PLAIN LANGUAGE SUMMARY OF THE CODE OF CONDUCT

BOCES adopted and reviews annually a Code of Conduct to clearly define expectations for acceptable conduct and state potential consequences applicable to students, staff, parents/legal guardian and visitors while on school grounds or participating remotely or while attending school related functions wherever located including work-based learning sites. The law requires a plain language summary of the Code which is provided in general terms as follows. Please refer to the full Code of Conduct for a detailed explanation of the expectations.

The Code outlines student rights and responsibilities. Students have the right to participate in activities on an equal basis, present their version of facts and have access to school rules. Students are responsible to abide by all rules and policies, attend school, work to the best of their ability, respect staff, seek problem solving solutions and conduct themselves as a representative of the BOCES.

Parents/legal guardians, staff and the BOCES are also essential partners in the BOCES Board's goal to deliver quality services in a safe, supportive, and orderly environment. As essential partners, the Code defines the expectations for parents/legal guardians, staff and the BOCES. The expectations for parents/legal guardians include recognizing education as a joint effort, sending the student to school ready to learn, build good relationships, and help students demonstrate a supportive attitude and understand and follow school rules. The expectations for staff include maintaining respect, active communication, and a climate of dignity regardless of race, color, creed, national origin, religion, religious practice, disability, victim of domestic violence, sexual orientation, gender identity, gender expression, or sex; address issues of harassment, discrimination or bullying; enforcing rules, work collegially with one another, and promote a supportive and positive learning environment.

Dress Code

1. Students and parents/legal guardians are responsible for acceptable student dress, cleanliness, and grooming, including footwear. Student dress and appearance shall be safe, non-disruptive, shall not be obscene, vulgar, lewd, libelous, discriminatory, or disparage another, shall not promote, endorse, or display alcohol, tobacco, tobacco promoted items such as brand names, logos, identifiers, nicotine, illegal drugs, or drug paraphernalia, firearms, weapons, pornographic or sexually explicit materials, violent acts or gang affiliation, and shall not be revealing (i.e., net tops, plunging necklines, see-through garments, and pants below waistline revealing other or undergarments is prohibited). Face coverings are appropriate, if they do not create a substantial disruption, are not a safety issue, do not interfere with the program/class and are not obscene, vulgar, lewd, libelous, discriminatory, or disparage another, shall not promote, endorse, or display alcohol, tobacco, nicotine, illegal drugs, or drug paraphernalia, firearms, weapons, pornographic or sexually explicit materials, violent acts or gang affiliation and the student can still be identified.

Prohibited Student Conduct

Students are prohibited from engaging in disorderly, insubordinate, disruptive and/or violent conduct, and/or conduct endangering the health, safety, morals or welfare to others. Students who engage in such conduct may be subject to disciplinary actions, but the goal is for students to grow in self-discipline. Examples of such behavior are included below:

> Violating any Code of Conduct provision; electronic device misuse; engage in off campus misconduct that interferes with or substantially disrupts the education of another; disrupting the school environment (running, noise); the use of roller blades, ripstiks, or skateboards; using language or gestures that are vulgar or abusive, failure to comply with directives; refusing to be searched; displaying, possessing, or threaten to use a firearm or a weapon or what appears to be a firearm or weapon, including a facsimile and/or a 3D Printer created weapon or firearm, even if not operable; possession of live ammunition; removing instruments from the classroom such as a clay cutter or an X-acto knife from art class, or a drill or hammer, etc., to be used as a weapon or misusing an instrument while in the classroom; using a handheld laser pointer without BOCES approval; hitting, kicking, punching and/or scratching staff or other students; harassing, hazing, or bullying; verbally interrupting class or program; refusing to leave a classroom or BOCES grounds or BOCES function when directed; failing to comply with the reasonable directives of a staff member; treating another in a negative manner or creating a hostile environment by conduct with or without physical contact and/or by verbal threats; intimidation or abuse of a severe nature that affects or unreasonably interferes with a student's education benefits, or mental, or physical safety based on the person's race, creed, national origin, religion, religious practice, sexual orientation, gender, gender identity, gender expression, sex, or ethnic group, through text messaging, or cyberspace and/or creating nude and/or lewd images of students using AI sending to others or posting on social media; stealing; upskirting or using social media in a defaming or disruptive or disrespectful manner; interrupting class/program; using electronic device(s) for purposes other than instruction; lying; intimidating others; possess, consume, distribute, sell, use, share, manufacture, exchange, under the influence or appear under the influence of illegal substances including drug paraphernalia (lighters, matches, drops for e-cigarettes and vaporizers) dab and dab pens, residue in any form that tests positive for THC, THC edibles, bowls, scales, dime bags, alcohol or powder alcohol, tobacco, nicotine or tobacco-like products, e- cigarettes/vaporizer or over-the-counter prescription medications or other products that mimic the effects of illegal substances, vitamins, herbs, or supplements. Students are also prohibited from engaging in these activities while on school transportation. Students are also prohibited from engaging in academic misconduct, including plagiarism, cheating, copying, altering records or assisting others in the above action.
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> "Possession" includes on the person or in the belongings of the person, whether the person owns the items or belongings or not, or at a BOCES location, on BOCES property or at a BOCES function where a drug, illegal substance, marijuana, drug paraphernalia, or alcohol is present.

A complete list of prohibited conduct can be found in full and detailed in the Code of Conduct.

Reports for Code Violations

Students are expected to report an observed violation of a breach of conduct promptly. Staff is expected to report an observed violation of a breach of conduct immediately. Administrators will impose consequences in a prompt and fair manner. For violations of the DASA Policy 6462, those procedures for investigating will be followed. Alleged contraband will be confiscated, and law enforcement agencies may be contacted, as appropriate.

Disciplinary Penalties

The goal of discipline is to emphasize to the students the ability to grow in self-discipline. The type of discipline imposed depends on a number of factors including, but not limited to, the student's age, nature of the offense, prior discipline and/or other extenuating circumstances. Generally, discipline will be progressive, the least penalty will be a verbal warning, and the most severe penalty will be dismissal from the program. Teachers may utilize techniques such as time-out or sending the student to the administrator or the office for a brief time. An out-of-school suspension of five school days or less or suspension from school activities or privileges warrants an informal conference with the parent(s)/legal guardian(s), upon their request, and the BOCES. In circumstances of a recommended suspension over five school days, a formal due process hearing is required and is conducted by the home school district or by the District Superintendent. A student in possession of a firearm will be suspended for one year per Federal Law unless certain circumstances exist to warrant less than a year suspension arranged through the home school district. Students of compulsory school age will receive alternate instruction during out-of-school suspensions. A student who is suspended in school or removed from the classroom will receive continued educational programming.

A teacher may remove a disruptive student from their class. A disruptive student is one who is substantially disruptive or substantially interferes with the teacher's authority over the classroom. The teacher must provide the student with an explanation to allow the student to respond before removal unless the student poses an ongoing threat of disruption or a danger. In that case, the teacher has to provide an explanation to the student within twenty-four hours of removal. Within certain other time limits, an informal meeting may be held by the principal/program supervisors, student and teacher involved. The Administrator can overturn the removal. The teacher will check with the administrators to ensure no Federal law is violated in the removal.

PINS and Referrals

A PINS Petition (person in need of supervision) will be filed on a student under 18 years of age who is habitually truant, engages in ungovernable conduct or knowingly and unlawfully possess marijuana. A student will be referred to the District Attorney or law enforcement for delinquency status when a student, under the age of 16, brings a firearm or weapon to school.

Disciplining Students With Disabilities

BOCES is committed to ensuring procedures are followed for suspending, removing, or disciplining students with disabilities. BOCES will defer to the home school district's Manifestation Team and/or CSE on issues related to discipline, manifestation, and removal of students with disabilities. BOCES understands a 10-day removal may be considered a change in placement. However, a 45-school day interim

alternate educational setting ("IAES") may be appropriate where the student possesses a weapon, controlled substance(s) or illegal drug(s) or inflicts serious bodily injury upon another. The Code of Conduct outlines in detail the safeguards and procedures in these issues.

Corporal Punishment

An act of physical force for the purpose of punishing a student is prohibited. Physical restraint may be used in very limited and narrow circumstances as outlined in BOCES policy and regulation.

Interrogations and Searches

A BOCES staff may question a student at any time without parent/legal guardian permission. A criminal Miranda-type warning is not applicable when questioning students. Search of lockers, desks, rooms, cabinets, computers, equipment, supplies, school storage locations and the like may be subject to a search at any time by the school officials because there is no expectation of privacy in these items because they are school items. A BOCES official may ask the student to consent to a search first, however, the BOCES official has the right to search personal belongings where reasonable suspicion exists, even over a student's objection. A student's refusal to be searched is prohibited as insubordination. BOCES staff will carefully evaluate the need for a strip search using a number of factors and will attempt to notify parents/legal guardians before a strip search is conducted. If a strip search is conducted, two BOCES officials will be present and one of the BOCES official's should be of the same gender as the student's preference, biological gender, or the gender the student identifies as.

Having a student pull pant leg up to their knees, turning over a waistband, or lifting a shirt forward is not a strip search. The official will document certain information about any search. The administrator will photograph the item. An illegal item will not be returned to the parent/legal guardian and may be turned over to the local police for disposal except that a vape or e-cigarette may be picked up by a parent/legal guardian. Search of a student and/or their belongings or belongings on the student or in their possession is based on reasonable suspicion but before a search, the official will attempt to get the student to admit to the offense. Reasonable suspicion means the search is justified at its inception and minimally intrusive. If possible, such search will be in the presence of two adults. If possible one of the BOCES adult's gender should be the same gender as the student's preference, biological gender, or the gender the student identifies as.

Police or other law enforcement may question or search a student, if summoned by the school, have a search or arrest warrant, or have probable cause to believe a crime was committed on BOCES property or at a BOCES function. The principal/program supervisor or designee will be present during the search and/or interrogation, and the parent(s)/legal guardian(s) will be given an opportunity to be present, but the police can still question the student if the parent/legal guardian cannot be present or be reached. During this questioning, students have Miranda rights.

Child Protective Services

Consistent with the BOCES commitment to keep students safe from harm and the obligation of mandated reporters to report to Child Protective Services (CPS) when they have reasonable cause to suspect that a student has been abused or maltreated, the BOCES will cooperate with and assist CPS workers and their multi-disciplinary team in accordance with Social Services Law but have discretion to refuse a meeting with (CPS) workers who wish to conduct interviews of students on BOCES property relating to allegations of suspected child abuse, and/or maltreated,

or custody investigations. No student will be required to remove clothing in the presence of BOCES staff or CPS worker of the opposite sex. The BOCES staff or CPS worker's gender should be the same gender as the student's preference, biological gender, or the gender the student identifies as.

A CPS worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger or abuse if the student were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger or abuse, the worker may remove the student without a court order and without the parent's/legal guardian's consent.

Visitors

BOCES is committed to an orderly, respectful, safe, and supportive environment. Visitors to the BOCES property will be required to complete the visitor registration process upon their arrival. Visitors must follow all BOCES rules and regulations and the Code while on BOCES property or at a BOCES function to maintain a public order and not be disruptive but not to limit free speech or assembly. Uninvited visitors or a visitor who is disruptive or violating these rules will be asked to leave.

Prohibited Conduct

All persons, while on BOCES property or attending a BOCES function, shall dress appropriately, free from obscene, lewd, libelous, illegal and discriminatory dress and conduct themselves in a respectful, orderly manner. No person shall engage in disruptive conduct, including but not limited to: cause injury to others, threaten, intimidate, harass, bully, incite or discriminate against others; damage property; consume, sell, possess, use, share, distribute or attempt to distribute alcohol, powdered alcohol, or illegal or over-the-counter or look-a-like substances, nicotine, tobacco products or e-cigarettes, vaporizers, designer drugs, illicit substances, over-the-counter drugs, prescription medication, steroids, vitamins, herbs, supplements, or THC; violate traffic laws; possess a firearm or weapon or what appears to be either, even if a legally possessed firearm; loiter and/or gamble. The building principal or program supervisor will enforce the Code and any person who engages in the prohibited conduct will be subject to a penalty ranging from suspension to a permanent ban to ejection of the visitor to discipline of a staff member.

Dissemination, Review, and Training

The full Code of Conduct will be provided to all students and made available to all parents/legal guardians at any time and at the beginning of the school year. The Code of Conduct is also accessible on the BOCES 2 website. This summary will also be mailed to parents/legal guardians of students enrolled in instructional programs and a copy provided to all staff. The Code of Conduct will be available to the community.

The Board will review the Code annually. Any amendments to the Code will be adopted after a public hearing.

Revised: April 2026