

SUNY Poly Liberty Grant Program Community Standards (Code of Conduct)

This program does not discriminate on the basis of actual or perceived race, color, national origin, sex, disability, age, weight, ethnic group, religion, religious practice, sexual orientation, gender identity or expression, or other characteristic protected by federal or state law in its programs and activities, including, but not limited to admission, access to and participation in program offerings, services, and activities.

General Introduction

- I. The Program establishes this Community Standards (Code of Conduct) for the maintenance of order during any functions or activities to govern the conduct of students and program personnel. This community standard has been developed consistent with Article 2-A of the Education Law, the same schools against violence and Education Act (Chapter 181 of the Laws of 2000), and the Dignity for All Students Act (2012, 2013).
- II. The administrative personnel of this program recognize the need to clearly define these expectations for acceptable conduct while participating in program related activities, to identify the possible consequences of unacceptable conduct, and to ensure equal access for all eligible participants, and that discipline when necessary is administered promptly and fairly. To this end, the program adopts this Community Standards (Code of Conduct) ["Code].

Applicability

Unless otherwise dictated, this Code applies to all students, program personnel, parents, and other visitors when attending activities associated with this program.

Student Rights and Responsibilities

Students who participate in program activities have all rights afforded them by federal and state constitutions, statutes, and regulations. The program reminds students that certain responsibilities accompany these rights.

Roles, Rights, and Responsibilities for Each Member of the Program Community

- I. Role of the Student Participant
 - a. The program is committed to safeguarding the rights given to all students under state and federal law. In addition, to promote a safe, healthy, orderly, and civil environment, all student participants have the right to:
 - i. Participate in environment free of discrimination and harassment based on actual or perceived race, color, national origin, sex, disability, age, weight, ethnic group, religion, religious practice, sexual orientation, gender identity or expression;
 - ii. Be treated respectfully by all members of the program community;

- iii. Participate equally in all program activities regardless of actual or perceived race, color, national origin, sex, disability, age, weight, ethnic group, religion, religious practice, sexual orientation, gender identity or expression;
- iv. Be provided with program rules and, when necessary, receive an explanation of those rules from program personnel;
- v. Be allowed to present their vision of the relevant events of any event or incident to program personnel authorized to impose a penalty, in connection with the investigation into and potential imposition of any disciplinary penalty;
- vi. Have complaints about program-related incidents investigated/ responded to.

b. Student Participant Responsibilities

All program students have the responsibility to:

- i. Contribute to maintaining a safe and orderly environment during program activities that is conducive to learning , and to show respect to other persons;
- ii. Be familiar with and abide by all program policies, rules, and regulations dealing with student participant conduct;
- iii. Respond to and comply with directions given by program personnel in a respectful and positive manner. Act and speak respectfully about issues and concerns;
- iv. Ask questions when they do not understand;
- v. Speak help in solving problems that might lead to a disciplinary situation;
- vi. Accept responsibility for their actions;
- vii. Use non-sexist, non-racist, and under non biased language;
- viii. Respect and treat others with tolerance and dignity regardless of actual or perceived race, color, national origin, sex, disability, age, weight, ethnic group, religion, religious practice, sexual orientation, gender identity or expression;
- ix. Report acts of bullying, discrimination, harassment, and other inappropriate actions that hurt others;
- x. Adhere to the Community Standards (Code of Conduct).

II. Role of Program Personnel

a. Duties and Responsibilities

- i. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, national origin, sex, disability, age, weight,

ethnic group, religion, religious practice, sexual orientation, gender identity or expression with the intent of strengthening students' self-concept and promoting confidence to learn;

- ii. Reflect a personal enthusiasm for engaging with youth, demonstrate a genuine concern for the individual student, and conduct themselves as positive role models for the students;
- iii. Prepare and guide activity so students learn to think and reason, to assume responsibility for their actions, and to respect the rights of others;
- iv. Enable students to discuss their problems by listening to students, remaining open minded, and consulting student thoughts and recommendations in any decision making process;
- v. Refer to a program administrator for any student whose behavior requires special attention;
- vi. Communicate regularly with students, parents, and other program personnel concerning program activities and student growth;
- vii. Seek to develop close cooperative relationships with parents and guardians for the benefit of the student by keeping open communication with parents and guardians;
- viii. Report to program administrators or designee any incident of harassment, bullying, and/or discrimination that they witness or that is reported to them;
- ix. Adhere to the Adhere to the Community Standards (Code of Conduct).

Program Participant Conduct

I. Student Participation Conduct:

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

The best discipline is self-imposed, and the participants must learn to assume and accept responsibility for their own behavior, as well as the consequences of their behavior.

Program personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

The program recognizes the need to make its expectations for student conduct well participating in program activity specific and clear. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these

program rules will be required to accept the penalties for their conduct. Students will be bound by the Community Standards (Code of Conduct) whenever they are participating in program activities.

II. Prohibited Student Conduct

The following list of prohibited behaviors is not exhaustive. It merely provides examples of the kind of conduct which will result in disciplinary measures being taken against the individual(s) responsible:

- a. Examples of inappropriate conduct include, but are not limited to:
 - i. Engaging in a willful act which disrupts the normal operation appointment activities;
 - ii. Using abusive language, cursing or swearing, using language or gestures that are profane, lewd, vulgar, or abusive, or of a sexual nature;
 - iii. Failing to comply with the reasonable directions of program personnel in charge of students, or otherwise demonstrating disrespect;
 - iv. Committing an act of violence, such as hitting, kicking, punching, or scratching upon another student or program personnel , or attempting to do so;
 - v. Possessing a weapon during a program function, activity, or event;
 - vi. Threatening to use a weapon or such other device or item that is brandished as a weapon;
 - vii. Threatening to cause bodily harm;
 - viii. Intentionally damaging or destroying personal property, to include that of a student, program personnel, or other person;
 - ix. Fighting and/or using any form of physical force against another person;
 - x. Defamation, which includes making false or unprivileged statements or representations or misrepresentations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them;
 - xi. Discrimination, which includes the use of, but is not limited to, actual or perceived actual or perceived race, color, national origin, sex, disability, age, weight, ethnic group, religion, religious practice, sexual orientation, gender identity or expression as a basis for treating another in a negative manner;
 - xii. Racist comments or any type of hate speech (spoken, written, or otherwise displayed);
 - xiii. Harassment, which includes a sufficiently severe action or a persistent, pervasive pattern or actions or statements, either verbal or physical, directed at

an identifiable individual or group, which are intended to be or which a reasonable person would perceived as ridiculing or demeaning;

- xiv. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm;
- xv. Bullying, which includes inappropriate, persistent behavior, which involves the following:
 - 1. Threats to, or intimidation, of others;
 - 2. Threatening others cruelly, terrorizing, and/or coercing another individual or group of individuals;
 - 3. Habitual put-downs and badgering of others (ex: roasting);
 - 4. Characteristics of bullying behavior may include:
 - a. Physical acts such as hitting or kicking;
 - b. Verbal acts such as using words to berate, hurt, or humiliate; and
 - c. Relational behaviors such as maliciously spreading rumors, and/or actively excluding a person from the peer group to cause emotional harm;
- xvi. Hazing: committing an act against a student, or coercing a student into committing an act that creates a risk of emotional, physical, or psychological harm to a person, in order for the student to be initiated into, or affiliated with a specified group, or for any other purpose.
 - 1. Examples of hazing may include, but are not limited to:
 - a. Any humiliating, degrading, or dangerous activity demanded of a student to join a group, regardless of the student's willingness to participate (conduct has the potential to endanger the mental or physical health or safety of a student).
 - b. Any hurtful, aggressive, destructive, or disruptive behavior such as striking that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - c. Any activity that intimidates or threatens the student with ostracism, or subjects a student to emotion, physical, or psychological stress, embarrassment, shame, or humiliation, that adversely affects the health or dignity of the student, or discourages the student from remaining in school.
 - d. Any activity that causes or requires the student to perform a task or act that involves violation of state or federal law or of school district policies or regulations.

- xvii. Inappropriate physical contact of a sexual nature;
- xviii. Indecent exposure, which is the exposure of sight of the private parts of the body;
- xix. Illegal Substance and Substance Abuse:
 - 1. Possession or use of tobacco or tobacco products (includes cigarettes, cigars, pipes, chewing or smokeless tobacco, electronic cigarettes, or any vaping device);
 - 2. Possessing, consuming, selling, distributing, or enhancing illegal substances, or being under the influence of illegal substances. Illegal substances include, but are not limited to:
 - a. Inhalants, marijuana, wax synthetic marijuana or cannabinoids (including but not limited to items labeled incense, herbal mixtures or potpourri), cocaine, LSD, PCP, amphetamines, heroin, steroid, look-alike drugs, bath salts, and
 - b. Any substances commonly referred to “designer drugs”
 - i. Please note that although under New York State Law the possession and use of marijuana for individuals over the age of 21 is legal, it remains illegal for minors and illegal for all individuals on school grounds under federal law.
 - ii. Accordingly, students and visitors will be subject to disciplinary action for marijuana related offences.
 - 3. Inappropriately using or sharing prescription medications, over-the-counter drugs, inhalants, herbal/”natural”, or any intoxicants of any kind when possession is authorized or such as inappropriately used or share with others.
 - a. Nothing herein shall be construed to apply to the lawful admission of a prescription during program activities to the person for whom the prescription was written;
 - b. Representing to any person, for the purposes of sale or distribution, that any substance, irrespective of actual composition, is an alcoholic beverage or an illegal substance, shall be deemed actionable within the meaning of this section as an attempted possession, possession sale, or distribution of a prohibited product.

III. Reporting and Responding to Violations

a. Reporting Possible Violations

All student participants who observe a violation of the Community Standards (Code of Conduct) are expected to promptly report the violation to program personnel, who will immediately notify a supervisor (if applicable).

Initial notification to the parents may be made by telephone, followed by a letter that identifies the student and the Code Violation.

b. No Retaliation for Reporting

- i. No act of retaliation may be directed at any person who makes a good faith report of conduct by another person that may reasonably be a violation of this Code, or who assists in, or is part of, the investigation of such a report. To engage in such retaliation is considered a violation of the Code.
- ii. There shall be no retaliation against any individual who, in good faith, reports, or assists in the investigation of alleged harassment, bullying, and/or discrimination.

IV. Disciplinary Penalties and Procedures

a. The Disciplinary Process

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. Program personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

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, program personnel authorized to impose disciplinary penalties will consider the following:

- i. The student's age;
- ii. The nature of the offense, and the circumstances which led to the offense;
- iii. The student's prior disciplinary record;
- iv. The effectiveness of other forms of discipline;
- v. Information from parents/guardians, program personnel, and/or others, as appropriate; and
- vi. Other extenuating circumstances.

As a general rule, discipline will be progressive. The program may, however, impose any level of discipline, even for a first violation, that is proportionate to the misconduct at issue.

Responses to acts of harassment, bullying, and/or discrimination against students by students shall use measured, balanced, and age-appropriate remedies and procedures, with the goals of prevention and education, as well as, intervention and discipline. We will

consider the nature and severity of the conduct, the developmental age of the student engaging in the conduct, the actor's prior disciplinary records, and the impact of the conduct on the student at whom it was directed.

b. Disciplinary Procedures

The amount of due process a student participant is entitled to receive before a consequence is imposed depends on the penalty being considered for the violation(s) for which the student is charged. In all cases, regardless of the penalty being imposed, the program personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct.

All students are to be given the opportunity to present their version of the facts surrounding alleged violations to the appropriate program personnel prior to their imposition of a disciplinary penalty. Written warning and/or written notification is to be given to the parent(s) or legal guardian(s) of a student who faces a penalty in excess of an oral warning.

c. Penalties and Who May Impose Them

Students who are found to have violated the Code may be subject to the following penalties, either alone or in combination. The program personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process:

1. Oral Warning: any member of the program staff;
2. Written warning or referral to the program director: program supervisory staff;
3. Written notification to parent: program supervisory staff;
4. Suspension or expulsion from specific program activities: program director

Suspension or expulsion is to be reserved for circumstances when a student participant poses a danger to the wellbeing of other participants, or an ongoing threat of disruption to program activities. Student participants, and/or their parent/guardian, may appeal disciplinary penalties to the program director.

Distribution of Community Standards (Code of Conduct) to Program Participants
A copy of this Code will be given to all program participants and their parent/guardian
when they enter the program.