



2024-2025 SOUTH BUFFALO
CHARTER SCHOOL
CODE OF CONDUCT

SUCCESS

Learning ◦ Respect ◦ Character ◦ Community

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WWW.SOUTHBUFFALOCS.ORG

CODE OF CONDUCT

A comprehensive Code of Conduct document is on file in our Main Office and available on our school website.

EXPECTATIONS FOR STUDENT BEHAVIOR

Students at the South Buffalo Charter School are expected to respect the rights and property of others, exhibit good character, and engage in behaviors that bring credit to both their school and their community.

SCHOOLWIDE EXPECTATIONS

- I will respect all people, property, and learning areas of my school community.
- I will listen and follow directions from all adults in my school community.
- I will come prepared, ready to learn, and be a positive member of my school community.
- Chromebooks will be brought to school daily.
- Students may be held financially responsible for damage, defacement, loss or theft of school property such as, but not limited to books, music equipment, facilities, sports equipment, classroom equipment, etc. Students will pay to replace the item(s) plus any labor cost incurred. Students with financial obligations to the school will be placed on the ineligible list until the obligation is met.

HALLWAY USE

For any hallway use other than transitions from class to class, all students will be required to use a travel pass. The travel pass enables students to leave the classroom for situations such as bathroom use, nurse visits, and travel to another classroom during instruction, etc.

STUDENT DISCIPLINE INFORMATION

The students of SBCS are expected to follow all school rules and expectations. The disciplinary code outlines student conduct in the major areas of a student's daily life at school. As a guideline, the code may not cover every situation that occurs, every degree of behavior, or every variation in every given disciplinary encounter. Nevertheless, SBCS shall not be precluded from pursuing discipline for instances that are not specifically mentioned within the code; students may still be subject to discipline in these instances in accordance with the principles and objectives set forth in the code. It is specifically noted that any behavior that is illegal that interferes with the learning of others, or that compromises the safety of any member of the school community is considered a violation of the code, whether or not mentioned in the code.

This code shall apply to all school settings and functions during, before and after the normal school day, including classrooms, hallways, lavatories, cafeterias, school buses, and school-sponsored athletic events, field trips and social activities. A copy of this Student Handbook and Student Code of Conduct is available on South Buffalo Charter School website.

Students may be subject to disciplinary action, up to and including suspension from school, when they:

A. ENGAGE IN ANY FORM OF ACADEMIC MISCONDUCT

Examples of academic misconduct include, but are not limited to:

1. Incomplete homework/unprepared for class.
2. Plagiarism.
3. Cheating, including submitting work obtained or copied from another student or obtained from a teacher without permission.
4. Copying, including allowing another student to copy or obtain work.
5. Altering records.
6. Assisting another student in any of the above actions.
7. Use of an electronic device to promote or aid any of the aforementioned forms of academic misconduct.

B. ENGAGE IN CONDUCT THAT IS DISORDERLY/DISRUPTIVE

Examples of disorderly and/or disruptive conduct include, but are not limited to:

1. Running in hallways.
2. Making unreasonable noise.
3. Engaging in any willful act that disrupts the normal operation of the school community.
4. In the halls without a pass.
5. Late to class without a pass.
6. Inappropriate use of technology (i.e. cell phones, smart watches, cameras, computers, laptops, tablets, e-reader, or any devices deemed inappropriate by the administration) and/or the internet to engage in behaviors including, but not limited to, bullying, intimidating, threatening, harassing, maligning, taking pictures and/or video of another individual without the authorization of that person, and/or defaming others is strictly prohibited. Students are required to adhere to School policy and its accompanying regulation concerning Student Access to networked information and to the current Acceptable Use Policy.
7. Using language or gestures that are profane, lewd, vulgar or abusive.
8. Littering/Property Damage/Vandalism.
9. Gambling.
10. Dress code violation.
11. Throwing food or inappropriate behavior in the cafeteria.
12. Overt display of affection.
13. Trespassing.
14. Pulling a fire alarm, discharging a fire extinguisher, tampering with an AED device or calling 911 without cause.

C. ENGAGE IN CONDUCT THAT IS INSUBORDINATE

Examples of insubordinate conduct include, but are not limited to:

1. Failure to comply with the reasonable directions of teachers, school administrators and other school employees in charge of students, or otherwise demonstrated disrespect.
2. Leaving class or school without permission. A class cut counts as an unexcused absence and credit will not be given for work assigned or collected on the day of the class cut. Students who become ill must be sent home through the nurses office.
3. Skipping an assigned detention, in school suspension or any other disciplinary assignment.

D. ENGAGE IN CONDUCT THAT IS VIOLENT

Examples of violent conduct include, but are not limited to:

1. Aggressive behavior towards school personnel.
2. Aggressive behavior towards another student.

3. Committing or attempting to commit an act of violence, such as play fighting, pushing, shoving, hitting, kicking, punching, throwing items, spitting, biting, or scratching any person who is lawfully on school property.
4. Possessing/display/use of firearms or a weapon. Authorized law enforcement officials are permitted to have a weapon in their possession while on school property or at a school function.
5. Displaying what appears to be a weapon or an instrument of violence.
6. Communication by any means, including oral, written or electronic (such as through the Internet, email or texting) on or off school property, where the content of such communication (a) can reasonably be interpreted as a threat to commit an act of violence; or, (b) results in material or substantial disruption to the educational environment.
7. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
8. Intentionally damaging or destroying school property.

E. ENGAGE IN ANY CONDUCT THAT ENDANGERS THE SAFETY, MORALS, HEALTH OR WELFARE OF OTHERS

Examples of such conduct include, but are not limited to:

1. Engaging in forgery. Forgery is the signing of another person's name with, or without, their knowledge. It is considered forgery even if it is done with the consent of the parent/person in parental relation whose name was forged. No student may at any time write his/her own notes for early dismissals or for absences.
2. Stealing the property of the school district, other students, school personnel, or any other person lawfully on school property or attending a school function. Students are prohibited from taking (including assisting in the taking/theft of), or from being in possession of property that does not belong to them.
3. Defamation, which includes making false or unprivileged 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.
4. Discriminating or harassing any student that creates a hostile environment by conduct or by verbal threats, intimidation or abuse, of such a severe nature that: (a) has or would have the effect of reasonably and substantially interfering with a student's education performance, opportunities or benefits, or mental, emotional and/or physical well-being; or (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety.
5. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
6. Hazing, which includes any intentional or reckless act on school property or at a school-sponsored activity directed against another for the purpose of initiation, affiliation or membership.
7. Bullying or cyberbullying, which includes violent conduct, harassment and/or intimidation as defined above.
8. Texting, tweeting or posting a message that is offensive, harassing or causes disruption to the learning environment.
9. Selling, using, viewing or possessing obscene material.
10. Using vulgar or abusive language, cursing or swearing.
11. Possessing, distributing, or smoking a cigarette, smokeless cigarette, e-cigarette, vape, cigar, pipe or using chewing or smokeless tobacco on SBCS property, at school sponsored or school related activities, and all athletic contests is prohibited. This may include property adjacent to school buildings. Students are prohibited from possessing, being under the influence of, consuming, using, buying or attempting to buy, selling or attempting to sell, distributing, sharing or exchanging alcoholic beverages, marijuana (in any form), tobacco (of any kind, see above), matches and lighters, and/or other drugs

(including the misuse of a prescription or over the counter medication or the consumption of medication or drugs for any purpose other than its intended purpose) on SBCS property, at school-sponsored or school related activities, and athletic contests.

A drug may include, but is not limited to:

- Any drug prohibited by New York State Law
- Inhalants
- Look-alike drugs
- Unprescribed medications
- Medications prescribed for another individual
- Drug paraphernalia
- Over-the-counter medications

12. Gambling – Students observed participating in, or conducting any activity that may be construed as gambling will be disciplined appropriately.

13. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.

14. Sexual harassment.

15. Possession of fireworks, incendiary devices, arson.

16. Using a computerized information system to engage in any of the above conduct.

F. MISUSE OF TECHNOLOGY/CHROMEBOOK POLICY

A violation of the School's policy and/or regulations regarding use of computerized information resources ("Acceptable Use Policy") may result in the loss of computer access, disciplinary actions and/or prosecution in accordance with law, regulation and/or the District Code of Conduct.

It has come to the attention of SBCS administration that students are breaking their school provided Chromebooks at an increased rate. Chromebooks are being broken both on purpose, and due to repeated negligence. As a result, students who purposely break their Chromebooks, or continuously break their Chromebooks due to repeated negligence, will have progressive discipline starting with a visit to the PSR in order to complete an investigation.

When a student breaks their Chromebook, their teacher will alert the Technology department, along with how it broke. If the device needs to be replaced, families will be notified by a member of SBCS, and the student will be given a replacement device as the school's discretion. The following actions will take place:

- If a student purposely breaks their Chromebook, they will immediately be placed in the PSR in order to investigate. The student will receive a replacement device at the school's discretion.
- If a student is given a third Chromebook in one school year due to accidental breakage, this is considered negligence. That student will immediately be placed in the PSR in order to investigate. Families may be required to pay for the repairs.
- If a fourth device is given due to misuse, consequences will be determined by administration. Families may be required to pay for the repairs.
- All students will receive a replacement device as soon as one is available. A device may not be available immediately. In the interim, paper copies will be supplied so the student can continue to be academically successful.

G. BUS MISCONDUCT

It is crucial for students to behave appropriately while riding on SBCS buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct

themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving, offensive language and fighting will not be tolerated. Bus misconduct may result in the suspension of bus privileges.

DISCIPLINARY ACTIONS

Depending on the nature of the violation, student discipline should be progressive in nature, i.e., a student's first violation may merit a lighter penalty than subsequent violations, or where a specific consequence has been indicated. However, nothing precludes SBCS from pursuing disciplinary actions that do not follow a progressive path when a student's misconduct is particularly egregious, as determined by SBCS school officials.

ALL INFRACTIONS ARE SUBJECT TO REVIEW BY ADMINISTRATION AND RECEIVE CONSEQUENCES ON A CASE BY CASE BASIS.

PENALTIES

Students who are found to have violated the School's Code of Conduct may be subject to the following penalties, either alone or in combination, consistent with the New York State Education Law and the student's right to due process. Range of disciplinary actions includes, but is not limited to:

- Warning
- Conferences (student/parent/counselor/administrator)
- Restorative practices
- Loss of privileges
- Hall restriction
- Removal from classroom
- Lunch detention
- After-school Detention
- Saturday Detention
- Problem Solving Room
- Suspension from transportation
- Suspension from athletic participation
- Suspension from social or extracurricular activities
- Suspension from School computer resources
- Restitution of the value of stolen or damaged property
- Short Term Out of School Suspension (five days or less)
- Superintendent Hearing
- Long Term Out of School Suspension (more than five days)
- Permanent suspension from school

DISCIPLINE OF STUDENTS WITH DISABILITIES

If the conduct of a student is related to a disability or suspected disability, the student may 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. A student identified as having a disability shall not be disciplined for behavior directly caused by his/her disability, without following the procedures mentioned above. This Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

REPORTING ILLEGAL SUBSTANCES AND WEAPONS

SBCS has established a strict rule forbidding students and all members of our community from either possessing/using alcohol/ECIGS/weapons/drugs/tobacco/paraphernalia on campus or coming onto campus at any time with such substances or under the influence of such substances. These items are prohibited at SBCS.

Any student or staff member observing a student possessing a weapon, alcohol or other illegal substance on school property or at a school function, shall report this information immediately to the building principal and/or designee. Any weapons, alcohol or illegal substances found shall be confiscated immediately, followed by notification of the parent of the student involved and the appropriate disciplinary action taken, up to and including permanent suspension and referral for prosecution.

When a student violates the Code of Conduct and such misconduct is also a crime as defined by the New York State Penal Law, SBCS Administration shall notify the appropriate law enforcement agency.

SEARCH AND SEIZURE POLICY/QUESTIONING OF STUDENTS

It is a primary goal and objective at SBCS to provide and maintain order, safety, and security to students, visitors, and school personnel. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law, school rules, or the School Code of Conduct. Students are not entitled to any sort of "Miranda" - type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the building administration, the school nurse and District security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the SBCS Code of Conduct. Therefore, the following actions may be taken:

- Perform unannounced searches and potential seizure of all substances or materials prohibited by school policies or state / federal law.
- Seizure of any item identified to be illegal, disruptive or inappropriate to the school environment.
- Storage and / or return of these items will be at the discretion of the school administration and may be subject to legal impoundment.
- Perform searches of students to determine whether they pose a danger to themselves and others.
- Searching a student's pockets, purse, backpack, gym bag or other personal property.
- Perform general inspections of hook space/locker space at any time without notice, without students' consent, and without a search warrant.

Student lockers/hook space is the property of SBCS and is subject to search at the discretion of school administration; students have no reasonable expectation of privacy with respect to school property.

Search and seizure policies also apply to school sponsored events on or off campus.

"If police are involved in the questioning of students on school premises, whether or not at the request of school authorities, it will be in accordance with applicable law and due process rights afforded students. Generally, police authorities may only interview students on school premises without the permission of the parent/guardian in situations where a warrant has been issued for the student's arrest (or removal). Police authorities may also question students for general investigations or general questions regarding crimes committed on school property. In all other situations, unless an immediate health or safety risk

exists, if the police wish to speak to a student without a warrant, they should take the matter up directly with the student's parent/guardian. Whenever police wish to question a student on school premises, administration will attempt to notify the student's parent/guardian. If possible, questioning of a student by police should take place in private in the presence of the Head of Schools or his/her designee."

RESTORATIVE PRACTICES

Student supports and interventions may be used in lieu of or in tandem with disciplinary responses. These may include:

- Restorative practices
- Social emotional learning
- Problem Solving Room
- Collaborative problem solving
- School based community service (with parental consent)
- Conflict resolution
- Check in/Check out program
- Development of individual behavior contract
- Recommendation for Functional Behavior Assessment (FBA)/Behavioral Intervention Plan (BIP)
- Guidance Counselor or Social Worker conference
- Intervention by counseling staff
- Parent outreach or conference
- Referral to the BEST (Behavior/Emotional Support Team)
- Referral to community-based organization

LUNCH DETENTION, AFTER SCHOOL DETENTION, SATURDAY DETENTION

Teachers can assign 'Teacher Detention'. It is the teacher's responsibility to communicate all teacher detentions. Students must report to the teacher's detention on time and with appropriate work.

Lunch detention is assigned by building administration. It is held in the PSR during a student's lunch period. Students are to report at the beginning of their lunch period. They receive the lunch of the day while in lunch detention. This is a silent lunch, and they must bring work or a book to read. Failure to comply will result in further consequences.

After School Detention is assigned by the building administration. It is held in the PSR from 3:45-4:45.. Students that are attending after school detention must meet school dress code attire. Positive behaviors are expected. Detention is used as a consequence and is considered an extension to the school day. Students in detention will be given relevant assignments that must be completed to earn their way off the detention list. The detention is to be served on the assigned date. If a student does not serve the detention, additional disciplinary measures may be imposed.

Saturday detentions are assigned by administration and run from 8:30am to 11:30am. Parental support in having a student serve an assigned detention is expected at SBCS.

Phone calls to the parent will occur as each detention is assigned explaining reason/s for the issuance of any detention.

PROBLEM SOLVING ROOM

Students who commit repeated offenses or an offense of a more severe nature may receive a visit to the Problem Solving Room (PSR). Upon arriving in the PSR, an investigation will take place. This may result in a phone call to the family and a letter may be sent home. The student will sit silently at a desk in the PSR and is expected to do schoolwork for the duration of their stay. During the investigation, students will receive bathroom breaks, but will not leave the room for classes, lunch, or specials. Students who have earned their way into the PSR are expected to earn their way out of the room as well. This is accomplished by altering a behavior, making a situation right, or the investigation has concluded.

OUT OF SCHOOL SUSPENSION

Students flagged for repeated offenses, or an offense of a severe nature may receive an out of school suspension. Some infractions considered severe are, but are not limited to, situations involving the following: sexual harassment, drugs, weapons, and violent behavior.

During periods of suspension, your child may not attend any academic or extracurricular activities such as dances, sports, club meetings, etc. In addition, during periods of suspension, parents/guardians have the right to request alternative instruction and an informal conference with the school principal. This instruction will take place as mandated by New York State law. If a student chooses not to attend alternate instruction, parents must pick up all assignments. While assigned out of school suspension, all schoolwork must be completed and handed in when the student returns. All students returning from suspension must be returned to school by a parent/guardian and a meeting must be held with the administration. This meeting can happen upon return or via phone call prior to return.

LONG TERM OUT OF SCHOOL SUSPENSION/PERMANENT SUSPENSION

With consideration of the student's rights to due process, including parental notification and right to a fair hearing, administrative staff is authorized to impose penalties up to and including long term out of school suspension and expulsion. During periods of suspension, your child may not attend any academic or extracurricular activities such as dances, sports, club meetings, etc. During periods of long-term suspension, alternative instruction is requested through the home district.

As stated in Section 3214 of NYSED regulations, all students facing suspension in excess of five school days are entitled to written parental notice, phone call home, if possible, informal conference upon request, section 3214 hearing notice provided to parent, a Disciplinary hearing with a hearing officer, and a notice of hearing results to parent.

APPEAL PROCESS

After the conference, the school shall promptly advise the parent(s) or person in parental relation in writing of the hearing officer's decision. The hearing officer shall advise the parent(s) or person in parental relation that if they are not satisfied with the decision and wish to pursue the matter, they can file a written appeal to the SBCS Superintendent within ten (10) days of the date from which they receive the hearing findings of fact and recommendation. Final decisions of the SBCS Superintendent maybe appealed to the Board of Trustees within thirty days (30) of receipt of the letter containing the original hearing findings of fact and recommendation.

SUSPENSION FROM TRANSPORTATION

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building administration's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the building administration. In such cases, the

student's parent will become responsible for seeing that his/her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, SBCS will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law 3214. However, the student and student's parent will be provided with a reasonable opportunity for an informal conference with the building administration to discuss the conduct and the penalty involved.

ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or student of compulsory age is suspended from school pursuant to Education Law # 3214, the district will take immediate steps to provide alternative means of instruction for the student.

PUBLIC CONDUCT ON SCHOOL PROPERTY

South Buffalo Charter School is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of environment, it is necessary to regulate public conduct on school property and at school functions. For the purposes of this section of the South Buffalo Charter School Code of Conduct, public shall mean all persons when on school property or attending a school function, including students, teachers, district personnel, and visitors. The purpose of this South Buffalo Charter School Code of Conduct is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons are expected to be properly attired for the purpose they are on school property.

PROHIBITED CONDUCT

No person shall:

1. Physically injure and or physically threaten any person.
2. Using language or gestures that are profane, lewd, vulgar, abusive or threatening.
3. Intentionally damage or destroy district property or the personal property of a district employee or any person lawfully on school property, including graffiti or arson.
4. Disrupt the orderly conduct of classes, school programs or other school activities.
5. Distribute or wear materials on school grounds or at school function that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
6. Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, gender identity, sexual orientation or disability.
7. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
8. Obstruct the free movement of any person in any place to which this code applies.
9. Violate the traffic laws, parking regulations or other restrictions on vehicles.
10. Possess, consume, sell, distribute or exchange alcoholic beverages or marijuana, marijuana products, controlled substances, or be under the influence of aforementioned on school property or at a school function.
11. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
12. Loiter on or about school property.

13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by the code.
15. Attempt to intentionally disrupt, crash, vandalize, transmit, and/or receive data or access without authority, network, phone systems, and related services and data.
16. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.
17. Visitors participating in any other action not listed above that is prohibited by the code of conduct and creates a disturbance to an orderly school environment.

PENALTIES

Persons who violate this South Buffalo Charter School Code of Conduct shall be subject to the following penalties:

1. Visitors. Their authorization, if any, to remain on school grounds or at the function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection. Additionally, visitors may be precluded from being on school premises for engaging in prohibited conduct. The length of a suspension shall be determined by the severity of the misconduct and the violator shall receive written notice of the determination.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law 3020-a or any other legal rights they may have. 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 Law 75 or any other legal rights that they may have.
4. Staff members other than those described in subdivisions #3 and #4. They shall be subject to a warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

ENFORCEMENT

The building principal/designee shall be responsible for enforcing the conduct by this South Buffalo Charter School Code of Conduct. When the building principal/designee sees an individual engaged in prohibited conduct, which in his or her judgement does not pose any immediate threat of injury to persons or property, the principal shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person. The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves the right to pursue a civil or criminal legal action against any person violating the code.