

School Age Division CODE OF CONDUCT



Victory Academy at Ridge

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STUDENT CODE OF CONDUCT

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STATEMENT OF PURPOSE, VALUES AND PHILOSOPHY OF SERVICE

Statement of Purpose

OLV Human Services strives to prepare, support, and empower individuals to achieve their life goals.

Values

OLV Human Services considers the following values to be the guiding principles necessary to successfully fulfill our organizational goals.

- **Teamwork** Working together toward a common goal with trust and support
- Respect Valuing skills, experiences, and knowledge that differ from your own
- Integrity Doing the right thing by being truthful, honest, and consistent
- Adaptability Willing to be creative, flexible, and innovative while accomplishing goals
- Accountability Following through on commitments and expectations

Philosophy of Service

OLVHS is committed to providing Trauma Informed Care. All staff receive training in "Risking Connection", an organizational model which emphasizes the concepts of empowerment, connection, and collaboration.

INTRODUCTION

OLV Human Services (hereafter known as OLV) is committed to providing a safe and orderly school environment where students may receive, and staff may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other personnel, parents, and other visitors is essential to achieving these goals.

OLV's expectations for conduct on school property and at school functions are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. This Code also includes language regarding policy and practice in accordance with the *Dignity for All Students Act*. This Act ensures that no student is subject to bullying, cyber bullying, harassment, and/or discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, transgender, and gender nonconforming (GNC), or gender by school employees, visitors, or students when on school property, on a school bus, or at a school function. Additionally, these Code requirements apply to off-campus behavior that creates or could create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threat, or intimidation or abuse might reach school property.

OLV recognizes the need to:

- Clearly define acceptable conduct
- Provide proper training in the areas of civility, citizenship, and character education
- Identify the possible consequences of unacceptable conduct and
- Ensure that discipline is administered promptly and fairly

To this end, OLV adopts this **Code of Conduct**. Unless otherwise indicated, this Code applies to all students, school personnel, parents, and visitors when on school property or attending a school function.

DEFINITIONS

For purposes of this Code, the following definitions apply:

Color	Means the term referring to the apparent pigmentation of the skin, especially as an indication or possible indication of race.	
DASA	The New York State Dignity for All Students Act (Dignity Act) was signed into law on Sept. 13, 2010 and became effective July 1, 2012. This legislation amended State Education Law by creating a new Article 2 - Dignity for All Students. The Dignity Act states that NO student shall be subjected to harassment or discrimination by employees or students on school property or at a school function based on their actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. The OLV Human Services School Age Programs will not tolerate incidents of discrimination, intimidation, taunting, harassment, or bullying on school property, a school bus and/or at a school function by students and/or school employees.	
Disruptive Student	Means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.	
Employee	Means any person receiving compensation from OLV or employee of a contracted service provider.	
Ethnic Group	Means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry	
Gender	Means actual or perceived sex and includes a person's gender identity or expression (Education Law Section 11[6]).	
Ethnic Group	Means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.	
Gender nonconforming (GNC)	Describes people whose gender expression differs from stereotypic expectations. GNC individuals may identify as male, female, some combination of both or neither.	
Harassment	As defined in DASA, harassment means creating a hostile environment by conduct or by verbal threats, intimidation or abuse that unreasonably and substantially interferes with a student's educational performance, opportunities or benefits, or a student's	

	mental, emotional or physical well-being. Harassment includes verbal threats, intimidation or abuse that may cause a student to fear for his or her physical safety and may include, but is not limited to, conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, or sex. Education Law Section 11(7).	
National Origin	Means a person's country of birth or ancestor's country of birth.	
Parent	Means the biological, adoptive or foster parent, guardian or person in parenta relation to a student.	
Personal Items	Any items brought on school property. Examples, but not restricted to: backpacks, handbags, additional clothing, toys, makeup, stuffed animals.	
Race	Means a group of persons related by a common descent or heredity	
Religion	Means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.	
Religious Practice	Means a term including practices and observances, such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, etc.	
School Day	The entirety of every instructional day as required by subdivision 7 of the Educational Law Section 3604 during all instructional time and non-instructional time, including but not limited to homeroom periods, lunch, recess, study halls, and passing time.	
School Function	Means any school-sponsored event or activity, on and/or off site. Education Law Section 11(2)	
School Property	Means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of OLV Human Services Schools or in or on agency transportation. Education Law Section 11(1)	
Sex	Means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)	
Sexual Orientation	Means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law Section 11[5]). Means the sex to which a person is sexually attracted. Someone attracted primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual. Someone attracted primarily or exclusively to members of the same sex is characterized as homosexual. A person with a strong or viable attraction to both genders is characterized as bisexual or pansexual.	

Student with a Disability	Means a student with a disability who has not attained the age of 21 prior to September 1 st and who is entitled to attend public schools and who, because of mental, physical or emotional reasons, has been identified as having a disability and who requires special services and programs approved by the New York State Education Department.		
Transgender	Describes a person whose gender identity does not correspond to their assigned sex at birth.		
Vandalism	Is an act of willfully or maliciously destroying or defacing school property or the property of an individual(s).		
Violent Student	 Means a student under the age of 21 who: Commits an act of violence upon a school employee Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at a school function Possesses or facilitates transport, storage or use of a weapon while on school property or at a school function Displays, while on school property or at a school function, what appears to be a weapon Threatens, while on school property or at a school function, to use a weapon Knowingly and intentionally damages or destroys the personal property or at a school function Knowingly and intentionally damages or destroys OLV-leased or -owned property. 		
Visitor	Means anyone who is not a regular staff member or student of OLV.		
Weapon	Means a firearm as defined in 18 USC 921 for the purposes of Gun Free Schools Act. It also means any item including but not limited to a [Other] gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switch-blade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, taser gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used [to cause physical injury or death].		

PROGRAM PARTICIPANT BILL OF RIGHTS

While you and your family are receiving services from OLV, it is understood that you have the right to:

- A safe, clean, and healthy environment.
- Your basic human and legal rights, ensuring that you are not physically, mentally, or sexually abused.
- Freedom from unnecessary medication and to make an informed choice to refuse specific medication or treatments, unless ordered by law.
- Protection from being taken advantage of at all times.
- Confidentiality with regard to all information, including medical decisions, contained in your record and access to such information, as defined by law and OLV policy.
- Freedom from discrimination, abuse, or any other unnecessary attention, based on HIV/AIDS testing, diagnosis, or related illness.
- A personalized treatment plan, inclusive of a discharge plan, which promotes your
 individualization, independence, integration, and productivity in the community. You and your
 family will participate in the development of and have input on any changes made to this plan.
 You may request the opinion of a consultant at your own expense, or you may request an
 in-house review of your treatment plan.
- Services from an adequate number of trained staff, who will treat you with respect.
- Express your spirituality through the means of your choice. This right includes the right to choose not to participate.
- Have all information provided in a language you understand.
- Balanced and nutritional meals for breakfast and lunch. Your meals will not be denied to punish or discipline you.

STUDENT RIGHTS AND RESPONSIBILITIES

With every right comes Responsibility.

It is the student's right:	It is the student's responsibility:
To attend school in the least restrictive environment as decided by the school district in which the student's parent or legal guardian resides.	To attend school daily, regularly and on time, perform assignments, and strive to do the highest quality work possible and to be granted the opportunity to receive a good education.
To expect that school will be a safe, orderly and purposeful place for all students to gain an education and to be treated fairly.	To be aware of all rules and expectations for student behavior and conduct oneself in accordance with these guidelines.
To be respected as an individual.	To respect one another and to treat others in the manner that one would want to be treated.
To express one's opinions verbally or in writing.	To express opinions and ideas in a respectful manner so as not to offend,

To dress appropriately in accordance with	
the dress code, so as not to endanger health, safety, limit participation in school activities or be unduly distracting	
To be aware of available educational programs in order to use and develop one's capabilities to their maximum.	
To work to the best of one's ability in all academic and extracurricular activities, as well as being fair and supportive of others.	
To be aware of the information and services available and to seek assistance in dealing with personal problems, when appropriate.	
To respect one another and treat others fairly. To conduct themselves in a manner that is free from intimidation, harassment, or discrimination. To report, and encourage others to report, any incidents of bullying, cyber bullying, intimidation, harassment and/or discrimination. Seek help in solving problems through participation in restorative practices.	

ESSENTIAL PARTNERS AND GOALS

ALL PARENTS & GUARDIANS ARE EXPECTED TO:

- Make certain your child's attendance at school is regular and punctual and all absences are properly excused
- Ensure that your child is dressed in compliance with school rules regarding sanitation and safety and in fashion that will not disrupt classroom procedures in accordance with this Code.
- Be as certain as possible that your child is free of communicable disease and is in good health, enabling him or her to participate in the learning environment.
- Agree to respect building specific requirements regarding security and safety. Parents will sign in and present proper identification in accordance with building procedures.

- Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
- Help their children understand that appropriate rules are required to maintain a safe, orderly environment as per OLV Human Services Code of Conduct.
- Know school rules and help them understand them.
- Convey to their children a supportive attitude toward education and the district.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Participate in restorative conferences following serious incidents of student wrongdoing as a way to support their child in repairing the harm done by misconduct.
- Participate in re-entry circles scheduled by school administration as a way to support their child in re-integration to the school community.

ALL PARTNERS ARE EXPECTED TO:

- Recognize that the education of children is a joint responsibility of the parents/guardians and the school community.
- Know the school rules and help all parties to be clear on the meaning of these rules.
- Convey to students a supportive attitude towards education and OLV.
- Constantly work at communication to and from schools and residential placement.
- Help students deal effectively with peer pressure, emerging personal social and emotional problems.
- Teach and model for students respect for oneself, others, the school system and respect for authority.
- Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
- Set a good example for others by demonstrating dependability, integrity and other standards of ethical conduct.
- Assist in promoting a safe, orderly and stimulating school environment.
- Maintain confidentiality about all personal information and educational records concerning students and their families.
- Maintain and encourage a climate of mutual respect and dignity for all students regardless of
 actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice,
 disability, sexual orientation, gender/gender identity with an understanding of appropriate
 appearance, language, and behavior in a school setting, which will strengthen students'
 self-image and promote confidence to learn.
- Report incidents of bullying, cyber bullying, harassment, and/or discrimination that are witnessed or brought to the individual's attention to a teacher, a OLV administrator, or Compliance Officer in a timely manner.

ALL TEACHERS ARE EXPECTED TO:

- Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
- Be prepared to teach.
- Demonstrate interest in teaching and concern for student achievement.
- Know school and residential policies and rules and enforce them in a fair and consistent manner.
- Communicate to students and parents:
 - o Course objectives and requirements
 - o Marking/grading procedures
 - o Expectations for students

- o Classroom management plan
- Communicate regularly with students, parents and other building professionals concerning growth and achievement.
- Build positive relationships with students and parents.
- Act as role models for students, maintain appropriate personal boundaries with students, and refrain from engaging in any behavior that could reasonably lead to even the appearance of impropriety.
- Employees are expected to maintain a professional, ethical relationship with students and all other stakeholder groups and must always maintain supervision levels of students. Residential students must always be in the eyesight of staff.

STUDENT SUPPORT SERVICE PERSONNEL provide educational-related services to students; includes social workers, psychologists, speech, physical and occupational therapists, as well as classroom aides, behavioral health specialists and behavior support services staff. Their responsibility is to:

- Support educational and academic goals.
- Regularly review with students their educational progress and career plan.
- Provide information to assist students with career planning.
- Encourage students to benefit from the curriculum and extra-curricular programs.
- Act as role models for students, maintain appropriate personal boundaries with students, and refrain from engaging in any behavior that could reasonably lead to the appearance of impropriety. Inappropriate fraternization of staff with students is against school policy.
- Employees are expected to maintain a professional, ethical relationship with students and all other stakeholder groups and must always maintain supervision levels of students. Residential students must always be in eyesight of staff.
- Use trained curriculum, TCI, SCIP-R, Ukeru, in crisis prevention, intervention and de-escalation.

OLV PRINCIPALS ARE EXPECTED TO:

- Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of student grievances.
- Evaluate on a regular basis the effective safety, behavioral and school management issues related to all instructional programs.
- Support the development of and student participation in appropriate extracurricular activities.
- Enforce the Code of Conduct, ensuring that all cases are resolved promptly and fairly and, when necessary, appropriately documenting actions.
- Inform all students, staff and parents/guardians of the Code of Conduct at the beginning of the school year and any revisions to the Code made during the school year.
- Explore and implement positive behavior plans appropriate at each age level.
- Act as role models for students, maintain appropriate personal boundaries with students, and refrain from engaging in any behavior that could reasonably lead to even the appearance of impropriety. Inappropriate fraternization of staff with students is against school policy.
- Promote a safe, orderly, respectful, and stimulating school environment, free from intimidation, bullying, harassment, and/or discrimination by supporting active teaching and learning.
- Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher

All Teachers, Support Staff and Principals are expected to implement restorative practices and

STUDENT DRESS CODE

OLV Human Services will adhere to the Centers for Disease Control (CDC), New York State Department of Health, and local Department of Health guidance and recommendations (both current and future) regarding face coverings in all schools, buildings, school facilities and while transported, especially when other social distancing measures are difficult to maintain.

Victory Education expects students to dress in a manner that supports a safe, respectful, and inclusive learning environment. Our dress code prohibits attire that distracts from instruction, compromises safety, or targets specific student groups. The responsibility for student dress and general appearance rests with individual students and their parent/guardian, or residential campus staff if applicable. OLV will not prescribe student dress while at school-sponsored events based on either fashion or taste as the sole criterion. However, OLV will regulate a student's dress to ensure that students attend school or school-sponsored events in appropriate attire that meets health and safety standards and does not interfere with the learning process. Student dress shall in no way be extreme as to be distracting or disruptive to the educational process of the school. For example, the following will not be permitted:

- Clothing and jewelry worn to make a political or religious statement that is disruptive of the educational process, lewd or offensive.
- Clothing that would be considered "sleepwear" including blankets and stuffed animals (Unless given permission by the principal or designee).
- Clothing, footwear, jewelry, and accessories that present a threat to the student's or another student's health or safety.
- Mechanical handcuffs or restraints are not permitted to be carried or worn by students on school grounds.
- Clothing or materials on school grounds, at school functions, or school-sponsored events that are obscene; advocate illegal action; promote and/or endorse the use of alcohol, tobacco, tobacco products, marijuana, marijuana products, smoking paraphernalia, or illegal drugs or encourage other illegal or violent activities; appear libelous, or denigrate others on the basis of race, color, religion, creed, national origin, gender, sexual orientation or disability; obstruct the rights of others, or are disruptive to the school program.
- Headwear (e.g. hats, bandanas, etc.) may not be worn in the building unless for medical, religious, and/or cultural reasons. Headwear must allow the face to be visible to staff, and not interfere with the line of sight of any student or staff.
- Exposed undergarments (bra, underwear, boxers)
- Hoods may not be worn at any time.

Specific dress requirements may be required for students participating in activities in which clothing and jewelry may be a safety or health concern, e.g. science laboratories, physical education, technology classes, athletics and Work Based Learning. Due to our robust Work Based Learning program, students are expected to maintain a level of professional/business casual dress in order to be ready and available to go into the community and participate in worksites.

Each building Principal shall be responsible for informing students of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

Students who violate the student dress code may be required to modify their appearance by covering or

removing the offending item and, if necessary or practical, replace it with an acceptable item. Any student who refuses to do so may be subject to discipline. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline. The Principal and other designated administrative personnel shall have the authority to require a student to change his/her attire should it be deemed inappropriate according to the above guidelines. Administrators, teachers and all other school personnel should model and reinforce acceptable student dress.

STUDENT PERSONAL ITEMS

Students K-6 at Victory Academy @ SJP and Ridge I may bring backpacks with personal items into school and will have a designated cubby or locker for storage.

Students grades 7-12 at Victory Academy @ Ridge must turn in all personal items and backpacks upon entering the school building. Items will be stored securely throughout the school day. Agency personnel, including the building principal and/or designee, may allow backpacks and/or other personal items to be carried based on individual student need.

Students at Victory Learning Center may bring backpacks with personal items, and a storage area will be designated in each classroom.

Students at Victory Academy @ Nelson are NOT permitted to bring personal items from the suites. Items that are brought over will be secured in a designated area. Students returning mid-day from a home visit must return to the suites to return personal items prior to coming to school. Day Students may bring personal items/backpacks, and a storage area will be provided.

DISCIPLINE CODE FOR STUDENT BEHAVIOR

Students are responsible for conducting themselves in an orderly manner in accordance with school policy and within the legal limits of the law. The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, and for the consequences of their misbehavior. OLV staff 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.

OLV 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 set standards 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 may be required to accept the responsibilities of their actions. Student cognitive & emotional functioning levels are taken into consideration when evaluating behavior and discipline.

DISCIPLINARY ACTIONS

OLV Human Services will use a positive approach to student behavior and restorative practices to minimize the need for suspension and maximize instructional time for every student. We recognize the importance of developing social emotional skills of all youth and adults in our program. Students may be subject to disciplinary action, up to and including a potential suspension from school, when

they engage in or promote:

<u>Conduct that is disorderly</u> – including, but not limited to:

- Making unreasonable noise.
- Using language or gestures that are profane, lewd, vulgar or abusive.
- Obstructing vehicular or pedestrian traffic.
- Engaging in any willful act which disrupts the normal operation of the school community
- Trespassing. (Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.)
- Pulling a fire alarm, discharging a fire extinguisher, pulling an AED alarm and/or calling 911 without cause.
- Defaming, vandalizing, disrespecting and/or destroying school property, as well as property off-campus that is visited because of a field trip or school-sponsored event.
- Misusing computer/electronic communication devices.
- Spitting on peers or staff members

<u>Conduct that is insubordinate or disruptive</u> – including but not limited to:

- Failing to comply with the lawful directions and/or responding to reasonable inquiries of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
- Lateness for, missing or leaving school without permission.
- Lying to school personnel.

Conduct that is violent or physically aggressive – including but not limited to;

- Threatening and/or committing an act of violence (such as hitting, kicking, biting, punching, and scratching) upon a teacher, administrator or other school employee, another student or any other person lawfully on school property.
- Possessing a weapon or displaying what appears to be a weapon. "Weapon" means, but is not limited to, a gun, pistol, revolver, shotgun, rifle, disguised gun, bullets, dagger, razor, stiletto, switchblade or Swiss Army knife, pocket knife, gravity knife, multi-tool, metal knuckle knife, box cutter, electronic dart gun, Kung Fu star, stun gun, pepper spray or other noxious spray, explosive or incendiary device and/or bomb, or other dangerous instrument that can cause physical injury or death.
- Threatening to use any weapon including, but not limited to the weapons stated above.
- Intentionally defacing, vandalizing, damaging or destroying school property or the personal property of a teacher, administrator, other school employee or any person lawfully on school property, or at a school function, including graffiti or arson.
- Bullying, which encompasses an imbalance of power and a variety of negative acts (such as hitting, kicking, spitting, taking personal belongings, taunting, name calling, intimidation) carried out repeatedly over time by a student or group of students towards a less powerful student(s).
- Engaging in harassing conduct, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety

<u>Conduct that endangers the safety, morals, health or welfare of others</u> – including, but are not limited to:

• Stealing or assisting in the theft of school property or the property of other students, school personnel or any other person lawfully on school property or attending a school function.

- Acts of sexual harassment and/or engaging in sexual acts while on school property or attending school functions.
- Buying, selling, using, possessing or distributing obscene material.
- Possessing, distributing or smoking cigarettes, including vapor cigarettes (and associated liquid substances), cigar, pipe or using chewing or smokeless tobacco.
- Possessing, consuming, buying, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. "Illegal substances" include inhalants (vapes), marijuana, CBD oils, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs (substances that resemble "illegal" substances, including those used to simulate drug-use behaviors), synthetic marijuana, K2/Spice and Bath Salts.
- Inappropriately using or sharing prescription and over-the-counter drugs.
- Possessing paraphernalia used in connection with cigarettes, including vapor cigarettes (and associated liquid substances) alcoholic beverages, illegal substances, prescription drugs and over-the-counter medications.
- Making false statements about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them. This includes, but is not limited to, posting or publishing pictures (hard copy, cell phones, Internet, YouTube, etc.).
- Behaving in a manner, either on school property or at a school-sponsored function that
 discriminates against a student based upon that person's perceived or actual race, color, weight,
 national origin, ethnic group, religion, religious practice, disability, sexual orientation, or
 gender.
- Engaging in cyber bullying, including the use of email, websites, chat rooms, and text messaging, when such use interferes with the operation of the school or infringes upon the general health, safety and welfare of students or employees.
- "Cyber" Violations including the inappropriate and/or unauthorized use of technology (including personal electronic devices such as MP3 devices or cell phones; computers; cameras; video and/or audio taping equipment; software) and/or the Internet to engage in behaviors including, but not limited to, bullying, intimidating, threatening, harassing, maligning and/or defaming others, accessing websites for non-approved purposes; sending, and/or forwarding sexually explicit videos, pictures or auditory recordings and other communications of a sexual nature. (see Electronic Device and Social Media Policy below)
- Engaging in bullying, harassment and/or intimidation including communication (verbal, written, or graphic) and/or physical conduct based on an individual's actual or perceived race, color, creed, religion, national origin, political affiliation, sexual orientation, age, marital status, military status, veteran status or disability that has the purpose or effect of substantially or unreasonably interfering with an individual's work performance, academic performance, or participation in an educational or extracurricular activity.

Academic Misconduct – including, but not limited to:

- Plagiarism
- Cheating or copying
- Altering records
- Violation of field trip procedure and behavioral expectations.
- Violation of copyright laws
- Assisting another student in any of the above actions.

The above applies for in-person and remote learning.

Weapons

OLV Human Services School Age Programs strictly enforce a "zero tolerance" policy for any items deemed to be a threat to staff, students, etc. No toy guns or knives are allowed within the program. Such items will be confiscated and disposed of safely by staff members. OLV Human Services will introduce and reinforce the practice of non-violence when dealing with conflicts.

REPORTING WEAPONS OR SUBSTANCE ABUSE VIOLATIONS

Any student or staff member observing a student possessing a weapon, alcohol, marijuana 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, OLV officials shall notify the appropriate law enforcement agency. Additionally, if such misconduct is committed by a student with a disability, such action shall not constitute a change in the student's placement. The notification must identify the student(s) and explain the conduct that violated the Code of Conduct and constituted a crime.

ELECTRONIC DEVICE AND SOCIAL MEDIA POLICY

In alignment with New York State's Distraction-Free Schools Law (Education Law §2803), the use of personal technology devices, including, but not limited to internet enabled cell phones, smart watches, earbuds are prohibited for all students during the school day, including non-instructional times such as breakfast, lunch, and transitions. This law is intended to increase the engagement of the students across all grade levels and reduce distractions in the learning environment.

Students are not permitted to possess cell phones/smart watches/mobile communication devices during the school day. All students will be obligated to turn their cell phones/devices in upon arrival to school staff. Phones will be returned at the end of the day. Cell phone use will not be permitted throughout the school day. All personal technology devices, including smart watches, (as noted above and defined by Educational Law) must be powered off and stored in a building/administrator-directed location throughout the school day.

Exceptions to the Enforcement of the Distraction Free Schools Law may be made only for:

- Devices specified on a student's IEP or 504 Plan
- Students with documented medical needs who require access to a device that has been reviewed and approved by Administration
- Students who require translation services that have been reviewed and approved by Administration
- Students who have caregiver responsibilities that have been reviewed and approved by administration
- Other reasons as required by law.

Students who fail to comply with expectations set for turning in devices daily may be subject to progressive disciplinary consequences. However, in accordance with Education Law §2803, students shall not be suspended solely for unauthorized use of personal technology devices. Students are permitted to possess mp3 players without **internet**, **video or voice recording** capabilities. These devices can only be used when given permission by the classroom teacher or school personnel. The student assumes all risks in bringing such devices onto school property or to school related functions such as field trips.

Any OLV student observed taking, disseminating, transferring or sharing obscene pornographic (child or adult), lewd or otherwise illegal images or photographs by electronic data transfer (texting, posting to social media, Snapchat, etc.) may constitute a CRIME under New York State and or Federal Law. Such acts will be subject to disciplinary action within the school and reported to the appropriate Law Enforcement Agency. Students are not permitted to use any form of information technology, to intimidate, harass or threaten others. This type of harassment is generally referred to as cyberbullying and will result in disciplinary action.

ACCEPTABLE USE FOR AGENCY PROVIDED TECHNOLOGY

OLV will provide students with access to internet-enabled devices, including Chromebooks, Tablets and Smartboards.. These devices may include various software, hardware, computer networks, and electronic communication systems such as email, the internet, and cloud-based services. They are intended primarily for academic use and will be utilized at the discretion of the classroom teacher.

Access to Inappropriate Content

OLVHS utilizes web filtering tools and firewalls to block access to certain websites and online materials deemed unsuitable or distracting from the academic setting. Students are strictly prohibited from attempting to bypass or disable these security measures in any way, including the use of VPNs, proxy servers, or other circumvention tools. Social Media sites such as, but not limited to Facebook, Snapchat, Instagram & Tik Tok should not be accessed on agency provided devices.

Standards of Acceptable Use

Generally, the same standards of acceptable student conduct which apply to any school activity will apply to use of Agency Provided Technology.

Students must also adhere to the laws, policies and rules governing computers including, but not limited to, copyright laws, rights of software publishers, license agreements, and student rights of privacy created by federal and state law.

Student data files and other electronic storage areas will be treated like school lockers. This means that these areas will be considered to be Agency property subject to control and inspection. Students should NOT expect that information stored on an Agency provided device will be private.

Students who engage in unacceptable use may lose access to agency provided technology in accordance with applicable due process procedures, and may be subject to further disciplinary consequences based on the discipline ladder.

STUDENT CONDUCT DURING TRANSPORTS

OLV believes it is crucial for students to behave appropriately while riding in agency vans, to ensure their safety, that of other passengers, and the fewest possible distractions for drivers.

Students are required to conduct themselves, during transport, in a manner consistent with the expectations established under the Code of Conduct. Excessive noise, pushing, shoving, and fighting, harassment and discrimination will not be tolerated. It is important that those waiting for the vans conduct themselves properly in respect to the rights and property of others.

Expectations for transports include, but not limited to:

- Absolutely no eating or drinking is allowed on the van.
- No medication can be transported on the van.
- A student's personal belongings should be placed securely in his/her backpack unless specific arrangements have been made with the staff.

These rules are for the safety and well-being of all our students and staff. If a student does not conduct himself/herself properly during transport, the driver shall notify the building Principal and/or designee. Day students are expected to follow all transportation expectations and policies of their district.

STUDENT DISCIPLINE AND SUPPORT

Student discipline and support policies and practices will be implemented in a manner which is respectful, caring, equitable and based on trust among administration, staff, students and families. These policies and practices will hold all individuals accountable, but be restorative and solution oriented, rather than punitive. This will help students learn from their mistakes; understand why their behavior is unacceptable; acknowledge the harm they may have caused; and take responsibility for their actions.

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

- Level of offense according to OLV Human Services Education Division Discipline Ladder
- The student's age.
- The nature of the offense and the circumstances that led to the offense.
- The student's prior participation in restorative practice interventions.
- The effectiveness of other forms of discipline.
- Input from parents, teachers, mental health staff (e.g. school counselors, social workers and psychologists) and/or others, as appropriate.
- Other extenuating circumstances.

As a general rule, discipline will be progressive. Students who are found to have violated the student Code of Conduct may be subject to the following penalties, either alone or in combination with one another, imposed only by authorized school personnel consistent with the discipline ladder and with the student's right to due process.

Student cognitive & emotional functioning levels are taken into consideration when evaluating behavior and discipline.

DISCIPLINE OF STUDENTS WITH DISABILITIES

If the conduct of a student is related to a disability or suspected disability, discipline, if warranted, shall be administered consistent with the separate requirements 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.

RESTORATIVE PRACTICES

Restorative Practices refers to the use of strategies that build relationships within the school community and help to repair the harm done by student wrongdoing through a multitiered system. Restorative approaches are based on the idea that when we feel part of a supportive community, we respect others in that community and become accountable to it. The school will foster this sense of community through daily or weekly circles, in advisory, or in any class. Circles help participants better understand each other, engendering a sense of empathy and connection. Adults can build the effort by modeling collaborative, respectful behavior themselves. Adults can also have their own circles, creating a safe place where they too can connect and explore challenges.

https://www.edutopia.org/article/bringing-restorative-practices-to-your-school-laura mcclure

DISCIPLINE LADDER (Appendix A)

- LEVEL ONE: Classroom Interventions and Responses
- LEVEL TWO: Social Worker Interventions and Responses
- LEVEL THREE: Behavior Support Interventions and Responses
- LEVEL FOUR: ARC Interventions and Responses
- LEVEL FIVE: Administrative Review / External Referral

ARC- Academic and Restorative Collaboration. Students will be paired with a support staff to work on Daily Academic Activities and Restorative Assignments as a response to behaviors

ADDITIONAL DISCIPLINE MODALITIES/LEVEL FIVE INTERVENTIONS

May be appropriate if all other supports have been exhausted or if the behavior or misconduct is a violation of the law.

In School Suspension

OLV Human Services recognizes that the school must balance the needs of the students to attend school and the need for order in the classroom to establish an environment conducive to learning. The Principal reserves the right to place students who would otherwise be suspended from school as the result of the Code of Conduct violation in "in-school suspension." The in-school suspension staff person will be supervised by a certified teacher. A student subject to an in-school suspension is not entitled to a full hearing pursuant to Education Law 3214. However, the student and the student's parents will be provided with a reasonable opportunity for an informal conference with OLV Human Services administration imposing the in-school suspension to discuss the conduct and the decision for suspension.

Suspension from School

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare or self-and/or others. OLV Human Services retains its authority to suspend students and the primary responsibility for suspension lies with the Principal. Any staff member may recommend that a student be suspended. All staff members must immediately report a violent student to the principal for a violation of the Code of Conduct. All recommendations will then warrant fact gathering for the relevant matter.

Short-term (5 days or less) Suspension From School

When the principal proposes to suspend a student charged with misconduct of five days or less pursuant to Education Law 3214, principal or assistant principal must immediately notify the student orally. If the student denies misconduct, the principal must provide an explanation of the basis for the proposed suspension. The principal or designee must also notify the student's parents in writing that the student is being suspended from school. The written notice must be provided by personal delivery, express mail delivery or some other means that is reasonably calculated to assure receipt of the notice within 24hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents. The notice shall provide a description of the charges against the student and the incident for which the suspension is proposed and shall inform the parents of the right to request an informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. The notice for suspension will also include the Procedural Safeguards document, as well as the availability of alternative instruction. At the conference, the parents shall be permitted to ask questions of the complaining witnesses under such procedures as the principal may establish. The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference will take place as soon after the suspension as is reasonably possible.

Long-term (5 days or more) Suspensions From School

When the principal that a suspension for more than 5 days or more is warranted, the home school district will be notified, the student and the student's parents will be notified of their right to a fair hearing. The notice for suspension will also include the Procedural Safeguards document, as well as the availability of alternative instruction. Once the 5-day suspension has been determined a hearing will be hosted by the home school district. The student will then have the opportunity and right to question witnesses against him or her and the right to present witnesses and other evidence on his/her behalf.

Minimum Periods of Suspension

- 1. Students who bring weapons to school: In accordance with the Gun-Free Schools Law, a student that is in possession of a firearm is subject to a minimum of a 1-year suspension. Police involvement will be included as well as parent notification.
- 2. Students who commit violent acts: Any student, who is found to have committed a violent act, shall be subject to suspension up to five school days based on investigation of the incident and severity of the act.

This includes a student that:

- Commits an act of violence upon a school employee or attempts to do so.
- Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
- Possesses, while on school property or at a school function, a weapon.
- Displays, while on school property or at a school function, what appears to be a weapon.
- Threatens, while on school property or at a school function, to use a weapon.
- Knowingly and intentionally damages or destroys the personal property of any student, school employee or any person lawfully on school property or at a school function.
- Knowingly and intentionally damages or destroys school property.
- Students who are repeatedly and substantially disruptive of the educational process or who repeatedly substantially interfere with the teacher's authority over the classroom:

An investigation and gathering of facts will take place regarding the specific incidents and suspension will be determined on a case-by-case basis. Suspensions can be up to five days in length based on the severity of the incident.

SAFETY OF STUDENTS AND STAFF

In situations where behaviors become threatening to the student and others, staff are required to use their skills learned through the TCI, SCIP-R or Ukeru training. External support may be called upon at the discretion of the principal. The use of timeout shall only be used in a situation that poses an immediate concern for the physical safety of the student or others. Staff shall return the student to their educational program as soon as the student has safely deescalated, regained control and is prepared to meet expectations. Whenever a school employee uses TCI or SCIP-R physical interventions or an emergency use of timeout, that person shall, within the same school day, must make a written report describing in detail the circumstances and the nature of the action taken. Parents or persons in a parental relation to the student must be notified within the same school day based on building notification procedures and will be provided a copy of the documentation of the incident within three school days of the use of timeout or a physical restraint.

USE OF METAL DETECTORS (MAGNETOMETERS)

Victory Education is committed to the safety and security of our students, staff and visitors of our school buildings. The use of metal detectors (magnetometers) is authorized as a preventative measure to deter and detect the possession of weapons and other prohibited items on school property and at school sponsored events.

The Building Administrator reserves the right to authorize the use of metal detectors: either stationary or handheld in school buildings or events. These metal detectors may be used as a daily precautionary or due to reasonable suspicion of a concern for safety.

Students at Victory Academy at Ridge undergo daily precautionary screenings. All other school sites will use hand held metal detection devices as deemed necessary by the Administration.

STUDENT SEARCHES AND INTERROGATIONS

OLV strives to maintain a safe and orderly school setting. Any authorized school official may question a student regarding alleged violations of law or the school Code of Conduct. There is no requirement for a "Miranda"-style warning before questioning, nor is contacting the student's parents necessary beforehand

Searches of Students & Personal Belongings:

The Executive Leader, Principals, designees, and security staff may search students or their personal items if there is reasonable individualized suspicion that evidence of wrongdoing will be found. Minimally intrusive searches (e.g., touching the outside of a backpack) may be conducted without suspicion, provided there's a legitimate reason. Searches based on credible information from reliable informants are also permitted. Before searching, officials are encouraged to seek voluntary admission or consent from the student. Searches should be confined to finding specific evidence and, where possible, conducted in administrative offices with the student present.

Desks & School Storage:

Student desks and other school storage areas are under complete school control. Students have no expectation of privacy in these spaces, which may be searched at any time without notice or consent.

Student Searches:

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat, jacket, or shoes/socks. No school official is authorized to conduct a strip search of any student for any reason at any time. School officials are directed to contact law enforcement if they believe there is an emergency that could threaten the safety of the student or of others.

Documentation & Handling of Items Found: Searches must be documented promptly, including details such as the student's identity, reason for the search, informant(s), scope, results, witnesses, time/location, and parental notification. The principal or designee is responsible for labeling, preserving, and, if necessary, personally delivering any confiscated illegal or dangerous items to law enforcement.

POLICE AND AGENCY INVOLVEMENT

School officials cooperate with law enforcement to ensure safety, but officers may only question or search students at school (or during school functions) if they have a warrant **or** probable cause a crime occurred. Before any questioning or search, the principal (or their designee) must attempt to notify the student's parent, who may choose to be present. If the parent cannot be reached, the action may proceed only if the student is at least 16 years old. The principal or designee must also be present during the questioning or search. Students maintain their legal rights, including the right to remain silent and request an attorney. Law enforcement may be called in to assist with searches, K-9 detection (with prior approval), handling contraband, or other situations, and any such search must meet the probable cause standard.

PUBLIC CONDUCT ON SCHOOL PROPERTY

OLV recognizes its purpose is to provide a superior atmosphere for learning and education. Any action by an individual or group aimed at disrupting, interfering, or delaying the education process or having

such effect, is a violation of school policy. OLV 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. OLV will also seek restitution from, and prosecution of, any person or persons who willfully damage school property.

The restrictions on public conduct on school property and at school functions contained in this Code are not intended to limit freedom of speech or peaceful assembly. The purpose of this Code is to maintain public order and prevent abuse of the rights of others.

<u>Prohibited Conduct</u> – including but not limited to the following:

- Intentionally injuring any person or threatening to do so.
- Engaging in behaviors that are harassing or discriminatory in nature.
- Intentionally damaging or removing school property.
- Using language or gestures that are profane, lewd, vulgar, or abusive.
- Disrupting the orderly conduct of classes, school programs or other school activities.
- Entering any portion of the school premises without authorization or remaining in any building or facility after it is normally closed.
- Obstructing the free movement of any person in any place to which this code applies
- Violating the traffic laws, parking regulations or other restrictions on vehicles.
- Possessing, consuming, selling, distributing or exchanging alcoholic beverages, illegal or controlled substances, or being under the influence of any on school property or at a school function
- Possessing or using firearms or other weapons in or on school property or at a school function, except in the case of law enforcement officers.
- Loitering on or about school property.
- Gambling on school property or at school functions.
- Stealing school property and/or the property of another individual.
- Refusing to comply with any lawful order of identifiable school officials performing their duties.
- Willfully inciting others to commit any of the acts prohibited by this Code.
- Violating any federal or state statute or local ordinance while on school property or while at a school function.
- Smoking or use of e-cigarettes and other tobacco products on school property.

Penalties for prohibited conduct on school property:

Visitors shall be subject to immediate ejection and, as the facts may warrant, precluded from being allowed on the premises of all school buildings and grounds. The length of said suspension shall be determined by the severity of the violation and the violator will receive written notice of the determination.

ENFORCEMENT

The Executive Leader shall be responsible for enforcing the conduct required by this Code. The Executive Leader may designate other staff that are authorized to act consistent with the Code.

When the Executive Leader or his/her designee sees an individual engaged in prohibited conduct, which in his/her judgment does not pose any immediate threat of injury to persons or property, the designated school official shall tell the individual that the conduct is prohibited and attempt to persuade the individual 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 designated school official shall have the individual removed immediately from school property or the school function. If necessary,

security officials and/or local law enforcement authorities may be contacted to assist in removing the person.

DISSEMINATION OF CODE OF CONDUCT

OLV will work to ensure that the community is aware of this Code of Conduct by:

- Providing copies of a summary of the Code to all students at the beginning of each school year.
- Posting the Code of Conduct on the Victory Education website for access by parents and community members.
- Providing all current teachers and other staff members with access to the Code and a copy of any amendments to the Code as soon as practicable after adoption.
- Providing all new employees with access to the current Code of Conduct when they are first hired.
- Making copies of the Code available for review by students, parents and other community members.

On an annual basis, the Code of Conduct will be explained to all students and a summary distributed. A copy of the Code will be filed in each school building, where it will be available for review by any individual. Victory Education will sponsor an in-service education program for all school staff to ensure the effective implementation of the Code of Conduct.

The Victory Education School Age Leadership Team will review this Code of Conduct every year and update it as necessary. In conducting the review, the Leadership Team will consider how effective the Code's provisions have been and whether the Code has been applied fairly and consistently. Once completed, it will be submitted to the OLV Human Services Board of Directors for annual approval.

Day students are expected to follow the Code of Conduct put in place by their district. If you do not have a copy of this Code of Conduct, please contact your district office.

Discipline Ladder

OLV EDU DIFFERENTIATED DISCIPLINE LADDER & LEVELS OF RESPONSE						
Key: Use lowest level indicated first						
Level 1: Classroom Managed - may be appropriate in response to student behavior or when a student has had no prior incidents.	but the bel	orker may be e after supports exhausted havior to negatively learning	Level 3: Behavior Support Interventions - may be appropriate after classroom support and social emotional support have been exhausted but the behavior continues to negatively affect the learning environment.	appropri student's seriously safety of	nic & ative oration- may be iate when a s behavior y affects the f others in the or school	Level 5: Administration referral - may be appropriate if all other supports have been exhausted. External Referral- Misconduct may be a violation of the law therefore law enforcement officials will be contacted.
LEVEL	LEVEL		BEHAVIORS			
LEVEL 1		 Attendance (up to 5) Academic Misconduct Bullying Report Disruption Defiance/Insubordination Dress Code Elopement Falsifying Information Fighting 			 Gambling Physical Aggression Profanity/Vulgarity/Obscenity Property Damage (Incidental) Sexual Harassment Technology Violation Threats Tobacco Transportation Miscellaneous Student Misconduct 	
 Aca Ass DA Diss Def LEVEL 2 Dru Elop Elop Fals Figh 		endance (more than 5) ademic Misconduct ault SA Investigated Incident ruption iance/Insubordination ss Code ags/Controlled Substance pement pement sifying Information thing mbling	 Sexual Harassment Sexual Misconduct Technology Violation 		Aggression Damage (Incidental) Damage (Under \$500) Jarassment Jisconduct Jogy Violation tation jing	

LEVEL 3	 Alcohol AWOL DASA Investigated Incident Drugs/Controlled Substance False Fire Alarm Falsifying Information Fighting Gambling Hate Crime Inhalants Paraphernalia Physical Aggression 	 Property Damage (Incidental) Property Damage (Under \$500) Property Damage (\$500-\$5,000) Sexual Harassment Sexual Misconduct Technology Violation Theft (Under \$500) Threats Tobacco Transportation Trespassing Miscellaneous Student Misconduct
LEVEL 4	 Alcohol Assault AWOL DASA Investigated Incident Drugs/Controlled Substance Elopement False Fire Alarm Falsifying Information Gambling Hate Crime Inhalants Paraphernalia Property Damage (\$500-\$5,000) 	 Property Damage (Under \$500) Property Damage (\$500-\$5,000) Property Damage (Over-\$5,000) Rioting Sexual Assault Sexual Harassment Sexual Misconduct Technology Violation Theft (Under \$500) Theft (\$500-\$5,000) Threats Tobacco Trespassing Miscellaneous Student Misconduct
LEVEL 5 (External Referral)	 Alcohol Arson Assault AWOL DASA Investigated Incident Drugs/Controlled Substance Explosive Devices False Fire Alarm Falsifying Information Fighting Gambling Hate Crime Inhalants Paraphernalia 	 Property Damage (\$500-\$5,000) Property Damage (Over-\$5,000) Rioting Robbery Sexual Assault Sexual Harassment Sexual Misconduct Theft (Under \$500) Theft (\$500-\$5,000) Theft (Over-\$5,000) Threats Trespassing Weapons