

**A PLAIN LANGUAGE SUMMARY OF THE WARSAW CENTRAL SCHOOL
DISTRICT’S CODE OF CONDUCT
2018-2019
UPDATED JULY 2016**

I. Introduction

The Board of Education (“Board”) of the Warsaw Central School District (“District”) is 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, teachers, other District personnel, parents and other visitors is essential to achieving this goal.

The District has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the character principles of civility, mutual respect, citizenship, perseverance, caring, self-discipline, courage, fairness, responsibility, honesty and integrity. District policies already regulate many aspects of behavior expected of District employees, students, and visitors to school property.

In accordance with the Dignity for All Students Act, School District policy and practice provide that no student is subject to discrimination or harassment, based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or by sex by school employees or students on school property, on a school bus, or at a school function.

This is a summary (not a complete reproduction) of the District’s Code of Conduct. All students, school personnel, parents and visitors to school property or school functions are expected to understand what conduct is allowed and what conduct is prohibited. The complete Code of Conduct is available for review on the school website and copies are available at the schools. Students, school personnel, parents and visitors to school property are invited and encouraged to review the complete Code of Conduct for further information about:

1. STUDENT RIGHTS AND RESPONSIBILITIES
2. ESSENTIAL PARTNERS
3. STUDENT DRESS CODE
4. STUDENT USE OF ELECTRONIC DEVICES
5. PROHIBITED STUDENT CONDUCT
6. REPORTING VIOLATIONS
7. DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS
8. ALTERNATIVE INSTRUCTION DURING SUSPENSION OR REMOVAL FROM CLASS
9. DISCIPLINE OF STUDENTS WITH DISABILITIES

10. USE OF PHYSICAL FORCE
11. STUDENT INTERROGATIONS AND SEARCHES
12. VISITORS TO THE SCHOOLS
13. PUBLIC CONDUCT ON SCHOOL PROPERTY
14. DISSEMINATION AND REVIEW

II. Definitions

For purposes of this code, the following definitions apply:

“Dignity for All Students Act” or (DASA) was established to provide a school environment free of discrimination and harassment. Under DASA, no student shall be subject to discrimination or harassment based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

“Color” means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

“Disability” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such impairment or (c) a condition regarded by others as such an impairment, provided, however, that all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provisions of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law Section 11[4] and Executive Law Section 292[21]).

“Discrimination” means treatment or consideration of, or making a distinction in favor of or against, a person or thing based on the group, class, or category to which that person or thing belongs rather than on individual merit

“Disruptive student” means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process, or who substantially interferes with the teacher’s authority over the classroom, or who at any time on school property or at a school function, disrupts the orderly functioning of the school or school function.

“Employee” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provisions of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involved direct student contact (Education Law Section s11[4] and 1125[3]).

“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” actual or perceived sex and includes a person’s gender identity or expression (Education Law Section 11[6]).

“Harassment” means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities, or benefits, or mental, emotional or physical wellbeing; or 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; such conduct, verbal threats, intimidation or abuse that includes 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 practice, 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 parent, guardian, responsible adult or person in parental relation to a student.

“Race” means a group of persons related by a common descent or heredity. For the purposes of enumeration the U.S. Census Bureau uses terms such as “White/Caucasian,” “Black/African American/African-descent,” “Asian,” Bi-racial,” “Hispanics/Latinos,” etc. to describe and classify the inhabitants of the United States.

“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, proselytizing, etc.

“School Bus” means every motor vehicle owned and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities (Education Law Section 11[1] and Vehicle and Traffic Law Section 142).

“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 a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142. "School property" for purposes of this code also means any class or instruction outside of the boundaries of the school but which constitutes a part of the student's educational program in the district, including, but not limited to, alternative instruction at a Board of Cooperative Educational Services ("BOCES") facility or program, work training, community training, work study, or internship. School property can also mean any furniture, equipment, educational supplies or other non-fixed personal property owned by the district.

“School function” means any school-sponsored extra-curricular event or activity.

“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]).

“Social Media” means web sites and other online means communication that are used by large groups of people to share information and develop social contacts. Examples include but are not limited to: Facebook, twitter, YouTube, email, text messaging, chat rooms, etc.

“Violent student” means a student under the age of 21 whom:

1. Commits violent conduct as defined in this code upon a school employee, or attempts to do so.
2. Commits, while on school property or at a school function, violent conduct upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon or an instrument of violence.
4. Displays, while on school property or at a school function, what appears to be a weapon or an instrument of violence.
5. Threatens, while on school property or at a school function, to use a weapon or an instrument of violence
6. Knowingly and intentionally damages or destroys the personal property of the district or any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.

To "threaten" means to communicate to any other person, either verbally, by overt act, or in any writing, information or statements that, explicitly or by implication, predict, threaten or describe past, present or future intention to engage in any act that would constitute any of the prohibited activities listed in sections 1 through 7 above.

"Weapon" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act.

"Dangerous weapon" will be used in this code to refer to the definition contained in 18 USC §930(g)(w) in the context of the discipline of a student with a disability as defined below.

An "instrument of violence" includes, but is not limited to, any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun 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.

"Volunteer" means any person who is Board approved and voluntarily offers himself or herself for a service or undertaking.

"Weight" means aside from the obvious meaning in the physical sciences, the word is used in reference to a person's "size".

III. Student Use of Certain Electronic Devices

Students may bring their own personal electronic devices, including but not limited to, cell phones, iPods, MP3 players, iPads, tablets, or laptops, to school. These devices may be carried with them and used in designated places in the building, including the cafeteria and hallways. Students may talk on their phones in the cafeteria, or in the office or front foyer **with permission**. In the classrooms, it is up to the teacher's discretion if s/he wants to allow the electronic device. Students may not use their electronic devices to record a picture, video, or audio of another person. Any student using their device in a non-designated area or fails to comply with the request of the teacher shall be subject to further discipline, up to and including in school suspension.

Student Use of Electronic Communication Devices K-5

Students are prohibited from using or having on or in an operational mode any paging device, mobile telephone, cellular telephone, laser pointer or pen or any other type of telecommunications or imaging device during instructional time. While students are permitted to possess such devices during the school day, they are prohibited from using them in any manner which invades the privacy of students, employees, volunteers or visitors. Any student using a device shall be subject to disciplinary procedures.

IV. Student Dress Code

The District will not use fashion or taste as the sole criterion to regulate student dress, but the District will regulate student dress to insure that students attend school in clothing that meets health and safety standards and that does not disrupt or interfere with the educational process. The principal and other designated administrative personnel shall have the authority to determine that a particular student's dress on a given day is "inappropriate" i.e., does not meet the above standard. Students who violate the Student Dress Code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

Students and their parents have the primary responsibility to make sure that student dress meets the code. All students are expected to give proper attention to personal cleanliness and to dress according to the Code for school and school functions. Teachers and all other District personnel should exemplify and reinforce this Code and help students develop an understanding of appropriate dress in the school setting.

For example, a student's dress, grooming and appearance, including hair style/color, jewelry, make-up and nails, shall:

1. Not include extremely brief garments such as tube tops, net tops, halter-tops, spaghetti straps, plunging necklines (front and/or back) or see-through garments.
2. Completely cover underwear with outer clothing.
3. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
4. Not include the wearing of headgear in the Elementary School building, nor for secondary students in the auditorium, offices, and upon a classroom teacher's request.
5. Not include items that are vulgar, obscene, libelous, gang-related or that bully or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability
6. Not promote, advertise and/or endorse the use of alcohol, tobacco or illegal drugs, paraphernalia, and/or encourage other illegal or violent activities.

7. Not constitute a danger to self or others in physical education class or athletic teams, under the guidelines set by the director of health, physical education and athletics.

The District may require specific dress for students participating in activities in which clothing and jewelry may be a safety or health concern, such as in science laboratories or technology class.

Each building principal or his or her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year.

V. Prohibited Student Conduct

Students may be subject to disciplinary action, up to and including suspension from school, when they, either alone or with others:

- A. Engage in conduct that is disorderly. Examples of disorderly conduct 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. Tampering with or vandalizing any School District property.
 7. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, unless the student has permission from the administrator in charge of the building or the student is present for a valid school or family purpose.
 8. Computer/electronic communications misuse, including any use of computers, software, or internet/intranet account that is unauthorized or violates any portion of this Code of Conduct; accessing inappropriate websites; or any other violation of the District's acceptable use policy.
- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include, but are not limited to:
 1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.

2. Leaving the school building or school property without permission.
 3. Skipping detention, in-school suspension or any other disciplinary assignment.
- C. Engage in conduct that is disruptive. Examples of disruptive conduct include, but are not limited to:
1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
 2. Any violation of the Student Dress Code as described in Article V above, or as further described in any school's guidelines regarding student dress.
 3. Any conduct that is disorderly as defined in Article VI, Section A above.
- D. Engage in conduct that is violent. Examples of violent conduct include, but are not limited to:
1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or, attempting to do so.
 2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or, attempting to do so.
 3. Possessing a weapon, a dangerous weapon or an instrument of violence. 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.
 4. Displaying what appears to be a weapon, a dangerous weapon or instrument of violence.
 5. Threatening to use any weapon, a dangerous weapon or instrument of violence.
 6. 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.
 7. Intentionally damaging or destroying School District property.
- E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include, but are not limited to:
1. Lying to school personnel.

2. Stealing the property of the School District, other students, school personnel, or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them. This can include posting or publishing video, audio recordings or pictures (written material, cell phones, Internet, YouTube, etc.).
4. Discrimination, which includes the use of race, color, weight, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.
5. Harassment, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be or which a reasonable person would perceive as ridiculing or demeaning. The creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities, or benefits, or mental, emotional or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability.
6. "Internet Bullying" (also referred to as "cyber bullying) including the use of instant messaging, email, websites, chat rooms, text messaging, or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees.
7. Sexual harassment, which includes unwelcome sexual advances, request for sexual favors, taking, sending or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
8. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
9. Hazing, which includes any intentional or reckless act on school property or at a school-sponsored activity directed against another for the purpose of initiation, affiliation or membership.
10. Bullying, which includes violent conduct, harassment and/or intimidation as defined above.
11. Selling, using or possessing obscene material.

12. Using vulgar or abusive language, cursing or swearing.
 13. Smoking a cigarette, cigar, electronic cigarette, pipe or using chewing or smokeless tobacco.
 14. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, paraphernalia, or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
 15. Unauthorized use or sharing of prescription and over-the-counter drugs.
 16. Gambling.
 17. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
 18. Initiating a report warning of fire, explosion, or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
 19. Using a computerized information system to engage in any of the above conduct. (Conditions of use are provided in BOE Policy 7315).
- F. Engage in misconduct while on a school bus or field trip 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. Excessive noise, use of vulgar language, pushing, shoving, fighting, harassment, and discrimination or any other violation of this Code of Conduct on a school bus will not be tolerated.
- G. 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.

VI. Reporting Violations

All students are expected to promptly report and describe violations of the Code of Conduct to a teacher, school counselor, the building principal or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance or paraphernalia on school property or

at a school function shall report and describe this information immediately to a teacher, the building principal, the principal's designee or the Superintendent.

VII. Disciplinary Penalties, Procedures and Referrals

The District will strive to see that disciplinary action, when necessary, is firm, fair and consistent, based on an evaluation of all relevant factors. Disciplinary action, when necessary, will be firm, fair and consistent so as 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:

1. The student's age.
2. The nature of the offense and the circumstances which led to the offense.
3. As authorized by the New York Education Law, the student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents, teachers and/or others, as appropriate.
6. Other extenuating circumstances.

A. Range of Penalties

Students who are found to have violated the District's Code of Conduct may be subject to the following penalties, either alone or in combination. Any one of the school personnel identified after each penalty is authorized to impose that penalty, consistent with the student's right to due process.

1. Oral warning – any member of the District staff.
2. Written warning – bus drivers, school monitors, teaching assistants, coaches, school counselors, teachers, principal or Superintendent.
3. Written notification to parent – bus driver, school monitors, teaching assistants, coaches, school counselors, teachers, principal or Superintendent.
4. Detention or other age-appropriate in-school penalty – teachers, principal or Superintendent.
5. Suspension from transportation – principal or Superintendent.
6. Suspension from athletic participation – director of physical education and athletics, principal or Superintendent.
7. Suspension from social or extracurricular activities – activity director, principal or Superintendent.

8. Restitution for the value of stolen property - principal or Superintendent.
9. Suspension of other privileges – principal or Superintendent.
10. In-school suspension to intensive learning center – principal or Superintendent.
11. Youth Court [**No Person Identified**]
12. Removal from classroom – teacher and principal or school administrator under rules described in Section 5 below.
13. Short-term (five days or less) out-of-school suspension – principal, Superintendent or Board.
14. Long-term (more than five days) out-of-school suspension – Superintendent or Board.
15. Permanent suspension from school – Superintendent or Board.

Minimum Periods of Suspension

Students who bring a weapon to school

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year.

Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214.

The Superintendent has the authority to modify the one-year suspension on a case-by-case basis.

Students who commit violent acts under this Code other than bringing a weapon to school

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, or who is found to have used or threatened to use an instrument of violence on school property, shall be subject to suspension from school for at least five days.

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom, will be suspended from school for at least five days. For purposes of this Code of Conduct, “repeatedly is substantially disruptive” means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law § 3214(3-a) and this Code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student’s parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum

five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

VIII. Discipline of Students With Disabilities

The Board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities as defined in this Code of Conduct to address disruptive or problem behavior. The Board also recognizes that such students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This Code of Conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

IX. Visitors to the Schools

All visitors to the school must report to the office of the principal upon arrival at the school. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must return the identification badge to the principal's office before leaving the building. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register. All visitors are expected to abide by the rules for public conduct on school property contained in the Code of Conduct.

X. Public Conduct on School Property

The District is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the Code, "public" shall mean all persons when on school property or attending a school function including, but not limited to, students, teachers, other school employees, visitors, those using school property under a permit granted by the District and District personnel.

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 District recognizes that free inquiry and free expression are indispensable to the objectives of the District. The purpose of this Code is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

A. Prohibited Conduct

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy School District property or the personal property of a teacher, administrator, other District employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities, including student dismissal procedures.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of race, color, weight, creed, national origin, religion, age, gender, sexual orientation or disability.
6. Enter any portion of the school premises, including the use of telephones, fax machines and computerized information systems, without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this Code applies.
8. Violate traffic directions, signs or traffic control devices, parking regulations or other restrictions on vehicles, especially in areas reserved for school buses during the hours of student arrival and dismissal.
9. Possess, consume, sell, distribute or exchange tobacco products, alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the School District.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable School District officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this Code.
15. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

B. Penalties

Persons who violate this Code shall be subject to the following penalties:

1. Visitors. Their authorization or permit, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection or law enforcement referral.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 4 and 5. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.