

QUESTAR III
STUDENT CODE OF CONDUCT
SUMMARY
September 2016

Questar III has adopted a Code of Conduct policy for students attending a Questar III career and technical center or special education academy. Students attending Questar III school district-based classrooms will be governed by the host school district's Code of Conduct.

The Questar III Code of Conduct reflects the philosophy that students have a safe haven for learning and growing, that students have a secure, orderly and nurturing environment in which to achieve their full potential, and that all individuals be respectful of each other. The Code of Conduct applies on all Questar III grounds, vehicles, buildings and at Questar III sponsored activities, including field trips. A full copy of the Code of Conduct is available to any student, parent, guardian, and employee of the Questar community upon request. It also is available on the Questar III website at https://www.questar.org/aboutus/board_policies.htm.

Student Rights and Responsibilities

The Code of Conduct describes rights given to students by the United States Constitution and the New York State Education Law. Among these are: the right to be given procedural due process before disciplinary action is taken against a student; the right to free speech and expression that does not interfere with the educational process or disturb the rights of others; the right to be free from unreasonable searches and seizures; and the right to be free from discrimination regarding participation in curriculum offerings and extracurricular activities.

Students also have certain responsibilities to themselves and to others in the school community. Students are expected to conduct themselves with respect for themselves, fellow students, teachers, staff and administrators. They are expected to strive to achieve their potential in all areas. They are expected to attend school, to follow directions of staff, faculty and administration and to fulfill all of their educational obligations. They must strive to demonstrate good conduct and a positive attitude toward everything they do. They must respect the property of the school and of others, and are financially responsible for textbooks, tools, locks or any Questar III property or equipment provided to them.

Student Dress

Students will dress and groom themselves neatly in clothes that are suitable for school activities. Students will wear footwear at all times and refrain from wearing hats in the classroom unless for a medical or religious purpose. Clothing, accessories or appearance which interferes with the learning process, is not compatible with safety, or interferes with the ability to engage in the activities required by the educational program is prohibited. Specifically, students shall refrain from clothing, accessories or appearance that: is sexually suggestive or provocative; could compromise safety or health in a particular educational program (for example, piercings, loose clothing in shop areas or physical education); does not provide appropriate coverage of the body, including the torso and undergarments worn on the torso; is vulgar, obscene or libelous; is denigrating to the race, color, creed, gender, national origin, disability, sexual orientation or physical condition of another; features, promotes or encourages violent behavior or the use of guns, knives or other instruments of violence; represents, references or alludes to through clothing, accessories, symbols or other references, gang affiliation; or features, promotes or encourages the use of illegal drugs, alcohol and tobacco.

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Harassment, Bullying and Discrimination are Prohibited

The Code of Conduct prohibits harassment, bullying and discrimination in accordance with the Dignity for All Students Act. Harassment, bullying or discrimination includes threats, intimidation, abuse, cyberbullying that reasonably causes or would reasonably be expected to cause emotional harm or could cause a student to fear for his or her physical safety. It includes acts – including cyberbullying - that take place off school property where they create or would foreseeably create a risk of substantial disruption at school.

Acts of harassment, bullying or discrimination by students against students will be addressed in accordance with the Responses to Student Behaviors which are set forth in the Code of Conduct. Instances of harassment or discrimination by an employee against a student will be addressed as a personnel matter. Additionally, responses will focus on discerning the reasons why it occurred; ending the harassment, bullying and/or discrimination; and preventing its reoccurrence.

It is the goal of Questar III to create school environments which recognize and promote tolerance, respect for others, and civility toward people of all kinds. Students are expected to report incidents of discrimination, harassment, or bullying to a teacher, principal, or other staff member. A Dignity Act Coordinator has been designated for each instructional building and program. For the school year 2013/14, building principals have been designated as Dignity Act Coordinators and will serve as a resource for addressing any reports of discrimination, harassment, or bullying.

Addressing Student Behaviors

Students are expected to be responsible members of the school community and to conduct themselves in a way that fosters a safe environment and otherwise meets the expectations of the Code of Conduct. If a student does not, he or she will be subject to disciplinary action. The Code of Conduct describes the penalties that may be imposed, depending upon the behavior of the student at issue, and the process that will apply so that the student will be afforded procedural due process. The following three categories describe student behavior that violates the Code of Conduct:

Category I

Category I behavior is activity on the part of the student which impedes orderly classroom procedures or interferes with the orderly operation of the school. It includes:

- Behavior which interferes with the educational program and normal operation of the school.
- Inappropriate language gestures or symbols (obscene, profane, vulgar, abusive).
- Violation of the dress code.
- Tardiness to school or class.
- Leaving class without permission.
- Being out of class without a pass.
- Excessive or offensive public displays of affection.
- Inappropriate use of the school computer network or failure to follow the Questar III Computer Network Acceptable Use and Internet Safety Policy (also available at the website address provided above).

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- Insubordination or disrespect, including the failure to follow the reasonable and lawful directions of school personnel.
- The overt display of cigarettes or of any tobacco product.
- Taking medications without appropriate medical authorization.
- Behavior that interferes with a student's educational program and/or therapeutic well-being through use of "energy" or "power drinks" or muscle-enhancing drinks.

Category I behaviors usually will be addressed by a staff member who is supervising the student or who observes the behavior, but may at times require the intervention of other school personnel. The following are examples of how the school may respond to Category I behavior:

- A warning.
- Staff will discuss behavior with student.
- Written behavior agreement.
- Parent / guardian contact.
- Verbal or written referral to the principal, assistant principal, guidance counselor or social worker.
- Removal from classroom for a period not to exceed one day to another location with continued educational programming and activities when practicable. Prior to the student's return to the classroom the principal, in consultation with the teacher, shall determine whether the parent shall be contacted, and what additional steps should be taken to successfully re-integrate the student into the classroom.
- Verbal reprimand.
- Reduction in classroom privileges.

Category II

Category II behavior is behavior which frequently or seriously tends to disrupt the learning climate of the school. It includes:

- Repeated incidents of Category I prohibited behavior.
- Abusive or hateful language, gestures or symbols involving the use of slurs regarding ethnicity, disability, religion, race, sexual orientation or physical condition of another.
- Any form of sexual harassment.
- Leaving school and/or school grounds without permission.
- Excessive unexcused absences (Monday / Friday patterns, 3 day consecutive, 5 days per quarter).
- Use or possession of obscene or offensive materials.
- Smoking or the use of any tobacco product (for example, chewing tobacco) on school property including all school grounds, facilities, vehicles or property or at any school sponsored activity.
- Use or possession of matches, lighters or any incendiary device.
- Use or position of "electric cigarettes" or "E-cigarettes."
- Inappropriate use of the school computer network or failure to follow the Questar III Computer Network Acceptable Use and Internet Safety Policy resulting in more serious harm to students, Questar III resources or the Questar III Network.
- Unauthorized driving or riding to or from school premises, facilities or property.
- Violation of school parking or driving regulations.
- Unauthorized retail activities or bartering.
- Use of radios, headphones, multimedia devices (for example, videos, audio recorders, telecommunication devices, iPods, MP3 players, handheld games, PSPs), beepers, cell phones, or any other disruptive device or equipment unless used for instructional and educational purposes under the direction of a teacher or other employee of Questar III or a school district or

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unless used at a time and place designated by the building administrator for allowed use of such devices or equipment.

- Possession, use or flying of any drone or radio-controlled device on or over school grounds except as may be authorized in advance by the District Superintendent.
- Possession of a knife or blade (see Category III for dangerous weapons).

In response to Category II behaviors, a teacher may meet with the student and the student's guidance counselor. The building administrator may investigate the behavior and meet with the student and parents or guardians. The school response to Category II behavior could include the following:

- Written behavior agreement.
- Parent conference.
- Written referral to guidance counselor and/or school social worker and/or school psychologist.
- Reduction of school privileges (e.g. driving).
- Reduction of classroom privileges.
- Referral to administration.
- Home school contact.
- In school suspension.
- Out of school suspension.
- A teacher may remove a "disruptive student" from the classroom for a period not to exceed one day to another location with continued educational programming and activities when practicable. Prior to the student's return to the classroom the principal, in consultation with the teacher, shall determine whether the parent shall be contacted, whether suspension is warranted, and what additional steps should be taken to successfully re-integrate the student into the classroom.
- Prohibited items – such as knives, lighters, matches – will be either turned over to law enforcement, if called, or will be held in the school office until turned over to the parent or guardian.

Category III

Category III behavior includes the most serious violations of the Code of Conduct. It includes behavior that is "repeatedly substantially disruptive of the educational process," behavior that "substantially interferes with a teacher's authority over the classroom," behavior that substantially interferes with staff authority, academic dishonesty, violations of law, threats to the emotional and physical well being of others, or acts of violence. It also includes the following types of behavior:

- Chronic incidents of Category I behavior and repeated or chronic incidents of Category II behavior.
- Exposure of the private parts of the human body.
- Illegal gambling in or on school premises or property.
- Selling, using, possessing, or sharing obscene materials.
- Making false or misleading statements about another individual or group of individuals.
- Discrimination or harassment based upon race, sex, religion, national origin, disability, sexual orientation or physical condition.
- Hazing, including intentional or reckless acts directed against another for the purpose of obtaining or maintaining membership on a team or in a club, activity or organization sponsored by Questar III.
- Lying to school personnel.
- Forgery.
- Academic dishonesty and misconduct, including plagiarism, cheating and alteration of academic records.

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- Use or attempted use of physical force on another person.
- Stealing, larceny or petty theft.
- Trespassing (entering or remaining on school property without authorization, license or invitation).
- Possession and/or transfer of firearms or dangerous weapons (such as rifles, guns, dangerous chemicals, explosive devices, large blades) in or on school premises, facilities, vehicles or property.
- Possession of what appears to be a weapon.
- Speeding or reckless driving on school premises or property.
- Vandalism or destruction of private or public property.
- Sale, attempted sale, or gift of legal prescription medications to another.
- Use, possession, sale, attempted sale or attending school under the influence of any synthetic cannabinoid or under the influence of any other substance used to intoxicate.
- Use, possession, sale, attempted sale or attending school under the influence of: illegal drugs, alcohol or other unauthorized controlled substances.
- Possession, sale or attempted sale of substances represented to be illegal drugs, alcohol or other controlled substances.
- Possession of pipes or paraphernalia associated with controlled substances.
- Assault or battery.
- Violent behavior of any kind or the threat of such behavior.
- Harassment, intimidation, bullying in any form, threats or threatening language.
- Cyberbullying of another student, regardless of the location or site where communication is initiated.
- “Sexting” or any lewd or obscene electronic transmission, whether initiated or received at a Questar III facility or elsewhere.
- Electronic transmission to a student or staff member of violent images, whether initiated or received at a Questar III facility or elsewhere.
- Any intentional and unauthorized contact with another.
- Creating false emergency alarms.
- Failing to comply with emergency directions or procedures.
- Endangering the health, safety or welfare of another.
- Use of social media applications in a disruptive manner (for example, yikyak; whisper; kick).

Category III behaviors will be investigated by the building administrator, who will then meet with the parent or guardian about the student’s conduct and the resulting school response. Some of the possible school responses could be:

- In school suspension.
- Out of school suspension.
- Conference with home school principal.
- Mediation.
- Restitution.
- Loss of privileges.
- Conference with staff member.
- Superintendent’s hearing.
- Parent conference.
- Police notification.
- Criminal charges.
- Confiscation of contraband.
- Recommend Persons in Need of Supervision (PINS) Diversion.

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- A teacher may remove a “disruptive student” from the classroom for a period not to exceed one day to another location with continued educational programming and activities when practicable. Prior to the student’s return to the classroom the principal, in consultation with the teacher, shall determine whether the parent shall be contacted, whether suspension is warranted, and what additional steps should be taken to successfully re-integrate the student into the classroom.
- Expulsion.
- Prohibited items – such as guns, blades, dangerous chemicals – will be either turned over to law enforcement or will be held in the school office until turned over to the parent or guardian.

Procedural Due Process

Students (other than adult students enrolled in CTE programs) will be provided procedural due process, which means that the student will be given notice that he or she has violated the Code of Conduct, and be given an opportunity to tell his or her side of the story before the school formally responds to the behavior. The Code of Conduct explains how this process will take place. The process will depend upon the Category of behavior involved and whether an immediate response must be taken. For example, before a teacher may remove a student from a classroom for disruptive behavior, the student will be told that his or her behavior is disruptive and that he or she is going to be removed. The teacher will then give the student an opportunity to explain or respond before the teacher decides whether to remove the student. At the other end of the spectrum, a student who may be suspended from school for a period of more than five days will be given a superintendent’s hearing under Education Law, section 3214.

Students with disabilities are given particular due process. In some instances, the law requires that the student’s committee on special education (“CSE”) review the relationship between the student’s disability and the behavior that has prompted the disciplinary action, in order to determine whether the student’s behavior was a manifestation of his or her disability.

Adult Students

Adult students enrolled in career and technical education programs are expected to comply with the expectations for performance and behavior set forth in the Code of Conduct *and* in the Student Guidelines applicable to the particular education program. Procedures regarding removal from class, removal from the program, and due process for adult students are not found in the Code of Conduct. They are described in the applicable Student Guidelines.

Behavior that Constitutes a Crime

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

- Unlawful activities in or on any Questar III building, facility, vehicle, property, or premises.
- Threatening, planning or attempting to damage or destroy, or damaging or destroying Questar III property.
- Selling, offering for sale, purchasing, possessing, or using drugs or illegal substances in or on any Questar III building, facility, vehicle, property, or premises.
- Persons or situations posing a significant threat to the health, safety or welfare of the occupants of Questar III buildings, facilities, vehicles, property or premises.

Positive Behavior Incentives

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Certain Questar III classrooms and buildings utilize positive behavior incentive systems to encourage students to meet individual behavior goals. Responses to certain inappropriate behaviors may be addressed in accordance with these systems.

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**Non-Discrimination Notice
for Students and
Prospective Students**

Questar III does not discriminate on the basis of actual or perceived race, color, national origin, sex, disability, age, weight, ethnic group, religion, religious practice, sexual orientation, gender identity or expression, or other characteristic protected by federal or state law in its programs and activities, including but not limited to admission, access to and participation in educational programs, course offerings and student activities. Questar III provides equal access to the Boy Scouts of America and other designated youth groups. The following persons at Questar III have been designated to handle inquiries regarding Questar III's non-discrimination policies and the application of regulations prohibiting discrimination:

Title IX Compliance Officer
Questar III BOCES
10 Empire State Blvd.
Castleton, NY 12033
518-477-8771

504 Compliance Officer
Questar III BOCES
10 Empire State Blvd.
Castleton, NY 12033
518-477-8771

School Attorney
Questar III BOCES
10 Empire State Blvd.
Castleton, NY 12033
518-477-8771

For further information on notice of non-discrimination, or to inquire regarding the application of regulations prohibiting discrimination, contact the U.S. Department of Education Office for Civil Rights.