

SCOTIA-GLENVILLE CENTRAL SCHOOLS

Scotia, New York 12302



District Code of Conduct

Revised July 2020

**SCOTIA-GLENVILLE CENTRAL SCHOOL DISTRICT
DISTRICT CODE OF CONDUCT
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MISSION

The Scotia-Glenville Central School District is committed to providing an environment which allows students to realize their full potential and thus prepares them for life in an ever-changing world. In the tradition of excellence the, Board of Education, administration, staff, parents/guardians, business and community members will continue to ensure that our educational system fulfills the needs of our students.

PURPOSE

The purpose of this Code of Conduct is to share with parents, guardians and students the rules and procedures that everyone will be expected to follow. Teachers, principals, bus drivers and other adults at school, will be helping to teach these rules, but we need support at home. Parents and guardians can help children understand how following these rules and developing the qualities of good citizenship can make school a happy, safe place to learn. We are asking parents and guardians to share and discuss this information in ways their children will understand. We further hope that parents and guardians will work cooperatively with the school to support the expectations of appropriate behavior for their children to ensure a safe and comfortable learning environment for everyone.

NONDISCRIMINATION

The Scotia-Glenville Central School District hereby advises students, parents, guardians, employees and the general public that it offers employment and educational opportunities, including vocational education opportunities, without regard to sex, age, race, color, national origin, disability, or religious beliefs. Inquires regarding this nondiscrimination policy may be directed to:

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INTRODUCTION

The Board of Education (“Board”) 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, guardians 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 principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

The board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the Board adopts this Code of Conduct (“Code”).

Unless otherwise indicated, this Code applies to all students, school personnel, parents, guardians and other visitors when on school property or attending a school function.

DEFINITIONS

For purposes of this code, the following definitions apply:

“Disruptive student” means a 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.

“Guardian” means the person with legal authority to act in parental relation to a student.

“Parent” means natural or adoptive person in parental relation to a student.

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

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

1. Commits an act of violence upon a school employee, or attempts to do so.
2. Commits, or attempts to commit, 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.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Intentionally damages or destroys school district property.

“Weapon” means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means 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 when used to cause physical injury or death.

STUDENT BILL OF RIGHTS AND RESPONSIBILITIES

Preface

The administration and staff of the Scotia-Glenville Central Schools recognize that the purpose of the district schools is to develop lifelong learners who, as they pursue truth, will contribute to the society as a whole out of personal self-worth and dignity. The administration and staff also recognize that the enrichment and, in fact, the very survival of any group come about only as its individual members practice self-discipline and demonstrate behavior which does not infringe or intrude upon the basic rights and freedoms of others. Responsible exercise of individual freedoms means respect for the democratic process and for the rights of all. Only in an atmosphere of mutual respect, self-restraint, civility and trust among all, can these freedoms flourish.

The administration and staff are committed to the task of school management in a manner

consistent with the legal and moral rights of all, but will neither tolerate nor condone actions or conduct in violation of the “Code of Conduct” or any penal statute. In setting forth the following code, nothing contained herein is intended, nor shall be construed, to limit or restrict freedom of speech nor peaceful assembly nor any constitutional or legal individual right.

The Code shall not prevent or limit communication between and among students or relieve the Scotia-Glenville Central Schools of its special responsibility for self-regulation in the preservation of public order. The Code does not prevent or restrain controversy and dissent. However, the Code does prevent abuse of individuals and, therefore, maintains the stable environment appropriate to a public school.

This Code is adopted in compliance with Section 2801 of the Education Law and is in compliance with the Rules and Regulations for Maintenance of Public Order on Premises and in Buildings of the Scotia-Glenville Central School District as filed with the Commissioner of Education, dated May 8, 1970, and revised October 10, 1972.

Student Rights

1. Students have the right to an education, the right to be treated with dignity and respect, and the right to be free of endangerment, harassment, intimidation, fear, and discrimination.
2. Students have the right to express their opinions and beliefs as long as they do not interfere with school activities or the rights of others.
3. Students have the right to participate in any student organization, according to established criteria, and the right to contribute to the educational process.
4. Students have the right of due process.
5. Students have the right to reasonable cause before a search is conducted or personal Property seized.
6. Students have the right of confidentiality of records and student’s information according to school policy and the Federal Family Educational Rights and Privacy Act.

7. Students have the right to be free of physical force imposed for the purpose of punishment.
8. Students have the right to an appropriate educational program and access to all of the school support services based on individual needs.

Student Responsibilities

1. Students shall be aware that all rules and regulations for student behavior are in full effect until waived, altered or repealed and conduct themselves in accordance with the rules and regulations as established by the State, the community, and the school district.
2. Students shall dress and groom themselves so as to meet fair standards of safety and health, and common standards of decency.
3. Students shall support the maintenance of a safe environment by demonstrating sensitivity to the rights of others and by protecting and respecting school property.
4. Students shall comply with school attendance regulations for classes and other school functions.
5. Students shall take initiative for making up work when absences are necessary.
6. Students shall pursue and complete the courses of study prescribed by State and local school authorities, and will work to the best of their abilities in all areas.
7. Students shall use accurate information and appropriate language in written and verbal communications.

ESSENTIAL PARTNERS

A. Parents and Guardians

All parents and guardians are expected to:

1. Recognize that the education of their child(ren) is the joint responsibility of parents or

guardians and the school community.

2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with teachers, other parents and guardians and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.

B. Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents or guardians:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan
 - f. Homework expectations
6. Communicate regularly with students, parents, guardians and other teachers concerning growth and achievement.

C. Social Workers

All district social workers are expected to:

1. Assist students in coping with peer pressure and emerging personal, social and

emotional problems.

2. Initiate teacher/student/counselor conferences and parent or guardian/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
3. Encourage students to benefit from the curriculum and extracurricular programs.

D. Guidance Counselors

All district guidance counselors are expected to:

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor conferences and parent or guardian/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
3. Regularly review with students their educational progress and career plans.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.

E. Principals

All principals are expected to:

1. Promote a safe, orderly and stimulating school environment that supports active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
3. Evaluate all instructional programs on a regular basis.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

F. Superintendent

The superintendent is expected to:

1. Promote a safe, orderly and stimulating school environment that supports active teaching and learning.
2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are

sensitive to student and teacher needs.

5. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

G. Board of Education

The Board is expected to:

1. Collaborate with student, teacher, administrator, home and school organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
2. Adopt and review at least annually the district's Code of Conduct to evaluate its effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting board meetings in a professional, respectful, and courteous manner.

H. Other Staff

All other staff is expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen student's self-concept and promote confidence to learn.
2. Demonstrate interest in teaching and concern for student achievement.
3. Know school policies and rules, and enforce them in a fair and consistent manner.

STUDENT DRESS CODE

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents or guardians have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students to develop an understanding of appropriate appearance in the school setting.

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

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Not include items that are offensive, vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability. This would include confederate flags, swastikas, or any other images that may be considered hurtful, intimidating or deemed offensive by administrators.
3. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or

encourage other illegal or violent activities.

Each building principal or his or her designee shall be responsible for informing all students and their parent or guardian of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year. Interpretation of the dress code will be at the discretion of the building administration. Specifics on the interpretation of the dress code are provided by the individual buildings.

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, up to and including in-school suspension for the day. 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.

STUDENT CONDUCT

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

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

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

Prohibited Conduct

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

A. Engage in conduct that is disorderly. Examples of disorderly conduct include:

1. Running in hallways.

2. Making unreasonable noise.
3. Using language or gestures that are profane, lewd, vulgar or abusive.
4. Obstructing vehicular or pedestrian traffic.
5. Engaging in any willful act, which disrupts the normal operation of the school community.
6. Trespassing. 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.
7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy. (See Acceptable Use Guidelines)

B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include:

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. Lateness for, missing or leaving school without permission.
3. Skipping detention.

C. Engage in conduct that is violent. Examples of violent conduct include:

1. Committing an act of violence (such as hitting, kicking, spitting, 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, spitting, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. Possessing a weapon. 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.
5. Threatening to use any weapon.
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.

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

D. Engage in any conduct that endangers the safety, morals, health or welfare of others.

Examples of such conduct include:

1. Lying to school personnel.
2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false 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.
4. Discrimination, which includes the use of race, color, creed, national origin, religion, gender, sexual orientation or disability as a basis for treating another in a negative manner.
5. Harassment/Bullying, which includes a sufficiently severe action or a persistent, pervasive pattern of actions or statements/threats, verbal and/or written, directed at an individual or group which are intended to be or which a reasonable person would perceive as ridiculing, threatening, or demeaning. See further definition and policy under “Bullying.”
6. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
7. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
8. Selling, using or possessing obscene material.
9. Using vulgar or abusive language, cursing or swearing.
10. Smoking a cigarette/electronic cigarettes, cigar, pipe or using chewing or smokeless tobacco.
11. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, 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.”
12. Inappropriately using or sharing prescription and over-the-counter drugs.

13. Gambling.
14. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
15. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.

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

- E. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include:

16. Threatening the overall safety and security of the building and all persons in the building. For example: writing bomb threats, threats of arson, general threats of harm to groups of people, etc. Students who have knowledge of persons making such threats are expected to report this information to the principal or other trusted adults in the building.
17. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.
18. Engage in any form of academic misconduct. Examples of academic misconduct include:
 - a. Plagiarism.
 - b. Cheating.
 - c. Copying.
 - d. Altering records.
 - e. Theft of exam materials.
 - f. Unauthorized access to computerized academic or administrative records.
 - g. Assisting another student in any of the above actions.

The Scotia-Glenville Central School District and Board of Education prohibit acts of

bullying, harassment, discrimination and hazing. The board of education has determined that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. Bullying, harassment, discrimination and hazing is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment.

Definitions:

Bullying- A hostile activity, which harms or induces fear through the threat of further aggression and/or creates terror. Bullying may be premeditated or a sudden activity. Forms of bullying include, but are not limited to, physical or verbal assaults, nonverbal or emotional threats or intimidation, social exclusion and isolation, extortion, and the use of a computer or telecommunications to send embarrassing, slanderous, threatening, or intimidating messages.

Specific examples of bullying may include, but are not limited to:

Verbal bullying: name calling, insulting remarks, verbal teasing, frightening phone calls, violent threats, extortion, taunting, gossip, spreading rumors, racist slurs, threatening electronic communications, anonymous notes, etc.

Physical bullying: poking, slapping, hitting, tripping or causing a fall, choking, kicking, punching, biting, pinching, scratching, spitting, twisting arms or legs, damaging clothes and personal property, threatening gestures, etc.

Social bullying: purposely excluding someone from a group, spreading rumors or gossiping, arranging public humiliation, undermining relationships, teasing about clothing, looks-appearance, giving dirty looks, aggressive stares, etc.

Cyberbullying-harassment or bullying that occurs through any form of electronic communication. Cyberbullying that occurs off-campus and endangers the health and safety of students or staff within school, or can reasonably be expected to substantially disrupt the educational process, is prohibited.

Harassment- The creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably or substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; 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 safety. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived: race, color, weight, national origin, ethnic

group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).

Discrimination- The act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as enumerated in the harassment section).

Hazing- An induction, initiation, or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

When it is determined that acts of bullying, harassment, discrimination or hazing have occurred, the offenders will be given the message that their actions are wrong. Consequences for a student who commits an act of bullying, harassment, discrimination or hazing shall be varied (ranging from positive behavioral interventions up to and including suspension or expulsion) and graded according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors and performance, and will be consistent with the district code of conduct. Remedial measures shall be designed to correct the problem behavior; prevent another occurrence of the problem; protect and provide support for the victim of the act; and take corrective action for documented systemic problems related to harassment, intimidation or bullying.

The principal and/or the principal's designee at each school is responsible for receiving complaints of bullying, harassment, discrimination or hazing. All school employees are required to report alleged violations to the principal or principal's designee. All members of the school community, including students, parents/guardians, volunteers and visitors, are also urged to report alleged violations to the principal or the principal's designee.

Reports may be made anonymously, but formal action for violations of the code of student conduct may not be based solely on the basis of an anonymous report. In addition, the principal and/or the principal's designee is responsible for determining whether an alleged act constitutes a violation. In so doing, the principal and/or the principal's designee shall conduct a prompt, thorough and complete investigation of each alleged incident.

The district prohibits reprisal or retaliation against any person who reports an act of bullying, harassment, discrimination or hazing. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the administrator after consideration of the nature, severity and circumstances of the act, in accordance with case law, Federal and State statutes and regulations and district policies and procedures.

5020.1-R DIGNITY FOR ALL STUDENTS ACT REGULATION (Policy 5020.1)

The Scotia-Glenville Board of Education recognizes the importance of a learning environment that is safe and supportive for each student and staff member. Such an environment, which has a positive impact on a student's ability to learn and achieve at his/her highest level, is compromised by incidents of harassment, bullying and discrimination, including but not limited to cyberbullying, taunting and intimidation. Therefore, in accordance with the Dignity for All Students Act, Education Law, Article 2, the District will strive to create an environment free of harassment, bullying and discrimination and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission.

This Regulation governs the process of reporting and investigating violations of the District's policies against harassment, bullying and discrimination, including bullying and hazing, specifically policies 0100, 0110, 0150, 1520, 5020, 5310, 9010. The phrase "harassment, bullying and discrimination," as used throughout this Regulation, refers to all conduct which violates any of those policies. Specifically, this Regulation applies when communication or physical conduct:

Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual; and/or creates an intimidating, hostile or offensive work environment;

Has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creates an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit;

substantially or unreasonably interferes with an individual's mental, emotional or physical well-being;

reasonably causes or would be expected to cause an individual to fear for his or her physical safety;

reasonably causes or would be expected to cause physical injury or emotional harm to an individual; or

otherwise adversely affects the employment and/or educational opportunities and benefits provided by the District.

Training

Training will be provided each school year for all District employees in conjunction with existing professional development training to raise staff awareness of and sensitivity to harassment, bullying and discrimination. Training will include ways to promote a supportive school environment that is free from harassment, bullying and discrimination, emphasize positive relationships, and demonstrate prevention and intervention techniques to assist employees in recognizing and responding to harassment, bullying and discrimination, as well as ensuring the safety of the victims.

Appropriate training concerning prohibited harassment, bullying and discrimination will be provided to all new staff members, and the subject will be reviewed annually with all employees. Information concerning prohibited harassment, bullying and discrimination shall be included in the student Code of Conduct and shall be incorporated into age appropriate curriculum.

Curriculum and Instruction

Instruction in grades Kindergarten through 12 shall include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. For the purposes of this policy, "tolerance," "respect for others" and "dignity" shall include

awareness of and sensitivity to harassment, bullying or discrimination and civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders and sexes.

Rules against harassment, bullying and discrimination will be included in the Code of Conduct, publicized District-wide, and disseminated to all staff and parents. An age-appropriate summary will be provided to all students at the beginning of each school year.

Dignity Act Coordinator

The District's Dignity Act Coordinator (DAC) is responsible for overseeing the development, adoption, and implementation of procedures for reporting and investigating reports of harassment, bullying and discrimination. In most cases the building principal or designee shall be responsible for receiving and investigating, or supervising the investigation of, complaints of harassment, bullying and discrimination. Complaints of harassment, bullying or discrimination against a building principal, district level administrator, or employee whose work location is the District Office shall be received by the Superintendent of Schools, who shall investigate or supervise the investigation. The term "Investigator" used in this Regulation shall refer to the building principal or the Superintendent, or a person designated by either of them to investigate complaints of harassment, bullying or discrimination under their supervision.

Personnel at all levels are responsible for taking corrective action to prevent harassment, bullying and discrimination of which they have become aware, and to report such behavior to their immediate supervisor. Such reports must be made orally as promptly as possible, but in no event later than 24 hours after the employee becomes aware of the harassment, bullying or discrimination, and must be confirmed in writing not later than two (2) school days after the oral report is made.

Reports and Investigations of Harassment, Bullying and Discrimination

The District will investigate all complaints of harassment, bullying and discrimination, either formal or informal, and take prompt corrective measures, as

necessary. Complaints will be investigated in accordance with applicable policies and regulations. If, after an appropriate investigation, the District finds that any policy has been violated, corrective action will be taken in accordance with District policies and regulations, the Code of Conduct, and all appropriate federal or state laws.

The District will annually report material incidents of harassment, bullying and discrimination to the State Education Department in accordance with the requirements of the Commissioner's Regulations.

Procedures for Submitting Complaints

All complaints of harassment, bullying and discrimination, whether written or verbal, formal or informal, will be promptly, equitably, and thoroughly investigated to determine whether the totality of the alleged behavior and circumstances may constitute harassment, bullying and discrimination. It is recommended that any employee or student who believes he/she has been subjected to harassment, bullying and discrimination, or any student who witnesses or otherwise has reason to know of any incident of harassment, bullying or discrimination, submit a written complaint to the Investigator. However, complaints may be made verbally and even anonymously, and the absence of a written complaint does not negate the District's responsibility to investigate such allegations as thoroughly as possible. A parent or other member of the community may also make either a formal or informal complaint.

A form will be developed and made available for this purpose, but use of the form is not required in order to start an investigation. In order to assist in the investigation, the complainant should provide as much detail as possible concerning the incident or incidents complained of including, but not limited to, the following:

- 1) The name and contact information of the complainant.
- 2) The name and/or description of the alleged offender or offenders.
- 3) The specific nature of the alleged harassment, bullying or discrimination, including the complainant's explanation of why he/she believes it to be

harassment, bullying or discrimination.

- 4) A thorough and detailed account of the actions and/or dialogue which occurred between the alleged offender and the complainant and any others present. This account should include the frequency of the conduct, the date, time, location of each incident, and the complainant's actions and responses during the incident(s).
- 5) The names of witnesses or of persons who have knowledge of the incident(s), including the names of persons with whom the complainant discussed the incident, and the time and date of this discussion.
- 6) Written material, documents, or other evidence related to the incident. If the individual who experiences, witnesses, or otherwise becomes aware of questionable behavior is in doubt as to whether such behavior constitutes harassment, bullying or discrimination, he/she is still encouraged to immediately report the behavior for investigation.

The complaint is to be directed to or forwarded to the appropriate DAC or the DAC's designee who will promptly begin an investigation.

A complaint, either verbal or written, received by an employee other than the DAC or a designee of the DAC, shall be promptly transmitted to the DAC. The employee receiving such a complaint shall inform the complainant of the employee's obligation to forward the complaint. If the report is verbal either the receiving staff member or the Investigator will fill out the complaint form.

Procedures for Investigating Complaints of Harassment, Bullying or Discrimination

Upon receipt of a complaint alleging that a student has suffered harassment, bullying or discrimination the DAC / Investigator will inform the parents of the student alleged to have suffered harassment, bullying or discrimination, and the parents of any student accused of having committed the harassment, bullying or discrimination. If any accused student has been identified as having a disability (or is suspected of having a disability) pursuant to Section 504 or the Individuals with Disabilities Education Act, a referral shall be made to the Committee on Special

Education for appropriate action in accordance with state and federal law and regulations.

If the person accused of having committed the harassment, bullying or discrimination is an employee, the DAC / Investigator will immediately inform the Superintendent's Office. The DAC / Investigator may also request assistance in the investigation from the Superintendent or Superintendent's designee.

The Superintendent is to be informed as soon as possible regarding all complaints and/or reports received by any DAC / Investigator, and the status of any investigation.

The DAC / Investigator will begin investigating the allegations of the complaint no later than three (3) working days following receipt of the complaint, and will report the findings of the investigation to the Superintendent no later than twenty (20) working days following receipt of the complaint. If necessary, the DAC / Investigator may enlist the aid of additional investigators. If the complaint investigation cannot be completed within twenty days the DAC / Investigator will file an interim report, informing the Superintendent of the reason the investigation has not been completed, the information received to that point, and when the DAC / Investigator expects to complete the investigation.

The DAC / Investigator will meet separately with the complainant, each person complained of, and each person identified as a possible witness. In questioning employees the DAC / Investigator will comply with any applicable law or collective bargaining agreement. The DAC / Investigator will take and keep notes concerning all actions taken as part of the investigation.

The DAC / Investigator will ask the complainant, and the alleged victim if not the complainant, what specific action they want taken by the District in the event the person complained of is found to have committed the harassment, bullying or discrimination as charged.

The DAC / Investigator may search all school property and equipment including District computers, and rooms, desks, cabinets, lockers, or computers provided by the District for the use of staff and students. Users of such District-provided space and equipment do not have exclusive use of them and should not expect that materials stored therein will be private.

To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges, and any disclosure will be provided on a "need to know" basis.

The complainant, each person complained of, and any witnesses will be directed to refrain from talking about the investigation while it is pending.

During the course of the investigation and thereafter, the DAC / Investigator will instruct each person complained of to have no contact or communication regarding the complaint with the complainant, the alleged victim if other than the complainant, or any witnesses. The DAC / Investigator will also advise each person complained of that retaliation, whether direct or indirect, against the complainant, alleged victim if not the complainant, or any witness is prohibited and may lead to disciplinary action.

The DAC / Investigator will also instruct the complainant, alleged victim if not the complainant, and any witnesses to refrain from contacting or communicating with any person complained of regarding the complaint.

If the complainant attempts to withdraw a complaint, the DAC / Investigator will determine whether the withdrawal is a result of retaliation. If the request to withdraw the complaint is not the result of retaliation, the DAC / Investigator will document the complainant's reasons and ask the complainant to sign the documentation. The DAC / Investigator, in consultation with the Superintendent, may decide to proceed with the investigation despite the withdrawal of the complaint.

A copy of all written material pertaining to every complaint will be retained in a separate confidential file. Such records will be maintained for the period of time required by law.

In investigating any complaint of harassment, bullying or discrimination, the DAC / Investigator shall keep the following in mind:

Any alleged victims should be assured that any violation by them of school rules will be addressed separately from the allegations of harassment, bullying or discrimination. For example, victims need to know that their use of alcohol or drugs never makes them at fault for sexual violence.

A single incident of harassment, bullying or discrimination may on occasion be sufficiently severe to create a hostile environment in the school and a student may experience the continuing effects from harassment, bullying or discrimination outside of school when in the school setting.

Harassment, bullying or discrimination can be student-to-student, staff-to-student, student-to-staff, as well as staff-to-staff, can originate from a third party such as a school visitor, volunteer, or vendor, and can be committed by a person of either sex against a person of the opposite or same sex.

Completion of the Investigation and Report

If the DAC / Investigator concludes that one or more of the persons complained of committed harassment, bullying or discrimination, they will determine and implement appropriate corrective action. In doing so, the DAC / Investigator will take into consideration the complainant's or victim's proposals concerning an appropriate corrective response, but the DAC / Investigator is not obligated to implement such proposals. The DAC / Investigator will refer the matter to police authorities if it appears that a crime may have been committed; this referral may be made at any point in the investigation process, but will not relieve the District of the responsibility to complete its investigation.

The DAC / Investigator will prepare a written report of the investigation and actions taken as a result of the investigation. The report will be provided to the complainant, the alleged victim if other than the complainant, each person complained of, and the Superintendent. Identifying information concerning students other than the complainant, alleged victim, and persons complained of will be redacted from copies of the report provided to students.

A complainant or victim, if other than the complainant, whether or not harassment, bullying or discrimination has been determined, may pursue other legal avenues of recourse, including filing a complaint with the U.S. Department of Education's

Office for Civil Rights, the federal Equal Employment Opportunity Commission or the New York State Department of Human Rights or commencement of a lawsuit in either federal or state court.

Appeal to the Superintendent of Schools

Any party may appeal from the determination of the DAC / Investigator by filing a written notice of appeal with the Superintendent of Schools within ten (10) working days of issuance of the written report of the investigation. In the event the Superintendent personally served as the Investigator, the party may file an appeal to the Board of Education in accordance with the procedures set forth below.

Should the Superintendent determine, on the appeal, that corrective action is necessary, the Superintendent will follow all applicable law and regulations, District policy and guidelines, and appropriate collective bargaining agreements in the resolution of the complaint. The Superintendent will issue a written determination on the appeal within 20 working days of receipt of the written notice of appeal. If any party is not satisfied with this resolution; he/she may appeal the decision to the Board of Education by filing a written notice of appeal with the District Clerk within ten (10) working days following receipt of the Superintendent's decision.

Appeal to the Board of Education

The Board of Education will consider the appeal and issue a written decision within thirty (30) calendar days of receipt of the appeal. All parties will be provided a copy of such decision when it is issued.

Disciplinary Consequences

Anyone who is in violation of District policy and/or regulation will be subject to sanctions and/or disciplinary action as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, in accordance with applicable laws and/or regulations, District policy and regulation, and the District Code of Conduct. Policy [5310] and this Regulation are meant to promote progressive discipline and intervention, as opposed to a "zero tolerance" approach, taking into consideration the student's developmental age and history of problem

behaviors as well as the nature of the incident. The disciplinary responses when it is determined that harassment, bullying or discrimination has taken place shall be such as are reasonably calculated to end the harassment, bullying or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and provide for the safety of the complainant and the victim, if other than the complainant.

Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, the Code of Conduct, and the applicable collective bargaining agreement(s).

Third parties (such as school volunteers, vendors/contractors, etc.) who are found to have violated District policy and/or accompanying regulations, and the Code of Conduct, will be subject to appropriate sanctions as warranted and in compliance with law.

Retaliation

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of harassment, bullying or discrimination. Follow-up inquiries shall be made to ensure that the harassment, bullying or discrimination has not resumed and that none of those involved in the investigation have suffered retaliation as a result of the complaint and investigation. Any act of retaliation is subject to appropriate disciplinary action by the District.

An Employee or student who knowingly makes false accusations of harassment, bullying or discrimination may also face appropriate disciplinary action.

Procedures for Handling Informal Complaints of Harassment, Bullying or Discrimination

An individual who believes that he/she has been subjected to harassment, bullying or discrimination or anyone who is aware of or who has knowledge of or witnesses an occurrence of harassment, bullying or discrimination may initiate an informal process prior to filing a formal complaint. A meeting with the DAC or designee,

the building principal or, if the complaint concerns a building principal, district level administrator, or employee whose work location is the District Office, the Superintendent, should be requested in order to discuss the allegations and further appropriate actions, if any. The DAC or designee or Superintendent may discuss the complaint with the alleged offender; if the alleged offender is a District employee, such discussion will conform to the requirements of any applicable collective bargaining agreement.

Procedures will generally take place at the building level and involve resolution steps short of a comprehensive investigation and/or formal hearing. While the person initiating the informal process is encouraged to await the outcome of that process, they are not required to do so, and may file a formal complaint at any time regardless of whether there has been an informal process, or whether that process has been completed.

Dignity for All Students (Dignity Act) School Complaint Form
(* Indicates reporting requirement for the Dignity Act for All Students Act)

Complainant Name: _____ Date: _____
School/Position: _____

Target (Victim/s) Name: _____ Sex: _____ Grade: _____

Offender/s Name: _____ Sex: _____ Grade/Position: _____

Offender/s Name: _____ Sex: _____ Grade/Position: _____

Offender/s Name: _____ Sex: _____ Grade/Position: _____

Circle all that apply: *Was the offender a: Student, Employee, or Both?

Location of Incident: _____

Witness/es Name: _____ Sex: _____ Grade: _____

Witness/es Name: _____ Sex: _____ Grade: _____

Witness/es Name: _____ Sex: _____ Grade: _____

Dignity Act Coordinators:

Incident Description of Discriminatory and/or Harassing Behaviors

*Type of bias based on the person's actual or perceived (check all that apply)

- Race Color Weight National Origin
 Ethnic Group Religion Religious Practices Disability
 Sexual Orientation Gender Sex Not Sure
 Other, please describe:

*Description of the Incident (Be specific):

*Incident involved (check all that apply)

- Involving intimidating or abuse but no verbal threat or physical contact
 Involving verbal threats but no physical contact
 Involving physical contact but no verbal threat
 Involving both verbal threat and physical contact
 Involving only student offenders

Office Use Only

Action Taken:

Potential Next Steps:

DASA Reportable ____ Yes ____ No

DANGEROUS WEAPONS IN SCHOOL POLICY

No student shall have in his or her possession upon any school premises any firearm--as defined in Federal Law--knife, explosives, dangerous chemicals, or any object which could be used as a weapon and which is not necessary for school activities.

In accordance with the "Gun Free Schools Act of 1994"--after a hearing has been provided pursuant to Section 3214 of the Education Law, a student found guilty of bringing a firearm onto school property will be subject to at least a one year suspension from school.

The penalty may be reviewed and possibly modified by the Superintendent of Schools, on a case-by-case basis.

REPORTING VIOLATIONS

All students are expected to promptly report violations of the Code of Conduct to the nearest adult in charge, such as a teacher, bus driver, guidance counselor, the building principal or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the superintendent.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the Code of Conduct to their supervisor. The supervisor shall, in turn, impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction.

Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent or guardian of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution.

The building principal or his or her designee must notify the appropriate local law

enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the principal or his or her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on the same day as the telephone call is made. The notification must identify the student, if known, and explain the conduct that violated the code of conduct and constituted a crime.

DISCIPLINE PROCEDURES, PENALTIES, AND PROCESS

A. Procedures

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. School 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, 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 that led to the offense.
3. The student's prior disciplinary record.
4. The effectiveness of other forms of discipline.
5. Information from parents or guardians, teachers and/or others, as appropriate.
6. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

B. 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. The school 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 district staff
2. Written warning – bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, principal, superintendent
3. Written notification to parent or guardian – bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, principal, superintendent
4. Detention – teachers, principal, superintendent
5. Suspension from transportation – Director of Transportation, principal, superintendent
6. Suspension from athletic participation – coaches, principal, superintendent
7. Suspension from social or extracurricular activities – activity director, principal, superintendent
8. Suspension of other privileges – principal, superintendent
9. In-school suspension – principal, superintendent
10. Removal from classroom – teachers, principal
11. Short-term (five days or less) suspension from school – principal, superintendent, board
12. Long-term (more than five days) suspension from school – superintendent, board
13. Permanent suspension from school – superintendent, board.
14. Social Suspension- principal, superintendent

C. Process

The amount of due process a student is entitled to receive before a penalty is imposed depends upon the penalty being imposed. In all cases, regardless of the penalty imposed, the school 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 will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty. Students who are to be given penalties other than an oral warning, written warning or written notification to their parents or guardians are entitled

to additional rights before the penalty is imposed. These additional rights are explained below.

1. Detention

Teachers, principals and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent or guardian has been notified to confirm that the student has appropriate transportation home following detention.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. A student who becomes a serious disciplinary problem may have his or her riding privileges suspended by the building principal or the superintendent or their designees. In such cases, the student's parent or guardian will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance; the district will make appropriate arrangements to provide for the student's education.

3. Suspension from athletic participation, extra curricular activities and other privileges

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent or guardian will be provided with an opportunity for an informal conference with the district official imposing the suspension to discuss the conduct and the penalty involved.

4. In-school suspension

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

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent or guardian will be

provided with an opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher disciplinary removal of disruptive students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances, the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an elementary classroom or in an administrator's office; (2) sending a student into the hallway briefly; (3) sending a student to the principal's office for the remainder of the class time only; or (4) sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this Code of Conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to three class sessions. The removal from class applies to the class of the removing teacher only. Such removed student will report to the principal's office immediately.

If the disruptive student does not pose a danger or on-going threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

The teacher must complete a district-established disciplinary removal form and meet with

the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24-hours (one school day) after the student's removal, the principal or another district administrator designated by the principal, must notify the student's parents or guardian, in writing, that the student has been removed from class and why. The notice must also inform the parent or guardian that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The 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 24 hours, (one school day) of the student's removal at the last known address for the parents or guardians. 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 and guardians.

The principal may require the teacher who ordered the removal to attend the informal conference.

If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parent or guardian a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours (two school days) of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent or guardian and principal.

The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:

1. The charges against the student are not supported by substantial evidence.
2. The student's removal is otherwise in violation of law, including the district's code of conduct.
3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

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

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class.

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, no teacher may remove a student with a disability from his or her class until he or she has verified with the principal or the chairperson of the Committee on Special Education that the removal will not violate the student's rights under state or federal law or regulation.

6. 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 of others.

The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals.

Any staff member may recommend to the superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases, a written report is to be prepared as soon as possible by the staff member recommending the suspension.

The superintendent or principal shall gather and record the facts relevant to the matter for subsequent presentation, if necessary, when he or she receives the recommendation or referral for suspension, or when processing a case for suspension.

a. Short-term (5 days or less) suspension from school

When the superintendent or principal (referred to as the “suspending authority”) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student’s parent or guardian in writing that the student may be 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 24 hours of the decision to propose suspension at the last known address for the parent or guardian. 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 the parent or guardian.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parent or guardian of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parent or guardian. At the conference, the parent or guardian shall be permitted to ask questions of 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 shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parent or guardian in writing of his or her decision. The principal shall advise the parent or guardian that if they are not

satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parent or guardian is not satisfied with the superintendent's decision, they must file a written appeal to the board of education with the district clerk within 10 business days of the date of the superintendents' decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

b. Long-term (more than 5 days) suspension from school

When the superintendent determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parent or guardian of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her, and the right to present witnesses and other evidence on his or her behalf.

The superintendent shall personally hear and determine the proceeding, or may at his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof. The decision of the superintendent shall be conveyed in writing to the parent or guardian of the student.

An appeal of the decision of the superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parent or guardian can show that extraordinary circumstances precluded them from doing so. The board may adopt in whole or in part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the board decision.

c. Permanent suspension

Permanent suspension is reserved for extraordinary circumstances such as where a student's conduct poses a life-threatening danger to the safety and well-being of other students, school personnel or any other person lawfully on school property or attending a school function.

Minimum Periods of Suspension

1. 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. In deciding whether to modify the penalty, the superintendent may consider the following:

1. The student's age.
2. The student's grade in school.
3. The student's prior disciplinary record.
4. The superintendent's belief that other forms of discipline may be more effective.
5. Input from parent or guardian, teachers and/or others.
6. Other extenuating circumstances.

A student with a disability may be suspended only in accordance with the requirements of state and federal law.

2. Students who commit violent acts 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, may be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent or guardian 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 or guardian 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.

3. Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interferes with the teacher's authority over the classroom

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 or guardian 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 or guardian 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.

ROLES IN THE DISCIPLINE PROCESS

The responsibility for student discipline rests with all those individuals who interact with the students of the school. Some individuals--including parents, guardians, teachers, support personnel, classmates, and administrators--interact directly with the students, while the superintendent and members of the board of education have more indirect contact. Regardless of the nature of the contact, the primary goal for each is to foster a climate of self-discipline and self-control in which all students may learn in a cooperative, safe, and positive environment.

Each individual mentioned above has a unique role to play in the growth and development of students. The major responsibilities common to those individuals who interact with students are as follows:

1. Implement and support a clearly defined discipline policy for the school district.
2. Encourage compliance with the Code of Conduct and implement the policy

consistently, firmly, fairly, and with respect for students.

3. Exemplify an enthusiastic and supportive attitude toward school and education.
4. Enforce prompt and regular school attendance.
5. Reflect enthusiasm for teaching and learning and a general concern for the welfare of students.
6. Guide students from the earliest years to develop socially acceptable standards of behavior and to exercise self-responsibility and self-discipline.
7. Provide and support programs that will help students assume responsibility for their actions and subsequent consequences.
8. Maintain open lines of communication between school and home.
9. Encourage students to discuss their problems by listening attentively, remaining open-minded and considering students' recommendations.
10. Demonstrate, by word and personal example, respect for law and order and self-discipline.
11. Give positive reinforcement for acceptable behavior.
12. Refer to a counselor or administrator any student whose behavior requires special attention.
13. Support in-service programs for staff members.
14. Provide a sound educational program that exemplifies a positive learning environment for all students.

ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district

will take immediate steps to provide alternative means of instruction for the student.

DISCIPLINE OF STUDENTS WITH DISABILITIES

The Committee on Special Education (CSE) reviews the Individualized Education Plan of each disabled student annually. A student with a disability is expected to comply with this Code of Conduct. A disabled student may not, as a result of violation of the Code, be subjected to the usual disciplinary procedures if the CSE determines that the behavior is a result of the disability. A disabled student's special education teacher or related service provider and guidance counselor should jointly decide if a disabled student's conduct should constitute a reason for referral to the CSE prior to the annual review. Staff should refer to the guidance document from the State Education Department when considering this decision. For all disabled students, however, a referral to the CSE for a manifestation hearing must be made once a total of ten (10) days of suspension has been reached.

The board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The board also recognizes that 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.

A. Authorized Suspensions or Removals of Students with Disabilities

1. For purposes of this section of the Code of Conduct, the following definitions apply:

A “**suspension**” means a suspension pursuant to Education Law § 3214.

A “**removal**” means a removal for disciplinary reasons from the student's current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others. An “IAES” means a temporary educational placement for a period of up to 45 days, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. The “IAES” will enable the student to continue to progress in the general curriculum in another setting, and to continue to receive those services and modifications described on the student's current individualized education program (IEP) that enable the student to meet the goals set out in such IEP, and it

will include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:

a. The Board, the district (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.

b. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.

c. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.

d. The superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.

1.) “**Weapon**” means the same as “dangerous weapon” under 18 U.S.C. § 930(g)(w) which includes “a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury.”

2.) “**Controlled substance**” means a drug or other substance identified in

certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.

- 3.) **“Illegal drugs”** means a controlled substance except for those legally possessed or used under supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either:

- a. for more than 10 consecutive school days; or
- b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they accumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.

2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. However, the district may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student’s disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

C. Special Rules Regarding the Suspension or Removal of Students with Disabilities

1. The district’s Committee on Special Education shall:

- a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability

for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary. If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.

2. The parent or guardian of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.

a. The superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.

b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district

either:

1.) conducted an individual evaluation and determined that the student is not a student with a disability, or

2.) determined that an evaluation was not necessary and provided notice to the parent or guardian of such determination, in the manner required by applicable law and regulations. If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

3. The district shall provide parents or guardians with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.

4. The parent or guardian of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents or guardians of non-disabled students under the Education Law.

5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the

Commissioner's regulations incorporated into this code.

6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.

7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:

1. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
2. The parent or guardian requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.

2. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parent or guardian and the district agree otherwise.

3. If school personnel propose to change the student's placement after expiration of an

IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.

4. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parent or guardian within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to Law Enforcement and Judicial Authorities

In accordance with the provisions of IDEA and its implementing regulations:

1. The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student's placement.
2. The superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

REFERRALS TO OTHER AGENCIES

1. PINS Petitions

The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct, which makes the student ungovernable, or habitually disobedient, and beyond the lawful control of the school.
- c. Knowingly and unlawfully possesses marijuana in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.

2. Juvenile Delinquents and Juvenile Offenders

The superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

- a. Any student under the age of 16 who is found to have brought a weapon to school, or
- b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).

The superintendent is required to refer students age 16 and older or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities.

CORPORAL PUNISHMENT

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden.

However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

1. Protect oneself, another student, teacher or any person from physical injury.
2. Protect the property of the school or others.
3. Restrain or remove a student whose behavior interferes with the orderly exercise and performance of school district functions, powers and duties, if that student has refused to refrain from further disruptive acts.

The district will file all complaints about the use of corporal punishment with the Commissioner of Education in accordance with Commissioner's regulations.

STUDENT SEARCHES AND INTERROGATIONS

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent or guardian before

questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the Superintendent of Schools, Building Principals, or designees the school nurse and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate.

Before searching a student or the student's belongings, the authorized school official shall make an attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. A student who refuses to allow a search of any possession or person shall be determined to be uncooperative and may be removed from school.

Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

A. Student Lockers, Desks and other School Storage Places

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain

complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

B. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

1. Name, age and grade of student searched.
2. Reasons for the search.
3. Name of any informant(s).
4. Purpose of search (that is, what item(s) were being sought).
5. Type and scope of search.
6. Person conducting search and his or her title and position.
7. Witnesses, if any, to the search.
8. Time and location of search.
9. Results of search (that is, what items(s) were found).
10. Disposition of items found.
11. Time, manner and results of parent or guardian notification.

The principal or the principal's designee shall be responsible for the custody, control and disposition of any illegal or dangerous item taken from a student. The principal or his or her designee shall clearly label each item taken from the student and retain control of the item(s), until the item is turned over to the police. The principal or his or her designee shall be responsible for personally delivering dangerous or illegal items to police authorities.

C. Police Involvement in Searches and Interrogations of Students

District officials are committed to cooperating with police officials and other law enforcement authorities to maintain a safe school environment. Police officials, however, have limited authority to interview or search students in schools or at school functions, or to use school facilities in connection with police work. Police officials may enter school property or a school function to question or search a student or to conduct a formal investigation involving students only if they have:

1. A search or an arrest warrant;
2. Probable cause to believe a crime has been committed on school property or at a school function;

3. Been invited by school officials.

Before police officials are permitted to question or search any student, the principal or his/her designee shall first vigorously try to notify the student's parent or guardian to give them the opportunity to be present during the police questioning or search. If a student's parent or guardian cannot be contacted prior to the police questioning or search, the questioning or search shall not be conducted. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside the school. This means:

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.

D. Child Protective Services Investigations

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to Child Protective Services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local Child Protective Services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by Child Protective Services to interview a student on school property shall be made directly to principal or his/her designee. The principal or designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the Child Protective Services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a Child Protective Services worker or school district official of the opposite sex.

A Child Protective Services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be

subject to danger of abuse if not he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent or guardian's consent.

VISITORS TO OUR SCHOOLS

The Board encourages parents, guardians and other district citizens to visit the district's schools and classrooms to observe the work of students, teachers and other staff. However, since schools are a place of work and learning, certain limits must be set for such visits. The building principal or his or her designee is responsible for all persons in the building and on the grounds. For these reasons, the following rules apply to visitors to the schools:

1. Parents, guardians or citizens who wish to observe a classroom/activity must have a sound educational reason and obtain prior approval for such visits from the building principal.
2. Anyone who is not a regular staff member or student of the school will be considered a visitor. 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. When leaving the building all visitors must sign out.
3. Visitors attending school functions that are open to the public, such as home-school organization meetings or public gatherings, may be required to register.
4. Teachers are expected not to take class time to discuss individual matters with visitors.

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 students, teachers 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 in proper attire 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, meetings or other school activities.
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, creed, national origin, religion, age, gender, sexual orientation or disability.
6. Enter any portion of the school premises 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 the traffic laws, parking regulations or other restrictions on vehicles;
9. Possess, consume, sell, distribute or exchange 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, 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.
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.

C. Enforcement

The building principal or his or her designee shall be responsible for enforcing the conduct required by this Code.

When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her designee shall also warn the individual of the consequences for failing 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 principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

DISSEMINATION AND REVIEW

A. Dissemination of Code of Conduct

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

1. Providing copies of a summary of the Code to all students at a general assembly held at the beginning of each school year.
2. Making copies of the Code available to all parent or guardian at the beginning of the school year.
3. Mailing a summary of the Code of Conduct written in plain language to all parent or guardian of district students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current Code of Conduct when they are first hired.
6. Making copies of the Code available for review by students, parent or guardian and other community members.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of the Code of Conduct. The superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding in service programs pertaining to the management and discipline of students.

The Board of Education will review this Code of Conduct every year and update it as necessary. In conducting the review, the Board will consider how effective the Code's provisions have been and whether the code has been applied fairly and consistently.

The Board may appoint an advisory committee to assist in reviewing the Code and the district's response to Code of Conduct violations. The committee will be made up of representatives of student, teacher, administrator, and home and school organizations, school safety personnel and other school personnel.

Before adopting any revisions to the Code, the Board will hold at least one public hearing at which school personnel, parent or guardian, students and any other interested party may participate.

The Code of Conduct and any amendments to it will be filed with the Commissioner

no later than 30 days after adoption.

ACCEPTABLE USE OF TECHNOLOGY GUIDELINES

The Scotia-Glenville Central School District electronic telecommunications network provides vast, diverse and unique resources for district users. Our goal in providing this service to teachers, staff and students is to promote educational excellence in the Scotia-Glenville School District by facilitating resource sharing, innovation and communication. The purpose of this policy is to ensure the proper use of the Scotia-Glenville School Central School District's computer and telecommunications resources by its employees and all persons having access to such resources.

The value of Internet access as an educational tool is immeasurable. The Internet provides users with the ability to communicate world-wide as well as access to a wide variety of information in the form of data, text, graphics, photographs, video and sound. Internet use will provide users the ability to access and exchange information from a variety of resources, which will enrich the educational process within the District. The user must realize that some material accessible via the Internet contains items that are illegal, defamatory, inaccurate or potentially offensive to some people. Internet use is a privilege, not a right and as such users are responsible for their behavior and communication while utilizing this service. Users have the responsibility to use the District's Internet access and other telecommunication resources in an efficient, ethical and lawful manner.

Computer and telecommunication resources and services include the following: file servers, desktop computers, workstations, laptops, software, Internet, intranet, commercial on-line services, bulletin board systems, e-mail services, internal and external communication networks which include; fax machines, telephones, iPod, 2-way radios, PDA's and other telecommunication devices are provided by the District as resources to assist teachers and staff in the performance of their jobs.

Computers and telecommunications systems belong to the Scotia-Glenville Central School District and should only be used for the fundamental purpose of the District as set forth in the District Guide. Users should not have the expectancy of privacy in anything they create, send, or receive on the District's computer or any other telecommunication resource. (The term "User", as utilized in this policy, refers to all employees, independent contractors, and other persons using or having access to the Scotia-Glenville Central

School District computers and telecommunication resources.)

Users are not permitted to attach any personal computing devices to the network. Examples include but are not limited to: computers (workstations and/or laptops), mobile devices, etc. Users are welcome to use these devices offline during or after the school day. Technical staff will not be able to support any personal equipment. Transfer of files may be done through a variety of methods including e-mail, floppy disks, CD's and Flash drives. The District will make reasonable efforts to insure the integrity of the data being transferred.

Users must comply with all State and Federal laws governing telecommunications and other guidelines set forth by this document and the Scotia-Glenville Central School District Code of Conduct. If a district employee violates the acceptable use provisions outlined in this document, his/her access to the Internet (network resources) may be denied. Users should also be aware that some violations constitute a criminal offense and may result in legal action or other District disciplinary actions as set forth in the appropriate contract provisions.

The Superintendent of Schools will establish guidelines for acceptable use of technology by all users in the Scotia-Glenville Central School District.

INTERNET USER GUIDELINES

The *Scotia-Glenville Central School District* provides students and staff (users) with access to the Internet as a learning tool. This electronic communications network gives users an opportunity to explore a diverse and unique pool of information. Utilizing this network in a school setting allows users of all ages to research information related to their classes, participate in innovative educational projects, and develop personal skills needed to communicate with others in the global community.

The students and staff utilize the Internet as an instructional tool in grades K-12. The following list highlights examples of the current Internet usage in our schools:

- Searching for information to support research projects for classes
- Collecting and analyzing information for exchanges with other classes
- Evaluating web sites for accuracy of content and bias
- Utilizing interactive simulations
- Participating in enrichment activities

- Researching current events and developments

The staff guides and supports students in developing skills and behaviors needed to properly use the Internet. In addition to staff supervision, the school district network is equipped with software directed at preventing students from accessing illegal, defamatory, or potentially offensive resources. However, the content of the Internet changes on a daily basis and, even with these safeguards, by chance or determination a user may be exposed to inaccurate or inappropriate information.

Students, parents, guardians, staff, and administrators must form a partnership to promote responsible educational use of the Internet. Federal and State laws as well as Scotia-Glenville Board of Education policies outline the responsibility and govern the appropriate use of the Internet and the school district network. Scotia-Glenville staff will teach and clarify appropriate use standards to students. If a user violates acceptable use of the Internet by engaging in any of the following actions, he or she will face the consequences as outlined in the District Conduct and Discipline Policy.

- **Electronic Devices:** Students using personal mobile devices will access district's wireless network through the guest connection for school related purposes. Students are responsible for the security and technical service of their own devices. Fees incurred while using district's wireless guest network are the responsibility of the student.
- **Electronic Devices:** Students should not take photos, videos, or audio recordings of others students, teachers, or any staff member at school unless required for school assignments. Students who choose to take photos, videos, or audio recordings without permission from others (students or staff) will receive an appropriate consequence.

- Sending or receiving offensive language or graphics
- Violating copyright laws
- Utilizing another user's password
- Attempting to harm or destroy the equipment or data of any user or organization
- Posting defamatory or slanderous statements
- Engaging in unauthorized access of data or transfer of files
- Using Internet access for non-educational purposes.

Internet access is an important privilege to aid in the educational process and to help prepare our students for their roles in the 21st century. It is our intention to provide this access for all of our students unless a parent or guardian indicates he or she would rather their child[dren] not have this opportunity. *In that case, please send the principal a short letter indicating that your child should not have Internet access during this school year.*

Please review this correspondence with your child. Thank you for helping to effectively extend our school-community partnership into the area of technology and the Internet.

WEB PUBLISHING GUIDELINES

Statement of Purpose

The Scotia-Glenville Central School District (SGCSD) provides web server access and server space to individual schools within the district, academic departments, and teachers for maintaining web pages. School district sponsored web pages will serve one or more of the following purposes:

- to enhance teaching by providing information that supports classroom instruction and relates to the curriculum
- to inform the community of school-related information and events
- to highlight instructional programs
- to showcase student achievement in the classroom and in extracurricular activities
- to support extracurricular activities (sports, clubs, and student organizations) through posting relevant information that increases visibility and participation

Contributors to the SGCSD web pages may include administrators, faculty, and staff who have a district e-mail account. Students may also participate on a web site development team sponsored by a staff member. The sponsoring staff member is

responsible for ensuring that any site produced with student collaboration adheres to the subject and content standards described below. The sponsoring staff member is directly responsible for posting the information to the web server.

Subject Matter

All subject matter on Scotia-Glenville School District web pages and their immediate links must relate to curriculum and instruction, school-authorized activities, or information about SGCSD or its mission. Staff or student work may be published only as it relates to a class project, course, or other school related activity. Faculty, staff, and students may not use the district web server to host personal non-academic pages, and may not provide links to personal non-academic pages on other servers.

Content Standards

The content of all pages will adhere to the Copyright Laws of the United States (see United States Government Copyright Office, Library of Congress website at <http://www.loc.gov/copyright>). Web designers will give credit for text and graphics gleaned from other sources using appropriate citation styles.

Text, image, movie, or sound that contains pornography, profanity, obscenity, or language that offends or tends to degrade others will not be permitted.

Communication regarding the content of web pages should be addressed to the Webmaster. Staff posting content should provide their district e-mail links on their respective pages. Site creators are responsible for responding to e-mail inquiries concerning their web pages in a timely manner.

Use of Student Images, Names, and Work (Intellectual Property) in Online Content

Parents and guardians will annually receive the opportunity to decline the online placement of their child's likeness, name in any form, and/or student-produced work. *To decline placement, parents and guardians should send a written request to their child's school principal.* Web page designers will make every effort to comply with requests from parents and guardians.

Personal information about a student is not allowed on web pages. This information includes home telephone numbers, street, or e-mail addresses, or information regarding the specific location of any student at any given time.

Students enrolled in special education programs will never be identified as a participant in a special education program.

Images

Photographs of students may be added to web pages as related to the Statement of Purpose, unless parents or guardians submit a written request to a school principal. See section below on identification of students in images, movies, and sound recordings.

Names

Students' photographs and their work may only be identified by first name, or where that is not enough, first name and last initial. Identification beyond this point is not allowed. Individuals in movies or sound recordings may not be specifically identified in any fashion.

Student Work (Intellectual Property)

Student work may be added to web pages as indicated in the Statement of Purpose, unless parents and guardians submit a written request to a school principal. Student work includes any form of learning produced by students, either at home or in school. Examples of student work include, but are not limited to, the following: digital photographs of art projects, literary products, media presentations, sound recordings, and reports.

District & School Safety Plans and Practices

The Scotia-Glenville School District has a district-wide safety plan plus building-level emergency response plans for each school. These plans define how the district and each school building will respond in the event of an emergency.

The best thing for parents to do in an emergency is to check the district website (www.scotiaglenvilleschools.org) for updates or listen to the T.V. or radio. If a situation

should arise in which students need to be evacuated to another building, parents will be notified.

Safety Drills

The principal is responsible for conducting fire drills in order to instruct staff and students in exiting the school building in an emergency in the shortest time possible and without panic and confusion. State law requires that schools hold 12 safety drills each year, including fire drills and lockdown drills. In a lockdown, all exterior school doors are secure so that no one may enter or leave the building temporarily. All students are expected to cooperate with staff members during fire drills, and to leave the building in a quiet and orderly manner. The exit route is posted in each room. Students must stay with their teacher. Distracting behavior will be subject to discipline by either the teacher or administrator.

Students also have an annual “Go Home Early” drill.

Automated External Defibrillators

The Scotia-Glenville School District maintains at least one functional automated external defibrillator (AED) for use during emergencies in each school.

SIGNS POSTED ON ALL SCHOOL GROUNDS

STRICTLY PROHIBITED ON SCHOOL PROPERTY

PROPERTY CLOSED DUSK UNTIL DAWN

1. SMOKING.
2. TRESPASSING.
3. LOITERING.
4. OPERATION OF MOTORIZED VEHICLES ON SCHOOL LAWNS, PLAYING FIELDS, OR TRACKS.
5. CLIMBING ON BUILDINGS OR FENCES.
6. INAPPROPRIATE USE OF SKATEBOARDS, ROLLERBLADES, OR BICYCLES.

7. FLYING MODEL AIRPLANES OR PLAYING GOLF.
8. USE OF PROFANE, LOUD, OR ABUSIVE LANGUAGE.
9. USE OR POSSESSION OF ANY INTOXICATING BEVERAGES, OR DRUGS.
10. CARRYING & USE OF FIREARMS, BOWS & ARROWS, & KNIVES.
11. ALL PETS MUST BE: LEASHED/UNDER OWNER'S CONTROL/CLEANED UP AFTER.
12. DEFACING OR DESTROYING SCHOOL PROPERTY.
13. HORSEBACK RIDING.

ALL VIOLATORS WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW. BY ORDER OF THE BOARD OF EDUCATION, SCOTIA-GLENVILLE CENTRAL SCHOOLS.

B.O.E. APPROVED 9/2/98