

**Oswego City School District
Code of Conduct (2019)
Plain Language Summary**

Introduction

The Oswego City School District (“the District”) and its Board of Education (the “Board”) are committed to providing a safe and orderly school environment where students may receive, and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, school personnel, parents, and other visitors is essential to achieving this goal.

Accordingly, the District has developed, and its Board has adopted a Code of Conduct which governs the conduct of students, all school personnel, parents, and other visitors when on school property or while attending school functions. The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity. The following is a plain language summary of the District’s Code of Conduct. The summary is to be used as a guide of the basic parameters of the District’s Code of Conduct. The complete Code of Conduct may be accessed on the District’s website (www.oswego.org) or by visiting the main office of any of the District’s schools. Should there be a conflict between the plain language summary and the Code of Conduct, the provisions of the Code of Conduct shall always prevail.

Student Rights

Rights of Students

Education in a free society demands that students be aware of their rights and learn to exercise them responsibly. To this end, students have a right.

- To be provided with an education that is intellectually challenging and relevant to demands of the 21st century;
- To learn in an environment free from interruption, harassment, discrimination, intimidation and fear;
- To participate in district activities on an equal basis regardless of actual or perceived race, color, creed, national origin, weight, religion, religious practice, ethnic group, gender, disability or sexual orientation.
- To be informed of all school rules; and
- To be guided by a discipline policy that is fairly and consistently implemented.

In addition, students in this District are afforded the following rights:

1. Student Expression – Students shall be allowed the opportunity for the free expression of ideas consistent with rights established by the federal and state constitutions. However, a student’s freedom is subject to limitation in that the constitutional protections will not extend to libelous, slanderous, vulgar, lewd, indecent or obscene words or images or to words or images which by their very use incite others to damage property or physically injure persons. Any assembly or public expression on school grounds or at school activities that advocates the use of drugs or other substances that are illegal to minors is prohibited. Furthermore, speech which materially and substantially disrupts the work and discipline of the school may be subject to limitation.
2. Symbolic Expression – Students, in light of constitutionally protected free speech rights, may wear political buttons, arm bands or badges of symbolic expression so long as the same conform to the limits set forth herein under paragraph 9.
3. Student Activities – All students shall enjoy equal access to the extent of their capabilities for participation in the various extra-curricular and co-curricular activities sponsored by the District. The privilege of participating in such activities shall be conditioned upon appropriate conduct as established by the student Code of Conduct and any rules promulgated specifically for participation in extra and/or co-curricular activities.
4. Student Government – Students are encouraged to participate in the various student governmental bodies which have been or may be established in our schools. It shall be the duty of the student governmental body to establish reasonable standards for qualification of candidates to serve in offices of the government. Elections for student government shall be conducted in accordance with the principles of our democracy and elected student representatives shall work with the faculty, administration and student body in identifying cooperatively those areas of appropriate student responsibility. All student governmental bodies shall have a faculty advisor and shall be organized pursuant to a specific written constitution which the students shall participate in formulating.
5. Student Clubs and Other Student Organizations – The District encourages students to participate in curriculum related extra-curricular activity clubs and/or organizations. To the extent that the District authorizes meetings of non-curriculum related clubs or organizations, the same shall be subject to the constitution of the student government and shall be conducted in accordance with any applicable federal or state law, as well as Board of Education policy or regulations.
6. Privacy Rights [Search and Seizure] – Students in attendance in our public schools are protected against illegal or unreasonable personal searches or seizures of their property by both the federal and state constitutions. In light of these protections,

no student's person or property shall be searched for illegal substances or materials unless the school authorities conducting the search have reasonable suspicion to do so. Lockers and desks assigned to students may be subject to inspection at any time by school officials since such places are not the property of the student, but rather are owned by the District and shared with the student.

7. Pregnant Students – The Board of Education will provide instruction to pregnant students in the same manner as instruction is provided to other students unless the student's physician determines that the student is disabled and certifies that the student requires home instruction.

8. Student Grievances and Complaints – If a student has a grievance or a complaint about a school-related matter, a school employee or other school official, s/he may submit it, in writing, to the principal of the school who shall respond within ten (10) school days with a written answer or proposed resolution. Grievances or complaints may be appealed in writing to the Superintendent of Schools if the principal's answer or proposed resolution is not deemed satisfactory by the student. The Superintendent of Schools shall respond to all grievances and complaints within a reasonable period of time following receipt of the written appeal document.

9. Video Surveillance – Video surveillance cameras may be used in school buildings in areas where there is no “reasonable expectation of privacy” and on school buses in order to assist the District to maintain student discipline, to safeguard facilities and property of the District and for the safety of students, staff and visitors while on District property.

Student Responsibilities

Responsibilities of Students

Students attend school so that they may develop to their fullest potential. With this in mind, each student is expected:

- To accept responsibility for his/her actions;
- To respect the rights of others, including his/her right to secure an education in an environment that is orderly and disciplined, through their actions and language;
- To attend school every day possible and on a punctual basis;

- To complete class assignments and other school responsibilities by established deadlines;
- To show evidence of appropriate progress toward meeting course and/or diploma requirements;
- To respect school property, e.g. lockers, and help to keep it free from damage;
- To obey school regulations and rules made by school authorities and by the student governing body;
- To recognize that teachers assume the role of a surrogate parent in matters of behavior and discipline when at school, as well as during any school-sponsored activities;
- To contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all;
- To become familiar with this Code and seek interpretation of parts not understood;
- To actively discourage inappropriate behavior of other students and report the incidents to the administration; and
- To use their own ideas, works, creations and knowledge in completing examinations, projects, and reports. Students who cheat and/or plagiarize (use the ideas or words of another without full acknowledgment or attribution) will receive an academic sanction, which may include a zero on the assignment.

Student Dress Code

Students are expected to dress and groom themselves in an appropriate manner. Student must be dressed in appropriate clothing and protective equipment as required for physical education classes, participation in athletics, science laboratories and home and careers skills classes.

The following are considered to be inappropriate dress, grooming and appearance and are prohibited in school or at school functions:

- Any dress or appearance which constitutes a threat or danger to the health and safety of students (e.g., heavy jewelry, chains, or jewelry with spikes which can injure the student or others);
- Bandanas, whether worn on the body or visibly in a pocket;
- Any dress or appearance which is vulgar, lewd, obscene or indecent or profane or which exposes to sight the private parts of the body (e.g., t-shirts with a phallic symbol and messages consisting of sexual metaphors; see-through garments, extremely plunging necklines or waistlines);
- Any dress or appearance which encourages or advocates the use of illegal drugs, alcohol and/or tobacco;
- Any dress or appearance which advocates or encourages other illegal or violent activities;
- Any dress or appearance which advocates discrimination or denigrates others based upon actual or perceived race, color, creed, ethnic group, weight, religion, religious practice, national origin, gender, sexual orientation or disability;

- The wearing of hats or hoods in the building (unless worn for religious or medical reasons);
- The wearing of do-rags, skullcaps, headbands, or other similar head adornments of any color other than plain black; and
- Any dress or appearance that constitutes a disruption to the educational process.

Prohibited Student Conduct

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel and other members of the school community, and for the care of school facilities and equipment.

The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

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

- A. Engage in conduct that is disorderly/insubordinate. Examples include but are not limited to:
 1. Running in hallways.
 2. Making unreasonable noise
 3. Using language or gestures that are profane, lewd, vulgar or abusive.
 4. Obstructing vehicular or pedestrian traffic.

5. Engaging in any willful act which disrupts the normal operation of the school community.
6. Trespassing. During school hours or activities students are not permitted on any school grounds other than the one they regularly attend, unless they have received permission from the administrator in charge of those grounds.
7. Computer/electronic communications misuse, including any unauthorized use of computers, cell phones, personal gaming or music (i.e. mp3, etc.) device(s), software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.
8. Insubordination. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
9. Lateness for, missing or leaving school without permission.
10. Skipping detention.
11. Skipping class.
12. Consumption of food or drink in restricted areas without permission, including on the school bus.
13. Public displays of affection.
14. Aiding, abetting, encouraging or by-standing any infraction.
15. Verbal/non-verbal or physical action/display which provokes a fight or endangers the health, safety and/or welfare of the student or others. This includes pushing or shoving that does not result in injury.
16. Unauthorized absence from school and/or leaving campus without authorization.
17. Abusive and/or indecent language and/or gestures directed at anyone on school grounds or at school functions.

18. Intimidation or coercion.
 19. Rumor initiation and dissemination by any method involving any student, employee or OCSD representative.
 20. Harassment (sexual, racial, etc.).
 21. Extortion.
 22. Threatening, stalking, or seeking to coerce or compel a person to do something. Intentionally placing or attempting to place another person in fear of imminent physical injury; engaging in verbal, non-verbal or physical conduct that threatens another with harm, including intimidation on or off school property through the use of epithets or slurs involving race, ethnicity, national origin, weight, religion, religious practices, gender, sexual orientation, age, or disability that substantially disrupts the educational process, with or without a weapon.
 23. Reckless endangerment: subjecting individuals to danger by recklessly engaging in conduct that creates a grave risk of death or serious injury but no actual physical injury.
 24. Assault with physical injury: intentional or reckless act causing impairment of physical condition or substantial pain.
 25. Arson.
 26. Use or possession of fireworks on school property or at school functions.
- B. Engage in conduct that is considered to be Violence as defined in Article II. Examples of violent conduct include but are not limited to:
1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon any other person lawfully on school property or at a school function or attempting to do so.

2. Possessing a Weapon as defined in Article II. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
 3. Displaying what appears to be a weapon.
 4. Using or threatening to use any weapon.
 5. 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.
 6. Intentionally damaging or destroying property while on school district property or at a school function.
- C. 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. Operating outside the provisions set forth by the “Threats of Violence in School” policy (7370). Appropriate student response to violence will include:
 - a. Reporting potentially violent situation to an adult or authority figure including any school employee.
 - b. Moving away from offending/violent situation.
 - c. Demonstrating passive or non-violent attempt to protect oneself
 - d. Expression of non-committal position (i.e. call for help, “stop!”).
2. Lying to school personnel.

3. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
4. Bullying (including Cyber-bullying) discrimination or harassment as defined in Article II. Harassment.
5. Selling, using or possessing obscene material.
6. Using vulgar or abusive language, cursing or swearing.
7. Using or possessing banned or controlled substances including, but not limited to tobacco products, e-cigarettes, cartridges/pods, vapes, marijuana products, aerosol chemicals and inhalants, or alcohol. This prohibition extends to having such items on school property, at a school function, on a school bus or in a school vehicle.
8. Possessing, consuming, selling, distributing or exchanging alcohol or illegal substances, or being under the influence of either. In addition, any item of paraphernalia or any item commonly used in the sale, use or production of an illegal substance is prohibited.
9. Inappropriately using or sharing prescription and over-the-counter drugs.
10. Gambling.
11. Indecent exposure.
12. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
13. Forgery.
14. Trading and bartering.
15. Inappropriate and disruptive behavior at athletic or other school events.
16. Hazing as defined in Article II.

17. Retaliation as defined in Article II.

D. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district 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. Behavior that is disorderly, insubordinate or endangers the safety, morals, health or welfare of others will not be tolerated.

E. Engage in any form of academic misconduct. Examples of academic misconduct include but are not limited to:

1. Plagiarism.
2. Cheating.
3. Copying.
4. Altering records.
5. Assisting another student in any of the above actions.

Disciplinary Measures and Procedures

Students who are found to have violated the District's Code of Conduct may be subject to the following consequences, either alone or in combination. School personnel are authorized to impose a consequence consistent with the student's right to due process. The parent and/or guardian will be notified of the violation and consequence. Consequences may include any of the following:

- Oral warning
- Written warning
- Written referral
- Detention
- Suspension from transportation
- Suspension from athletic participation
- Suspension from social or extracurricular activities
- Suspension of other privileges
- Removal from classroom
- In-school suspension (up to five (5) days)
- Restorative practices

- Out of school suspension (short term/long term)
- Permanent suspension from school
- A grade of zero
- Behavioral Intervention Meeting
- Other interventions

B. Procedures

A student is entitled to due process before a consequence is imposed. In all cases, regardless of the consequence imposed, the school personnel authorized to impose the consequence must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary consequence in connection with the imposition of the consequence.

Students who are to be given consequences other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the consequence is imposed. These additional rights are explained below.

1. Detention

Teachers, principals and the Superintendent may use after school detention as a penalty consequence for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention may be and used as a consequence or a re-teaching tool only after the student's parent has been notified. Failure to attend detention may result in the imposition of an in-school suspension.

2. 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 attention of the transportation director and building principal. Students who become a serious disciplinary and/or safety problem may have their riding privileges suspended after a hearing before the building principal and the Director of Transportation. In such cases, the student's parent(s) will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from

transportation amount to a suspension from attendance, the District 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 the student's parent will be provided with an informal hearing before the building principal and the Director of Transportation. For students who do not receive transportation as a related service, a bus suspension will count toward the federal and state limits on removals from school when the bus suspension results in the student's exclusion from school or prevents a special education student from being able to appropriately advance in the general education curriculum or towards his or her IEP goals. A bus suspension results in a removal from school and constitutes a change in placement for a special education student if it is for more than ten (10) consecutive school days or a student has received suspensions that constitute a pattern, factoring in the length of each removal, the total time of removal and the proximity of the removals. See Paragraph 12.

3. Suspension from Athletic Participation, Extracurricular Activities and other Privileges

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with an informal hearing before the Director of Athletics and the building principal where the student will be given the opportunity to discuss the factual situation. Students serving in-school suspension "ISS" or out-of-school suspension "OSS" are not allowed to be at any extra-curricular activities including sporting activities during the time of the suspension.

4. In-school Suspension (ISS)

The Board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the Board authorizes building principals and the Superintendent to place students who would otherwise be suspended from school as the result of a Code of Conduct violation in "in-school suspension."

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the consequence involved.

5. Teacher Disciplinary Removal of Disruptive Students

a. A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. This may happen by maintaining behaviors that promote a positive classroom community. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to:

- "Time out" in an elementary classroom or in an administrator's office, or in a predetermined alternate location, provided that the room is unlocked, able to be opened from the inside, and the student is continuously visually and audibly monitored at all times.
- Sending a student to the principal's office for the remainder of the class time only.
- Sending a student to another staff member for a check in.

Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this Code. These techniques should be used first.

b. On occasion, a student's behavior may become disruptive. This may be defined as a continuous and/or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules. A classroom teacher may remove a disruptive student from class for up to two (2) days.

If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process and the teacher has determined that the student's behavior is so disruptive as to warrant removal, then the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. This meeting should occur before the end of the school day (prior to leaving to go home for the day) during which the most recent offending behavior occurred. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24-hours. The teacher must complete a district-established disciplinary removal/referral form if, after the student/teacher meeting, the student is to be removed from the class. A meeting with the Building

principal or his or her designee should also occur as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal/referral form. A building principal and clerical worker will be available after normal student dismissal time for the purpose of being available for this principal/teacher conference and to assure that parents are properly notified. If the principal or designee is not available by the end of the same school day, the teacher must submit the discipline referral and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24-hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal. (The principal may require the teacher who ordered the removal/referral to attend the informal conference).

A telephone call and/or email when possible will be the preferred method of notification to parents. If telephone or email reciprocal contact is not possible, a written notice sent by the principal or designee must be provided by express mail delivery, or served by school district security within 24-hours of the student's removal. That written notice will be sent to the last known address of the student's parents.

If at the informal meeting with the student's parents the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting with the student's parents must be held within 48-hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parents and principal. The principal may require the staff who removed the student to attend the meeting. The principal or designee may overturn the removal of the student from class if the principal finds any one of the following:

- The charges against the student are not supported by substantial evidence.
- The student's removal is otherwise in violation of law including the District's Code of Conduct.
- The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.
- The removal constitutes a change of placement of a student with an IEP or 504 plan.

The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final

determination, or the period of removal expires, whichever occurs first. A disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

Each teacher must keep a complete log for all cases of removal of students from his or her class. Each principal must keep a log of all removals of students from class. This should be achieved by the teacher and building principal each placing a note in the student management system regarding the removal.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified 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 or regulation.

Range of Consequences and Penalties

Consequences may include any of the following:

- .
- Oral warning
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- Written warning
- .
- Written referral
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- Detention
- .
- Suspension from transportation
- .
- Suspension from athletic participation
- .
- Suspension from social or extracurricular activities
- .

Suspension of other privileges

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Removal from classroom

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In-school suspension (up to five (5) days)

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Restorative practices

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Out of school suspension (short term/long term)

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Permanent suspension from school

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A grade of zero

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Behavioral Intervention Meeting

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Other interventions

Visitors at School

In an effort to maintain a safe, orderly and healthy educational environment that is conducive to learning, during the regular school day all visitors to the District must sign-in at the Main Office of the building visited. Visitors are expected to comport themselves in a manner that does not disrupt the order of the schools or the educational process and in accordance with the law and this Code of Conduct.

Public Conduct on School Property

The Board of Education recognizes that the primary purpose of the School District is to provide a superior atmosphere for learning and education. Any action by an individual or group(s) aimed at disrupting, interfering with or delaying the education process or having such effect, is prohibited. The Board also recognizes its responsibility to protect school property and declares its intent to take any and all legal action to prevent its damage or destruction. The Board will also seek restitution from, and prosecution of, any person or persons who willfully damage school property.

These rules govern the conduct of students, parents, faculty and other staff, other visitors, licensees, invitees, and all other persons, whether or not their presence is authorized, upon district property, and also upon or with respect to any other premises or property (including school buses) under the control of the District and used in its instructional programs, administrative, cultural, recreational, athletic, and other programs and activities, whether or not conducted on school premises.

A. Prohibited Conduct

No person, either singly or in concert with others, shall:

1. Willfully cause physical injury to any other person, or threaten to do so, intimidate, harass or discriminate against any person on the basis of actual or perceived race, creed, color, weight, national origin, religion, religious practice, ethnic group, gender, age, marital status, sexual orientation or disability;
2. Physically restrain or detain any other person, or remove such person from any place where s/he is authorized to remain;
3. Willfully damage or destroy property of the District or under its jurisdiction or the personal property of a district employee or any person lawfully on school property (including graffiti or arson), or remove or use such property without authorization;
4. Without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty or staff member;
5. Enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others;
6. Without authorization, remain in any building or facility after it is normally closed;
7. Refuse to leave any building or facility after being required to do so by an authorized administrative officer, member of the faculty or staff member, or member of the Board of Education;
8. Obstruct the free movement of persons and vehicles in any place to which these rules apply;
9. Deliberately disrupt or prevent the peaceful and orderly conduct of classes, school programs, school activities, lectures and meetings
10. Deliberately interfere with the freedom of any person to express his/her views, including invited speakers;

11. Knowingly have in his/her possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon without written authorization of the chief administrative officer, whether or not licensed to possess the same has been issued to such person;
12. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous or obstruct the rights of others;
13. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances or illegal substances (including synthetic drugs such as synthetic cannabinoids) or be under the influence of any such items on school property or at a school function;
14. Loiter on or about school property;
15. Gamble on school property or at school functions, unless conducted pursuant to the Games of Chance laws;
16. Refuse to comply with the reasonable order or directive of identifiable school district officials performing their duties;
17. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function; and/or
18. Willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so.

B. Penalties and Procedures

A person who shall violate any of the provisions of these rules shall be subject to the following penalties and procedures:

- If a licensee or invitee, his/her authorization to remain upon the grounds or other property shall be withdrawn and s/he shall be directed to leave the premises. In the event of failure to do so, s/he shall be subject to ejection.
- If trespasser or visitor without specific license or invitation, s/he shall be subject to ejection and/or arrest.
- If s/he is a student, s/he shall be subject to disciplinary action as the facts of the case may warrant, as prescribed by 3214 of the Education Law and the Student Code of Conduct.
- If a faculty member, s/he shall be subject to disciplinary action as prescribed by and in accordance with procedures of the Education Law and the collectively negotiated agreement.
- If a staff member in the classified service of the civil service, described in 75 of the Civil Service Law, s/he shall be guilty of misconduct and subject to the penalties and procedures prescribed in said section and be subject to ejection.
- If a staff member other than one described above, s/he shall be subject to discipline in accordance with law and any applicable collectively negotiated agreement.

C. Enforcement Program

- The Superintendent of Schools shall be responsible for the enforcement of these rules, and s/he shall designate the other personnel who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.
- In the case of any apparent violation of these rules by such persons, which, in the judgment of the Superintendent or his/her designee, does not pose any immediate threat of injury to person or property, such officer may make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for resolution of any issues which may be presented. In doing so such officer shall warn such persons of the consequences or persistence in the prohibited conduct, including their ejection from any district properties where their continued presence and conduct is in violation of these rules.
- In any case where violation of these rules does not cease after such warning and in other cases of willful violation of such rules, the Superintendent or his/her designee shall cause the ejection of the violator from any premises which s/he occupies in such violation and shall initiate disciplinary action hereinbefore provided.
- The Superintendent or his/her designee may apply to the public authorities for any aid which s/he deems necessary in causing the ejection of any violator of these rules and s/he may request the Board's Counsel to apply to any court of appropriate jurisdiction for any injunction to restrain the violation or threatened violation of such rules.

This Code and the penalties set forth herein are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal or state law or local ordinance and the imposition of a fine or penalty provided for therein.