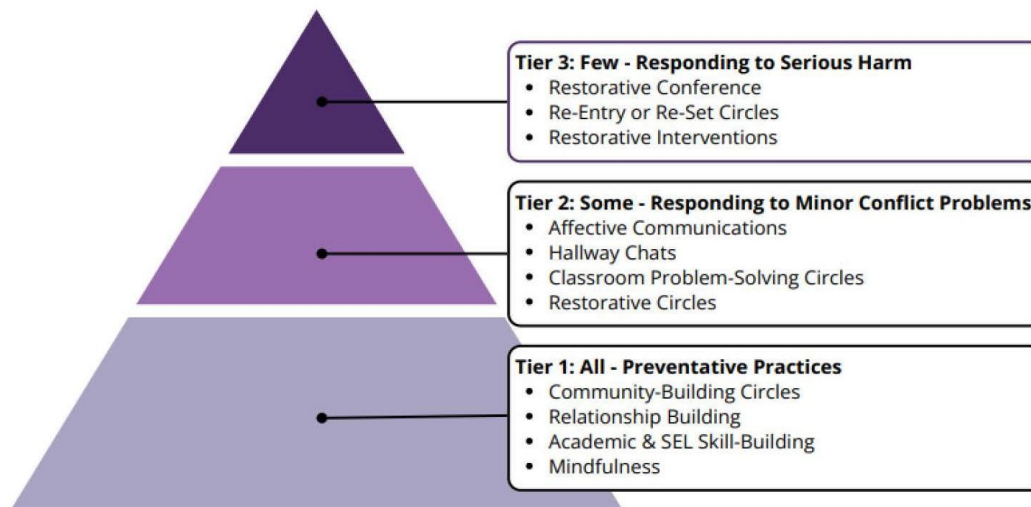
Additionally, all incidents of physical assault, threatening behavior, or verbal abuse by a student against HCKS personnel must be reported in accordance with HCKS Policy and the Workplace Violence Prevention Policy Statement.

SECTION 8: DISCIPLINARY, PROCEDURES, AND RESTORATIVE PRACTICES

A. RESTORATIVE PRACTICES

The District is committed to implementing **restorative practices** as a central component of its approach to student behavior, school climate, and social-emotional development. These practices focus on building and maintaining positive relationships, fostering accountability, repairing harm when conflicts occur, and creating a safe, inclusive, and respectful learning environment. By emphasizing dialogue, reflection, and collaborative problem-solving, restorative practices provide alternatives to purely punitive measures, such as suspensions, and instead focus on understanding, making amends, and promoting growth. Key components include **restorative circles**, where students and staff discuss conflicts and work to rebuild relationships, and **restorative conferencing**, which brings together those affected by harm to collaboratively identify resolutions. These practices integrate **Positive Behavioral Interventions and Supports (PBIS)**, **Multi-Tiered Systems of Support for Intervention (MTSS-i)**, and **social-emotional learning (SEL)** to develop empathy, conflict resolution skills, and accountability. The ultimate goal is to foster a culture of fairness, respect, and belonging while reducing future misbehavior and supporting the overall well-being of all members of the school community.

The Three Tiers of Restorative Justice in Educational Settings



Source: DeCarlo, L & Menting-Wilson, N. E. (2024)

B. DISCIPLINARY ACTION

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

- The student's age.
- The nature of the offense and the circumstances which led to the offense.
- The student's prior disciplinary record.
- The effectiveness of other forms of discipline.
- Information from parents, teachers and/or others, as appropriate.
- Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. Serious offenses, particularly those involving violence, weapons possession, or which endanger public safety may warrant immediate and more severe discipline, as may actions which, viewed against prior incidents, indicate a pattern of misconduct or a resistance to remediation.

The Superintendent of Schools is authorized to promulgate regulations designed to implement this Code; to specify permissible methods, places and times for providing notices, informal meetings, or hearings required by this policy; to implement changes in law as such changes become effective without the necessity of seeking formal amendment of the policy out of the normal annual review sequence; to establish the guidelines for selecting short or long term suspension for specific offenses and circumstances; and to provide for voluntary alternatives to the formal short or long term suspension processes and/or to the disciplinary outcomes of those processes.

The District expectation of good conduct, civility and best efforts are the same for all students, including those students with disabilities or special needs. This Code of Conduct affords students with disabilities no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations. The District recognizes, however, that where it may be necessary to suspend, remove or otherwise discipline students with disabilities, in order to address disruptive or problem behaviors, there exist certain procedural protections afforded by law for such students. If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability.

C. GENERAL STUDENT DISCIPLINE

Students who are found to have violated the District's Code of Conduct may be subject to disciplinary measures, applied individually or in combination, consistent with their right to **due process** under New York State Education Law §3214 and related regulations. School personnel identified for each disciplinary measure are authorized to impose that penalty in accordance with applicable law.

In cases where the conduct does **not involve a weapon under the Gun-Free Schools Act** and does not result in serious physical injury, the building administrator may consider voluntary alternative approaches, such as **mediation or restorative practices**, prior to or in lieu of formal disciplinary action. Statutory deadlines for initiating suspensions must still be observed; parents/guardians may sign a tolling agreement to allow additional time if an alternative approach is pursued. If the administrator determines that an alternative approach has successfully addressed the behavior for both the student and any affected parties, further disciplinary procedures may be suspended.

Authorized disciplinary measures include, but are not limited to:

- I. **Oral warning** – any member of District staff.
- II. **Written warning** – coaches, guidance counselors, clinical staff, teachers, other certificated staff, Principal, Superintendent.
- III. **Written notification to parents/guardians** – guidance counselors, clinical staff, teachers, other certificated staff, Principal, Superintendent.
- IV. **Detention (lunch or after-school)** – clinical staff, teachers, other certificated staff, Principal, Superintendent.
- V. **Suspension from transportation** – Principal, Superintendent.
- VI. **Suspension from athletic participation** – coaches, Principal, Superintendent.
- VII. **Suspension from social or extracurricular activities** – Principal, Superintendent.

- VIII. **Suspension of other privileges** – Principal, Superintendent.
- IX. **Suspension or revocation of student access to District computers and Internet** – Principal, Superintendent.
- X. **In-school suspension** – Principal, Superintendent.
- XI. **Removal from classroom by teacher** – teachers.
- XII. **Short-term suspension (five days or less)** – Principal, Superintendent.
- XIII. **Long-term suspension (more than five days)** – Superintendent (may recommend), Superintendent or Board of Education (may impose).
- XIV. **Removal from a regular school program** – Superintendent, Board of Education.
- XV. **Permanent suspension from school** – Superintendent, Board of Education.
- XVI. **Other remedies authorized by law** – Official designated by applicable statute or regulation.

All disciplinary actions will be applied **fairly, consistently, and in accordance with due process**, ensuring that students' rights are respected while maintaining a safe, supportive, and orderly learning environment.

D. TEACHER REMOVAL OF A DISRUPTIVE STUDENT

For the purposes of this section, a disruptive pupil is an elementary or secondary student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

Special considerations apply to students with disabilities. A teacher may remove a student with an IEP or Section 504 Plan only after confirming with the Principal or the Chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law, nor constitute an unlawful change in placement. If the removal is determined to affect a student's right to a Free Appropriate Public Education (FAPE), additional protections and procedures will be followed in compliance with the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act.

A student's conduct may impact a teacher's ability to deliver instruction and may impede the learning environment for other students. In most circumstances, the classroom teacher is expected to manage student behavior and maintain or restore an orderly learning environment through the use of approved classroom management strategies, as outlined in this Code.

On occasion, a student's behavior may become substantially disruptive. A substantial disruption of the educational process, or a substantial interference with a teacher's authority, is deemed to occur when a student persistently refuses to comply with a teacher's directions or repeatedly violates

established classroom rules. In such instances, a classroom teacher may remove the disruptive student from the class for a period not to exceed two (2) school days. Such removal applies solely to the class of the teacher initiating the removal. The teacher shall adhere to the procedures specified in the attached guidelines (see Appendix A)

- I. **Continuity of Instruction** - Students removed from class are entitled to continue their education. The District will ensure that appropriate alternative instruction or academic support is provided during the period of removal. Such arrangements must allow the student to remain engaged in learning and to complete assigned classwork in a timely manner.
- II. **Records and Monitoring** - All teacher removals must be documented. The teacher initiating the removal is responsible for submitting a written report, and the Principal must review the incident report. The District will monitor these records to ensure compliance with law, fairness in enforcement, and identification of any concerning patterns.

E. DETENTION

When student behavior violates school expectations but does not justify classroom removal or suspension, lunch or after-school detention may be imposed as an appropriate consequence.

- I. Detention must not interfere with a student's right to receive special education or related services, and must comply with their IEP or 504 Plan.
- II. Detention will be structured to support student growth and accountability. Students may be required to complete academic assignments, reflect on their behavior, or participate in restorative or skill-building activities during the detention period. The goal of detention is corrective rather than punitive, ensuring students remain engaged in their learning and school community.

F. IN-SCHOOL SUSPENSION

In accordance with New York State Education Law, the Board of Education, Superintendent, District Superintendent, or Building Principal has the authority to suspend a student from required attendance upon instruction when the student engages in behavior that is insubordinate, disorderly, violent, disruptive, or otherwise endangers the safety, morals, health, or welfare of themselves or others.

In-school suspension (ISS) is a disciplinary consequence that removes a student from their regular classroom environment while allowing them to remain in school under supervision. The purpose of ISS is to hold students accountable for misconduct while preserving their opportunity to continue academic progress in a structured setting. ISS is not intended to be punitive alone, but to support behavior reflection, promote accountability, and reduce loss of instructional time.

Students assigned to ISS will receive meaningful instruction in accordance with NYS Education Law §3214(3), ensuring they continue to participate in the general education curriculum. ISS will be supervised by certified staff and conducted in a safe, supportive environment. Whenever appropriate, restorative practices and social-emotional supports will be incorporated.

I. Key Steps for In-School Suspension

- A. **Identification of Misconduct** – A building administrator determines that a violation of the Code of Conduct warrants removal from the classroom environment but not from the school setting.
- B. **Due Process** – Prior to the assignment of ISS, the student is informed of the alleged misconduct and given an opportunity to present their version of events.
- C. **Parent/Guardian Notification** – Parents/guardians are notified of the ISS assignment, including the reason, date(s), and expectations for the student.
- D. **Instructional Continuity** – Teachers provide classwork, assignments, or assessments to ensure students remain current with their studies. Students with IEPs or 504 Plans will continue to receive required special education and related services.
- E. **Supervised Environment** – ISS is conducted in a designated setting with continuous adult supervision by certified staff.
- F. **Behavioral Reflection** – Students may participate in reflection activities, counseling check-ins, or restorative practices to address the behavior and support positive reentry.
- G. **Administrative Oversight** – The Principal or designee monitors the use of ISS to ensure it is applied fairly, consistently, and in compliance with the Code of Conduct and NYS Education Law.
- H. **Duration** – ISS is generally a short-term intervention and should not exceed five school days without additional review and administrative approval.

G. OUT-OF-SCHOOL SUSPENSION

Students with disabilities, as defined under **Education Law §4401** and the **Individuals with Disabilities Education Act (IDEA)**, as well as students presumed to have a disability for discipline purposes, may only be suspended or removed from their current educational placement in accordance with federal and state law. These procedures ensure that students with disabilities receive protections consistent with IDEA and related federal regulations, including those governing changes in placement, interim alternative educational settings, and manifestation determinations.

A student presumed to have a disability for discipline purposes is a student who the school district is deemed to have knowledge of as a student with a disability prior to the behavior that led to

disciplinary action. In cases of conflict between state disciplinary procedures and federal requirements, federal law and regulations shall govern.

- I. HCKS personnel may order the suspension or removal of a student with a disability from the student's current educational placement as follows:

- A. **Short-Term Suspension or Removal**

The Board, District Superintendent, building principal, or individuals designated as acting principal by the Board may refer to the home district the placement of a student with a disability into an **Interim Alternative Educational Setting (IAES)**, another setting, or suspension **for a period not to exceed five (5) consecutive school days**, and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.

- B. **Suspensions Exceeding Five Days**

For violations of this Code of Conduct that warrant a suspension of **more than five (5) days**, or for suspensions that may constitute a **change of placement**, the building principal or acting principal shall **refer the student to their home school district** for further action.

- C. **Suspensions Exceeding Ten Days / Disciplinary Change in Placement**

For suspensions **in excess of ten (10) days**, or those that constitute a **disciplinary change in placement**, a **referral to the student's home school district's Committee on Special Education (CSE) / Manifestation Team** shall be made.

- II. Even where a manifestation determination finds that the behavior is related to the student's disability, the superintendent of the home school district may order the placement of the student in an IAES—as determined by the CSE—for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student:

- A. Carries or possesses a weapon to or at HCKS, on HCKS property, or to or at a HCKS function;
 - B. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at HCKS, on HCKS property, or at a HCKS function; or
 - C. Has inflicted serious bodily injury upon another person while at HCKS, on HCKS property, or at a HCKS function.

- III. In accordance with the provisions of the Individuals with Disabilities Education Act (IDEA) and its implementing regulations:

- A. **Reporting of Crimes**

HCKS may report a crime committed by a child with a disability to the appropriate authorities. Such reporting does not constitute a change in the student's educational placement under IDEA.

- B. **Transmission of Records**

The Superintendent shall ensure that copies of the special education and disciplinary records of a student with a disability are transmitted to the appropriate authorities to

whom a crime is reported, to the extent permitted by the Family Educational Rights and Privacy Act (FERPA).

Nothing in this section shall be interpreted to authorize the suspension of a student with a disability in a manner inconsistent with the **Individuals with Disabilities Education Act (IDEA)** or **Article 89 of New York State Education Law**.

The Board of Education, Superintendent or Building Principal/Administrator may suspend a student from attendance at school when the student's conduct is insubordinate, disorderly, violent, disruptive, or otherwise endangers the safety, morals, health, or welfare of themselves or others. Out-of-school suspension shall be used only when necessary to protect the school community or when other disciplinary measures are insufficient to address the misconduct.

IV. Procedures

- A.** Notice of Charges - Prior to suspension, the student will be informed of the alleged misconduct and given an opportunity to present their version of events.
 - B.** Short-Term Suspension (Five Days or Fewer) - Only the Building Principal/Administrator or superintendent may impose a suspension of five days or fewer.
 - C.** Parents/guardians must be notified immediately, in writing and by telephone, of the suspension, the reasons for it, and their right to request an informal conference with the Principal.
 - D.** At the informal conference, the student and parent/guardian have the right to present the student's version of events and question complaining witnesses.
 - E.** Referral to Home School District for Long-Term Suspension (More than 5 days).
 - F.** When a student's alleged offense may warrant a suspension in excess of five (5) school days, the HCKS Principal shall refer the matter to the student's home school district for disciplinary review and action in accordance with that district's Code of Conduct and established disciplinary procedures.
- II. Documentation and Coordination** - To facilitate timely review and appropriate action, the HCKS Principal shall provide all relevant and supporting documentation to the designated school official within the student's home school district. Documentation may include, but is not limited to, incident reports, witness statements, disciplinary records, and evidence relevant to the alleged offense.
- III. Possession of Weapons and Related Evidence** - For suspensions exceeding five (5) school days that are based, in whole or in part, on the possession by the student—on HCKS grounds or property—of any firearm, rifle, shotgun, dagger, dangerous knife, dirk, razor, stiletto, or any other weapon, instrument, or appliance as defined in New York State Penal Law §265.01(1), the hearing officer or superintendent of the student's home school district shall not be precluded from considering the admissibility of such weapon, instrument, or appliance as evidence. This applies notwithstanding any court determination in a criminal or

juvenile delinquency proceeding that such an item was recovered as the result of an unlawful search or seizure.

- A. Definition of Prohibited Weapons** - For purposes of this section, “weapons, instruments, or appliances” as specified under Penal Law §265.01(1) include, but are not limited to:
1. Firearms – Any gun, pistol, rifle, shotgun, or any other device capable of expelling a projectile by the action of an explosive or compressed gas.
 2. Other Dangerous Objects – Any knife, cutting instrument, explosive, incendiary device, metal knuckle, or other instrument that could cause physical injury.
 3. Electronic dart gun or electronic stun gun;
 4. Cane sword, billy club, blackjack, or bludgeon;
 5. Replica or Look-Alike Weapons – Any object that appears to be a weapon and is used in a manner that threatens, intimidates, or causes fear of harm.
 6. Chuka stick, sandbag, or sandclub;
 7. Wrist-brace type slingshot or slungshot;
 8. Shurken or “Kung Fu star.”
 9. Items Used as Weapons – Objects not designed to be weapons but used with intent to cause harm, injury, or intimidation.

Note: Definitions apply regardless of whether the weapon is operable or functional. Any student found to possess, use, display, or threaten to use a weapon in violation of this Code of Conduct will be subject to disciplinary action, including the mandatory suspension provisions described in this Code.

- IV. Mandatory Suspension for Bringing a Weapon to School** - In accordance with the federal Gun-Free Schools Act of 1994 and New York State Education Law, any public school student found to have brought a weapon onto school property shall be subject to a mandatory suspension from HCKS by their home school district of not less than one (1) calendar year.

A. Educational Services During Suspension

1. Consistent with NYS Education Law 4402(3)(k) Special Needs Students, Weapons and Controlled Substances In accordance with the regulations of the commissioner and subsection (k) of section fourteen hundred fifteen of title twenty of the United States code and the implementing federal regulations, to determine the services to be provided in the interim alternative educational placement for a student with a disability who carries or possesses a weapon to or at school, on school premises, or to or at school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function and the

services to be provided to a student with a disability who is removed because of behavior that has been determined not to be a manifestation of the student's disability.

2. HCKS will work in collaboration with the home district to ensure that students of compulsory school age continue to receive alternative instruction during the period of suspension.

H. Minimum Suspension for Students with Disabilities Engaging in Repeated Substantially Disruptive or Violent Conduct

In accordance with the Individuals with Disabilities Education Act (IDEA), Article 89 of the New York State Education Law, Education Law §3214, and 8 NYCRR Part 201, the District establishes the following provisions governing minimum suspension periods for **students with disabilities** who engage in **repeated substantially disruptive conduct** or conduct that would qualify the student as a **violent pupil**, provided that all applicable procedural safeguards and protections are observed.

Repeated Substantially Disruptive Conduct

- A student with a disability who, after documented implementation of behavioral supports and interventions, **continues to engage in substantially disruptive behavior** may be subject to a **presumptive minimum suspension of up to three (3) school days**, provided that:
 - The suspension does **not constitute a disciplinary change in placement** under federal law; and
 - The student is afforded all required notice and due process protections pursuant to Education Law §3214 and 8 NYCRR Part 201.

Violent Pupil Conduct

- A student with a disability whose conduct **qualifies the student as a violent pupil**, including acts that result in or pose a substantial risk of physical injury to another person, may be subject to a **presumptive minimum suspension of up to five (5) school days**, consistent with:
 - IDEA and Article 89
 - 8 NYCRR Part 201
 - Manifestation determination requirements, where applicable
- The suspending authority may **reduce the minimum suspension period on a case-by-case basis** to ensure compliance with state and federal law, including circumstances where:
 - The behavior is determined to be a manifestation of the student's disability; or
 - Alternative supports or placements are required under IDEA.

Administrative Discretion and Individualized Review

- In determining the length of suspension, the principal or Superintendent shall consider:
 - The severity and circumstances of the incident
 - The student's age, developmental level, and disciplinary history
 - Safety considerations
 - Prior interventions and their effectiveness
 - Any mitigating or aggravating factors

Procedural Safeguards and Individualized Review

- Prior to imposing a suspension under this section, the District shall ensure:
 - Documentation of prior behavioral interventions, including those aligned with the student's IEP, BIP, MTSS-i, PBIS, TCI, and restorative practices;
 - Consideration of the student's disability-related needs, age, and behavioral history;
 - Compliance with all manifestation determination and service continuation requirements.

Continuation of Educational Services

- A student with a disability who is suspended under this section shall continue to receive educational services to the extent required by IDEA and 8 NYCRR Part 201 to enable participation in the general education curriculum and progress toward IEP goals.

No Waiver of Rights

- Nothing in this section shall be construed to authorize a suspension, removal, or change in placement that is inconsistent with IDEA, Article 89, or 8 NYCRR Part 201.

I. Referral to Human Service Agencies

In accordance with New York State Education Law and applicable federal and state laws, the District shall establish procedures for referring students and families to appropriate human service agencies when such referrals are necessary to support student safety, well-being, and educational success. Referrals are intended to provide supportive, preventive, and therapeutic interventions and shall not be used as a substitute for the District's responsibility to provide a free appropriate public education (FAPE).

Circumstances for Referral

A referral to a human service agency may be made when a student's needs:

- Extend beyond the scope of services reasonably available within the school setting
- Involve **mental health, emotional, behavioral, medical, family, or social needs** that interfere with learning or school adjustment

- Reflect **chronic or escalating concerns** despite documented Tier 1 and Tier 2 interventions within the District's MTSS-i framework
- Indicate risk of harm to self or others, neglect, abuse, or unmet basic needs
- Require coordination with community-based supports to ensure student stability and success

Types of Human Service Agencies

Referrals may be made, as appropriate, to:

- County or community **mental health services**
- **Child welfare** or child protective services
- **Substance use prevention or treatment programs**
- **Juvenile justice diversion or probation services**
- **Family support, housing, or social service agencies**
- Other public or private agencies providing therapeutic, medical, or social supports

Referral Procedures

- Concerns shall be reported to the building administrator, school counselor, social worker, psychologist, or other designated support staff.
- The District shall review existing interventions and supports and determine whether a referral is warranted.
- Whenever practicable, referrals shall be made **in collaboration with parents or persons in parental relation**, and informed consent shall be obtained when required by law.
- For students with disabilities, referrals shall be coordinated with the **Committee on Special Education (CSE)** and shall not delay or replace required special education services.

Confidentiality and Student Rights

- All referrals shall comply with applicable confidentiality laws, including **FERPA, IDEA**, and state privacy requirements.
- Information shared with human service agencies shall be limited to what is necessary to support the referral and ensure student safety.

Documentation and Follow-Up

All referrals made pursuant to this Code of Conduct shall be thoroughly documented, including the rationale for the referral, the agencies contacted, parent or guardian notifications, and any follow-up actions taken. The District shall continue to monitor the student's progress and provide appropriate school-based supports in coordination with external agencies to ensure continuity of services. School clinicians and/or administrators may make referrals for additional counseling services or evaluations when deemed necessary. In appropriate circumstances, a Person in Need of Supervision (PINS) petition may be filed in Family Court for any student under the age of 18 who demonstrates a need for supervision and treatment. Consistent with state law, a student under the age of sixteen who is determined to have brought a weapon to school shall be referred by the Superintendent to a presentment agency for a juvenile delinquency proceeding under Article 3 of the Family Court Act, unless the student is fourteen or fifteen years old and qualifies as a juvenile

offender under Criminal Procedure Law §1.20(42); students sixteen years of age or older, and qualifying fourteen- or fifteen-year-olds, shall be referred by the Superintendent to the appropriate law enforcement agency. In addition, building principals, supervisors, acting principals, the Superintendent, or their designee may notify local law enforcement authorities when a violation of this Code constitutes a crime. Such notification shall be made no later than the close of business on the day the violation becomes known, or as soon as practicable thereafter, and shall include identification of the student involved and a description of the conduct at issue. When appropriate, the District may pursue the filing of criminal charges against the student responsible for the misconduct.

SECTION 9: Procedures for Early Identification and Resolution of Disciplinary Problems

The District is committed to the early identification and proactive resolution of student behaviors that may interfere with learning or school safety. Consistent with **New York State Education Law**, the **Individuals with Disabilities Education Act (IDEA)**, and the principles of **Positive Behavioral Interventions and Supports (PBIS)**, **Therapeutic Crisis Intervention (TCI)**, and **Restorative Practices**, the District emphasizes prevention, early intervention, and supportive responses to student behavior.

School personnel are expected to monitor student behavior and academic engagement to identify early warning signs of social, emotional, or behavioral challenges. When concerns arise, staff shall intervene promptly using developmentally appropriate, evidence-based strategies designed to support positive behavior and prevent escalation. Interventions may include classroom-based supports, counseling, social-emotional learning instruction, behavior skill development, and restorative conversations or circles.

When a student exhibits repeated or escalating behaviors, school staff will collaborate with support personnel, administrators, and families to develop targeted interventions. These may include check-in/check-out systems, individualized behavior supports, increased adult supervision, or referral to school-based support teams. For students with disabilities, or students suspected of having a disability, interventions shall be consistent with **IDEA** requirements, including the use of Functional Behavioral Assessments (FBA) and Behavioral Intervention Plans (BIP) when appropriate, to ensure the student continues to receive a **Free Appropriate Public Education (FAPE)**.

Therapeutic Crisis Intervention (TCI) strategies shall be used to de-escalate emotional or behavioral crises and to teach students coping skills, emotional regulation, and problem-solving techniques. Staff trained in TCI are expected to utilize verbal de-escalation, emotional support, and conflict mediation before considering any emergency safety intervention.

Restorative practices will be integrated into the resolution of disciplinary concerns whenever appropriate. These practices focus on repairing harm, restoring relationships, and promoting accountability through dialogue, reflection, and collaborative problem-solving rather than punitive measures alone. Restorative responses may include mediation, restorative conferences, or community-building activities.

The District will ensure that all interventions are implemented consistently, documented appropriately, and reviewed regularly to assess effectiveness. Families will be engaged as partners in the early identification and resolution process, and students will be supported in understanding expectations, developing self-regulation skills, and making positive behavioral choices. The ultimate goal of these procedures is to reduce disciplinary removals, promote student growth, and maintain safe, supportive, and inclusive learning environments.

SECTION 10: Multi-Tiered System of Supports for Intervention (MTSS-i)

The District utilizes a **Multi-Tiered System of Supports for Intervention (MTSS-i)** to promote positive behavior, address social-emotional needs, and prevent disciplinary problems before they escalate. This framework integrates **Positive Behavioral Interventions and Supports (PBIS)**, **Therapeutic Crisis Intervention (TCI)**, **Restorative Practices**, and **IDEA-compliant special education procedures** to ensure that all students receive appropriate, timely, and equitable supports.

A. Tier 1 – Universal Prevention and Interventions Tier 1 supports apply to **all students** and are designed to establish clear expectations, promote positive behavior, and create a safe, predictable learning environment. These universal strategies include:

- Explicit instruction and reinforcement of behavioral expectations outlined in the Code of Conduct
- Schoolwide PBIS practices that promote positive behavior and accountability
- Social-Emotional Learning (SEL) instruction focused on self-regulation, empathy, and problem-solving
- Restorative practices, such as community-building circles and restorative conversations, to strengthen relationships and resolve minor conflicts
- Ongoing staff monitoring of student behavior and engagement to identify early signs of difficulty.

Tier 1 interventions aim to prevent misconduct by fostering a supportive school climate and addressing concerns before disciplinary action becomes necessary.

B. Tier 1 – Universal Supports and Consequences

Tier 1 applies to **all students** and corresponds to **minor, first-time, or low-level behaviors** as identified in the disciplinary consequences matrix. These behaviors are addressed primarily through **instructional and corrective responses**, rather than exclusionary discipline.

Examples of Tier 1 Responses:

- Verbal reminders or redirection
- Restorative conversations or classroom-based restorative circles
- Re-teaching behavioral expectations
- Teacher-managed interventions
- Written warnings or parent notification, where appropriate

Tier 1 consequences are designed to correct behavior, reinforce expectations, and prevent escalation. These responses do not result in removal from instruction except where safety requires immediate intervention.

C. Tier 2 – Targeted Early Prevention and Interventions

Tier 2 supports are provided to **students who demonstrate emerging or repeated behavioral challenges** despite Tier 1 interventions. These targeted supports are implemented promptly and may include:

- Small-group or individualized counseling and social skills instruction
- Check-in/check-out systems and mentoring supports
Targeted restorative interventions, mediation, or problem-solving conferences
- Increased supervision and structured behavior supports
- Collaboration with families to reinforce expectations and strategies across home and school

Progress is monitored regularly, and interventions are adjusted as needed to prevent escalation. For students with disabilities, Tier 2 interventions are implemented in a manner consistent with **IDEA** and do not replace required special education services.

D. Tier 2 – Targeted Supports and Consequences

Tier 2 applies to **repeated or escalating behaviors** that persist despite Tier 1 supports. These behaviors align with **moderate-level infractions** in the disciplinary consequences matrix and require **targeted supports** in addition to corrective consequences.

Examples of Tier 2 Responses:

- Detention or loss of privileges
- Restorative mediation or conferencing
- Counseling or social skills intervention
- Check-in/check-out systems
- Increased supervision or behavioral contracts
- Referral to school-based support teams

Tier 2 consequences may involve limited, non-exclusionary discipline and are paired with documented interventions to address the underlying behavior. Family involvement is expected at this level.

E. Tier 3 – Intensive Individualized Prevention and Interventions

Tier 3 supports are reserved for **students with significant or persistent behavioral needs** that have not responded to Tier 1 and Tier 2 interventions. These supports are individualized, intensive, and coordinated through multidisciplinary collaboration. Tier 3 interventions may include:

- Functional Behavioral Assessments (FBA) and development or revision of Behavioral Intervention Plans (BIP)
- Individual counseling, therapeutic supports, or external agency referrals
- Intensive restorative conferencing following serious incidents
- Therapeutic Crisis Intervention (TCI) strategies to support de-escalation and crisis prevention
- Review by the Committee on Special Education (CSE) or Section 504 Team, when applicable, to ensure continued access to a **Free Appropriate Public Education (FAPE)**

Disciplinary consequences at Tier 3 are applied in accordance with **Education Law §3214**, with an emphasis on safety, due process, and maintaining instructional continuity.

F. Tier 3 – Intensive Supports and Consequences

Tier 3 applies to **serious, chronic, or high-risk behaviors** identified in the disciplinary consequences matrix, including behaviors that pose a threat to safety or substantially disrupt the school environment. Responses at this level may include **exclusionary discipline**, as permitted by law, and must be implemented alongside intensive behavioral supports.

Examples of Tier 3 Responses:

- In-school suspension
- Short-term or long-term suspension (Education Law §3214)
- Superintendent’s hearing
- Interim Alternative Educational Setting (IAES), where applicable
- Functional Behavioral Assessment (FBA) and Behavioral Intervention Plan (BIP)
- Review by the CSE or 504 Team to ensure FAPE

Tier 3 consequences are imposed with full due process protections and are coordinated with IDEA requirements for students with disabilities. Emergency safety interventions, if used, must comply with **8 NYCRR §19.5** and are not disciplinary in nature.

G. Decision-Making and Documentation

Administrators shall use the disciplinary consequences matrix in conjunction with the MTSS-i framework to ensure that:

- Consequences are **progressive, proportionate, and equitable**
- Less restrictive interventions are attempted whenever appropriate
- Student history, disability status, and unique circumstances are considered
- Interventions and consequences are documented and reviewed for effectiveness

H. Family Engagement and Ongoing Review

Families are partners at every tier of the MTSS-i framework. Parents/guardians will be informed of concerns, involved in intervention planning, and included in reviewing student progress. The District will document and review behavioral data to ensure interventions are effective, equitable, and aligned with legal requirements.

Through the MTSS-i framework, the District seeks to reduce exclusionary discipline, support positive behavior change, and ensure that all students learn in a safe, respectful, and supportive environment.

SECTION 11: EMERGENCY SAFETY INTERVENTIONS, TIMEOUT, AND PHYSICAL RESTRAINT

The District is committed to maintaining a safe, supportive, and respectful learning environment. Consistent with the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, and New York State Education Law §2801 and Commissioner's Regulations (8 NYCRR §§19.5 and 200.22), the District strictly prohibits corporal punishment, aversive interventions, and seclusion under all circumstances.

Emergency safety interventions—including timeout and physical restraint—may be used only as a last resort when there is an imminent risk of serious physical harm to the student or others, and only after less restrictive, evidence-based de-escalation strategies have been attempted and proven ineffective.

The District prioritizes proactive and positive approaches, including Positive Behavioral Interventions and Supports (PBIS), Restorative Practices, Social-Emotional Learning (SEL), and Therapeutic Crisis Intervention (TCI), to prevent behaviors that might otherwise require restrictive interventions.

A. Prohibited Practices

The following are strictly prohibited for all District personnel and agents, except as part of a lawful arrest:

- **Corporal punishment:** Any act of physical force upon a student for the purpose of punishment.
- **Aversive interventions:** Any action intended to cause pain, discomfort, or humiliation to eliminate behavior (e.g., noxious sprays, forced exercise, food deprivation).
- **Seclusion:** The involuntary confinement of a student alone in a room or space they cannot freely leave.
- **Prohibited restraints:** Prone (face-down) restraints or any restraint that restricts breathing or communication.
- Use of restraint or timeout as a disciplinary, retaliatory, or coercive measure.

B. Standards for Use of Timeout and Physical Restraint

Timeout and **physical restraint** may only be used when:

1. The student poses an **imminent danger of serious physical harm** to self or others.
AND
2. **De-escalation** and **less restrictive interventions** have been attempted and were ineffective.
AND
3. There are **no known medical or psychological contraindications**.
AND
4. The intervention is conducted by **trained staff**, using the **least restrictive technique necessary**, and is **terminated as soon as the danger has passed**. A building administrator should be present whenever possible.

Timeout must:

- Occur in a **non-locked, safe, and supervised space** that is adequately sized, lit, ventilated, and temperature controlled.
- Allow for **continuous visual and auditory monitoring**.
- End as soon as the student regains self-control.

Physical restraint must:

- Never restrict breathing or communication.
- Never be used for punishment, coercion, retaliation, or staff convenience.
- Be applied **only by staff trained and certified** in the District's approved crisis intervention program (e.g., TCI).
- Never be written into an IEP, 504 Plan, or BIP as a planned intervention.

C. Documentation, Notification, and Review

Any use of timeout or physical restraint must be reported promptly to the building principal, and parents or guardians must be notified as soon as possible ***on the same day***. A written report of the incident must be completed within three (3) school days and include information on antecedent events, de-escalation strategies attempted, the duration of the intervention, staff involved, and any injuries sustained. All incidents will be reviewed by supervisory staff to ensure compliance with policy and to identify patterns, and for students with disabilities, incidents will also be reviewed by the Committee on Special Education (CSE) or Section 504 Team, as applicable.

All disciplinary and incident records shall be securely housed in designated District recordkeeping systems, including the student's confidential educational record and/or secure electronic databases maintained by the District, and shall be accessible only to authorized personnel with a legitimate educational interest. Records shall be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA), IDEA, New York State record retention requirements, and District policies governing confidentiality, storage, and access.

D. Post-Incident Debriefing and Prevention

Following each incident, staff involved shall meet with administration to review the circumstances, evaluate the effectiveness of interventions, and plan strategies to prevent future occurrences. Students will participate in an age-appropriate debrief to promote reflection, understanding, and restoration. In cases of repeated incidents, the student's behavioral supports will be reviewed, and a revision of the Behavioral Intervention Plan (BIP) will be considered as needed.

SECTION 12: Student Searches and Interrogations

Authorized District officials (e.g., building principal, assistant principal, designee) may search a student's person, backpack, purse, or other personal property when the official has reasonable suspicion to believe that the student has violated, or is violating, the law and/or the District's Code of Conduct. Before searching, when feasible, the authorized official should attempt to obtain the student's voluntary admission of possession of evidence or request the student's consent to the search.

A. Factors in Reasonableness at Inception

Factors to consider include (but are not limited to):

- The age, sex, and school record of the student
- The nature and reliability of the information or informant
- Observable signs of wrongdoing (e.g., direct observation, suspicious behavior, physical symptoms of substance use);
- The urgency of the situation (e.g., risk of harm, destruction of evidence).

B. Scope of Search

- The search must be no more intrusive than necessary to locate the evidence sought and must be reasonable in light of the student's gender, age, and the nature of the infraction.
- Whenever practicable, searches of a student's person should be conducted by an official of the same sex and, when feasible, in the presence of another staff member.
- Strip searches (requiring removal of clothing other than an outer coat or jacket) are **prohibited** except in extreme emergency situations and only after consultation with the Superintendent and/or legal counsel.

C. Lockers, Desks, Vehicles, Storage Spaces

- School-issued lockers, desks, storage places, and vehicles on school property are the property of the District. Students do not have a reasonable expectation of privacy in these spaces.
- Such spaces may be inspected by the District at any time, with or without reasonably individualized suspicion, though containers within these spaces (e.g., backpacks inside lockers) may require reasonable suspicion to search.

D. Use of Screening Devices

- The District may utilize metal detectors, weapon-screening, or other safety devices as part of school safety measures. These screenings must be conducted in a manner consistent with student rights and nondiscrimination.

E. Questioning of Students by School Officials

School officials or their designees may question students regarding alleged violations of the Code of Conduct or law. Students are **not entitled** to a “Miranda warning” before questioning by school officials acting in an administrative/disciplinary capacity. If the questioning is focused on a particular student, the interview should be conducted privately when feasible, by a building-level administrator or designee. The parent or guardian may be contacted; parental involvement will vary depending on the nature and severity of the incident. Questioning of students by District officials does **not preclude** subsequent questioning or investigation by law-enforcement authorities.

G. Cooperation with Law Enforcement Officials

The District will cooperate with law-enforcement agencies when lawful requests, investigations, or interventions are required. The building principal or Superintendent’s designee shall determine when to summon law-enforcement officers in cases of serious risk to persons or property. Law-enforcement officers may interview students on school property or at school functions under certain circumstances (e.g., warrant, parental consent, suspected crime on school property). When law-enforcement wishes to question a student on school grounds without a warrant, the District will endeavor to notify the parent/guardian.

District personnel shall attempt to ensure that such interviews take place in private settings, ideally outside the presence of other students, and with a school administrator/designee present.

Parents or persons in parental relation shall be notified as soon as practicable when law enforcement is contacted regarding their child, unless such notification is prohibited by law or would compromise a law enforcement investigation. All notifications to law enforcement and related actions taken by the District shall be documented in accordance with District procedures and recordkeeping requirements.

H. Child Protective Services (CPS) Interviews

The District will cooperate with state and local Child Protective Services (CPS) investigations. Requests by CPS to interview a student on school property will be referred to the building principal (or designee) in consultation with the Superintendent. The principal/designee shall ensure—when feasible—the student is interviewed in the presence of the principal or designee or an appropriate staff member.

Notification and Documentation: The District will maintain a record of searches, interviews, and investigations executed under this policy, including:

- Date, time, location of search or questioning;

- Participants (student, staff, law-enforcement, parent/guardian contact);
- Basis for reasonable suspicion;
- Results of the search or questioning (any items seized, discipline initiated);
- Notification to parent/guardian as required.

Parents/guardians will **generally be notified** if prohibited or dangerous items are found in a student's possession, locker, or other property as a result of the search. The Superintendent or designee shall review search and interrogation practices periodically to ensure compliance with law, respect for student rights, and effectiveness in maintaining safety and order.

Training and Implementation: School staff who are authorized to conduct searches, screenings, or interrogations will receive training on legal and policy requirements, student rights, confidentiality, and safe interview/search procedures. At the beginning of each school year, the District will ensure that students and parents are made aware of this policy (via the Code of Conduct or handbook) and the conditions under which searches, interrogations, and law-enforcement cooperation may occur.

SECTION 13: NEW YORK STATE JUSTICE CENTER OVERSIGHT

HCKS, as a Special Act school district, operates under the oversight of the **New York State Justice Center for the Protection of People with Special Needs (Justice Center)** with respect to the safety, well-being, and protection of students receiving care or services in its programs. All staff, volunteers, and agents of the District are subject to Justice Center regulations, reporting requirements, and investigative procedures concerning allegations of abuse, neglect, or harassment of students.

For the purposes of this section, terms defined by the Justice Center apply, including but not limited to:

- **Abuse:** Any conduct by a staff member, volunteer, or agent that intentionally or recklessly inflicts physical, emotional, or sexual harm on a student.
- **Neglect:** Failure to provide adequate supervision, care, or services resulting in harm or risk of harm to a student.
- **Harassment:** Repeated conduct that seriously annoys, alarms, or threatens a student, including verbal, physical, or electronic actions.

Staff Responsibilities

All staff, contractors, and volunteers are required to:

1. **Immediately report** any suspected or known abuse, neglect, or harassment to the District's designated Justice Center Coordinator or directly to the Justice Center, as required under

Social Services Law §493.

2. **Cooperate fully** with any investigation conducted by the Justice Center or its authorized representatives.
3. **Complete annual training** on the identification, prevention, and reporting of abuse, neglect, and harassment, in accordance with Justice Center mandates.

D. District Oversight and Compliance

The District shall designate a **Justice Center Coordinator** responsible for ensuring compliance with reporting, investigation, and staff training requirements, maintain records of all reports, investigations, and corrective actions in accordance with Justice Center guidance, and review policies and procedures annually to ensure alignment with Justice Center regulations and best practices for student safety.

E. Relationship to HCKS Programs

HCKS collaborates with the Justice Center to ensure the safety and dignity of all students in residential, educational, and therapeutic programs. All incidents involving suspected abuse, neglect, or harassment—regardless of setting—are subject to Justice Center oversight and may trigger administrative or legal action as appropriate. Compliance with Justice Center standards is integral to the District’s commitment to maintaining a safe, supportive, and legally compliant learning environment.

SECTION 14: Notification to Parents or Persons in Parental Relation

In accordance with the Individuals with Disabilities Education Act (IDEA), Article 89 of the New York State Education Law, Education Law §3214, and 8 NYCRR Part 201, the District shall ensure that parents or persons in parental relation to a student with a disability are promptly and appropriately notified when the student is alleged to have violated the Code of Conduct or is subject to disciplinary action. Notification shall be provided as soon as practicable and in accordance with required legal timelines whenever a student with a disability is removed from the classroom, suspended, otherwise removed from their current educational placement, referred to an Interim Alternative Educational Setting (IAES), referred to law enforcement, Family Court, or a human service agency, or when a manifestation determination review or superintendent’s hearing is required. Such notice may be provided by telephone, written notice, electronic communication, or in person, depending on the nature and urgency of the situation, and shall include a description of the alleged conduct and applicable Code of Conduct provisions, the disciplinary action taken or under consideration, an explanation of procedural safeguards and due process rights, information regarding the continuation of educational services and supports, and contact information for the responsible school official. All notifications shall be documented, including the date, method, content, and staff member providing notice, and reasonable efforts to contact parents shall be recorded if immediate contact is not successful.

SECTION 15: STAFF TRAINING, IN-SERVICE EDUCATION, DOCUMENTATION, SCHOOL CLIMATE PROTECTION AND ACCOUNTABILITY

In accordance with New York State Education Law §2801, the District shall provide ongoing, structured in-service education programs for all staff members to ensure the effective, consistent, and lawful implementation of this Code of Conduct and all related policies governing student behavior, discipline, and school safety. These programs are intended to promote a positive school climate, prevent misconduct, support early identification and intervention, and ensure that disciplinary practices are equitable, developmentally appropriate, and aligned with students' educational and behavioral needs.

Required in-service education shall include, but not be limited to, training in Positive Behavioral Interventions and Supports (PBIS), Multi-Tiered Systems of Support for Intervention (MTSS-i), restorative practices, trauma-informed and culturally responsive practices, de-escalation and conflict resolution strategies, classroom and behavior management, and crisis response. Staff shall also receive training on students' legal rights, including due process protections, the Dignity for All Students Act (DASA), the Individuals with Disabilities Education Act (IDEA) and Article 89 of the Education Law, mandated reporting obligations, and current New York State Education Department regulations governing emergency safety interventions, physical restraint, and time-out.

Staff Training Guidelines

The District shall provide regular professional development for instructional and non-instructional staff that includes, but is not limited to:

- Understanding and consistent application of the Code of Conduct and disciplinary procedures
- Positive Behavioral Interventions and Supports (PBIS) and the District's MTSS-i framework Therapeutic Crisis Interventions (TCI), de-escalation strategies, and trauma-informed practices
- Restorative practices and conflict resolution strategies
- Legal responsibilities under IDEA, Article 89, DASA, and student due process requirements
- Prevention, identification, and response to harassment, bullying, discrimination, and retaliation
- Cultural responsiveness, equity, and inclusive practices

Safe and Supportive School Climate

Training programs shall emphasize the shared responsibility of all staff to:

- Foster respectful, caring, and inclusive learning environments
- Model appropriate behavior and professional conduct
- Promote student social-emotional development and positive relationships
- Address misconduct in a fair, consistent, and developmentally appropriate manner

Curriculum and Classroom Management

The District shall incorporate safe and supportive school climate concepts into instruction and classroom management practices, including:

- Age-appropriate instruction in civility, respect, responsibility, and dignity
- Social-emotional learning (SEL) competencies such as self-regulation, empathy, and problem solving
- Classroom management strategies that support positive behavior and minimize exclusionary discipline
- Opportunities for students to practice conflict resolution, accountability, and restorative dialogue

The District shall maintain documentation of all required staff training, including dates, content, duration, attendance records, and trainer qualifications, in accordance with district recordkeeping practices. Documentation shall be retained and made available for internal review, Board of Education oversight, NYSED monitoring, audits, or investigations, as required by law or regulation. Staff members are responsible for completing required training within established timelines, and administrators shall ensure that new employees receive required training during orientation and that all staff participate in ongoing professional development.

Building administrators and supervisors are responsible for monitoring the implementation of this Code of Conduct and related disciplinary practices to ensure consistency, fidelity, and compliance with District policy and applicable law. Data related to disciplinary incidents, behavioral interventions, use of emergency safety interventions, and school climate indicators shall be reviewed regularly to inform training priorities, identify patterns or disparities, and support continuous improvement. Failure to adhere to District policies, procedures, or required training expectations may result in corrective action consistent with applicable laws, regulations, collective bargaining agreements, and due process requirements.

SECTION 16: DISSEMINATION, REGULATIONS, AND REVIEW

Dissemination of Code of Conduct

The Board will ensure that the community is informed of this Code of Conduct in accordance with State regulations. This includes providing all students with a summary of the Code in a manner appropriate to each building, making copies available to parents at the start of the school year, upon request, and at initial registration, and providing plain-language summaries to parents as needed. Current staff will receive a copy of the Code and any amendments upon request, and all new staff will receive the Code upon hire. Copies will also be accessible for review by students, parents, and community members at school buildings and on the District website.

Review of Code of Conduct

The Board of Education will review this Code of Conduct and any staff recommendations every year 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.

Before adopting any revisions to the Code, the Board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

Severability

If any provision of this Code, or the application of any provision to any person(s) or circumstance(s) be held to be unconstitutional or otherwise unenforceable, by any Court, by legislative enactment or amendment, or by any Opinion of the Commissioner of Education, it is the intent of the Board of Education that such a ruling shall in no way effect or impair any other provision of this Code, or the application of any such provision upon any other person or circumstance.

PROMULGATION OF ADMINISTRATIVE REGULATIONS

Consistent with the policy guidelines set forth above, the Superintendent of Schools is authorized to promulgate, revise, maintain and enforce throughout the District administrative guidelines and regulations consistent with constitutional requirements that address particular issues of administration, interpretation and enforcement of any section of this policy.

BOARD OF EDUCATION RESOLUTION

Be it resolved, that the Board of Education of the Hawthorne Cedar Knolls Special Act School District, having held at least one public hearing with participation by school personnel, parents, students, and other interested parties, hereby adopts this Code of Conduct pursuant to Education Law §2801, effective _____xxx_____.

Appendix:

A

Intervention Flowchart

