

Lakeland Central School District

Student Handbook

2017-2018



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Belief Statement

The Lakeland School District is committed to the complete education of its students by providing the highest quality educational environment and expecting the highest standards of scholarship, conduct, citizenship and character from all members of the school community.

In addition to the intellectual, social, and physical development of our students, we believe that their ethical development is of equal importance and it promotes a safe and nurturing learning community for everyone. Success in achieving these goals requires the commitment of students, parents, staff, and others in the school community.

We believe that people of good character are respectful and compassionate, tolerant, just, and fair. In addition, people of good character are responsible, loyal, trustworthy and honest, and demonstrating integrity in their daily conduct. It is these qualities that are the benchmarks of good character in the Lakeland school community and the foundation for a character education program in the Lakeland schools.

Equal Opportunity

The Lakeland Central School District does not discriminate on the basis of gender, race, creed, national origin, age, disability, marital status, or sexual orientation in its employment, admissions practices, vocational education opportunities, or access to – and treatment in – programs and activities, in accordance with the Title IX and Section 504 of The Rehabilitation Act of 1973

Rights of Students

Education in a free society demands that students be aware of their rights and learn to exercise them responsibly. To this end, students have a right:

- ◆ to be provided with an education that is intellectually challenging and relevant to demands of the 21st century;
- ◆ to learn in an environment free from interruption, harassment, discrimination, intimidation and fear;
- ◆ to participate in district activities on an equal basis regardless of race, color, creed, national origin, religion, gender, disability or sexual orientation;
- ◆ to be informed of all school rules;
- ◆ be guided by a discipline policy, which is fairly and consistently implemented.

Dignity for All Students Act (DASA)

The Board of Education recognizes that a learning environment that is safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting, hazing and intimidation. The District will, therefore, strive to create an environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission.

The District condemns and prohibits all forms of discrimination and harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex by school employees or students on school property or at school-sponsored events and activities that take place on or off of school property. In addition, any act of discrimination or harassment outside of school-sponsored events which can reasonably be expected to materially and substantially disrupt the educational process may be subject to discipline. (DASA Policy Attached).

Responsibilities of Students

Students attend school so that they may develop to their fullest potential. With this in mind, each student is expected:

- ◆ to accept responsibility for his/her actions;
- ◆ to respect the rights of others, including his/her right to secure an education in an environment that is orderly and disciplined;
- ◆ to attend school on a regular and punctual basis;
- ◆ to complete class assignments and other school responsibilities by established deadlines;
- ◆ to show evidence of appropriate progress toward meeting course and/or diploma requirements;
- ◆ to respect school property, (e.g., lockers) and help to keep it free from damage;
- ◆ to obey school regulations and rules made by school authorities and by the student governing body;
- ◆ to recognize that teachers assume the role of a surrogate parent in matters of behavior and discipline when at school;
- ◆ as well as during any school-sponsored activities;
- ◆ to contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all;
- ◆ to become familiar with this Code of Conduct and seek interpretation of parts not understood;
- ◆ to actively discourage inappropriate behavior of other students and report the incidents to the administration.

Note: The Lakeland Central School District Code of Conduct can be found in its entirety on the district website and at the back of this handbook.

The School Day

The school day begins at 7:30 a.m. and continues until 2:00 p.m. Students are required to enter and exit the building through the main entrance during school hours. NOTE: Prior to 7:30 a.m., entrance at WPHS is permitted through the East Bus Entrance, and student drivers are also permitted to exit through the East Bus Entrance.

Once on school property students are not allowed to leave until after the end of the school day unless permission is received.

The school day is divided into eight (8) periods of 44 minutes. Students have four minutes to pass between classes. Those students required to remain in school for a 9th period class or for an extra-curricular activity are to report to their classroom, the cafeteria, or the library.

Students are not permitted in the hallways without a pass while classes are in session. Those students found unsupervised or in unauthorized areas will be subject to disciplinary action. Under no circumstances may a student leave the school or the school grounds without authorization from a building administrator. If a student is found to be in violation of this rule, appropriate disciplinary action will result.

Students who are not required to stay after school must leave the building after their last scheduled period. In most cases, this is 2:00p.m. The regularly scheduled school buses leave at approximately 2:05 p.m.

Late buses are also available for students staying after-school; however, students may not leave campus and then return to take Lakeland transportation home. Passes are required to board a late bus. Students who plan to ride a late bus must get a pass from the teacher/advisor/coach requiring them to stay after school.

Guidance Department

The guidance department serves as a primary point of contact for the majority of student and parental concerns within the school.

Students are assigned to a counselor alphabetically at the start of ninth grade. In order to provide students and counselors with the greatest opportunity to establish strong relationships, students will remain with their counselor for all four years. The counseling objective is to develop positive, constructive relationships with students and parents through extensive individual and group contact.

Through this relationship counselors will address academic, emotional and social concerns for the personal well-being of each student so that he or she may have a better opportunity to actualize his or her inherent abilities as a contributing member of our school community. Counselors will help in bridging connections with teachers, providing assistance with scheduling, helping students develop balanced academic and extra-curricular programs, assisting students in crisis, holding parent conferences, interpreting test data, and ultimately advocating on behalf of each student towards his or her individually defined goals.

Post-high school planning is also a significant aspect of the counseling program. Fall and spring evening college admissions programs for students and parents, a financial aid planning night, school visits from college representatives, multiple individual and group informational meetings with counselors, web access to the Naviance College and Career Family Connection, an in-depth district guidance web-page, and individual assistance in the application process are all aspects of the high school counseling program.

Students wishing to meet with their counselor can stop in the guidance office during free time to see if their counselor is available, or schedule an appointment with a secretary. Parents wishing to meet with their child's counselor should always phone in advance to ensure the counselor is available to meet.

Student Support Staff

Other support staff are available to work with students to get the most out of their education while in the Lakeland Central School District. Together, these staff members will work with students, guidance counselors and teachers so students can learn to overcome those academic, personal and social obstacles that might prevent individual success.

- ◆ The **school nurse** can offer advice about health issues.
- ◆ The **school psychologist** can help sort through personal and academic challenges.
- ◆ The **school social worker** can assist with home and family issues.
- ◆ The **school resource officer** can offer personal, legal and protective assistance.
- ◆ The **student assistance counselor**, a position supported through Westchester County, provides drug and alcohol counseling and education to students with alcohol or drug related problems. The Student Assistance Counselor works under an elevated degree of confidentiality and is available to talk with students if there is a concern about drug or alcohol use by the student, a friend, or a family member.

Students understandably feel the need for privacy when discussing personal issues. Our counselors, psychologists, and social workers recognize the need for students to have such an outlet to address concerns at their onset with an adult in the school setting. They will respect each student's right to privacy unless the issues presented are perceived as a threat to a student's safety or welfare. If a parent or guardian feels this counseling approach is not appropriate, a request to discontinue counseling services must be submitted in writing.

Academic Intervention and Special Education Services

Our school also provides multiple levels of academic supports. Such supports range from Learning Center to special needs classes for students who have documented learning disabilities. We also have a resource education program to provide individual assistance for learning disabled students facing greater challenges in achieving at a level commensurate with their abilities.

Class Schedules and Changes

In recognition of the fact that, from time to time, students may wish to drop or add courses to their schedules for valid reasons, while understanding the need for administrative efficiency and ensuring that students complete all requirements, the Board of Education adopts the following policy for dropping and adding courses:

Full Year Courses

- ◆ Courses may be added through the 10th school day of September as designated on the school district calendar or with teacher permission, until the 15th school day of the school year.
- ◆ Courses dropped more than 5 days after the mailing of the first quarter report card as designated on the school calendar will be noted on the student's record as "Drop/Pass" or "Drop/Fail". The course will not calculate into a student's GPA, but the record will remain.
- ◆ Courses may not be dropped beyond the seventh day of the second semester (third quarter) of the school year.
- ◆ Course level changes (e.g., moving from Advanced Placement or Honors) do not constitute a formal "Drop." Should a level change occur more than 5 days after the mailing of the first quarter interim report as designated on the school calendar, the student's grades from the prior course will follow the student to the new course.
- ◆ Course level changes may not occur more than 5 days after the mailing of the first quarter report card as designated on the school calendar.

Semester (Half-year) Courses

- ◆ Courses may be added through the 7th school day of the semester or, with teacher permission, until the 10th school day of the semester, as designated on the school district calendar.
- ◆ Courses dropped more than 5 days after mailing of the first progress report as designated on the district calendar will be noted on the student's record as "Drop/Pass" or "Drop/Fail". The course will not calculate into a student's GPA, but the record will remain.
- ◆ Courses may not be dropped more than 5 days after the mailing of the first quarter report card for fall electives or 5 days after the mailing of 3rd quarter report cards for spring electives, as indicated on the school calendar.

Exceptions will be made to this policy only in extraordinary circumstances, as approved by the building Principal. Building level decisions may be appealed to the Superintendent or his/her designee.

Study Hall Policies, Procedures

Students in grades 9 must report to assigned study hall rooms. Students are to bring work to keep them busy for the entire period. The study hall will run as a class and students are expected to maintain classroom standards of behavior.

The library is open during school hours and is available for student use throughout the school day. Students can report to the library for quiet study during their free period. Students who wish to use the library from study hall must first get a pass from an academic teacher. Students in grades 10, 11 and 12 will have the option to report to the cafeteria or an area designated for quiet study during their study hall/free period assignment.

Students in grades 11 and 12 with Period 1 study hall/free period must apply for a late arrival pass if they do not intend to start school at the beginning of Period 1. Students must complete an application for late arrival approval. Students in grades 11 and 12 may also apply for an early dismissal pass if their scheduled school day ends before Period 8. If approved, the student must be prepared to present his/her pass to school personnel (hall monitor, attendance monitor, administration) prior to leaving the building.

National Honor Society

The National Honor Society is a prestigious organization to which Lakeland High School and Walter Panas High School students will receive an invitation packet for the application during the summer before their senior year. The organization stresses the qualities of scholarship, character, service and leadership, which each applicant must demonstrate. Grade point averages are not rounded when determining honor society eligibility. The requirements are:

- ◆ Students must have at least an 88 unweighted average.
- ◆ Students must have no discipline/behavior concerns either in or out of school.
- ◆ Students must have completed 80 hours service hours before they apply.
- ◆ During the course of their senior year, students must continue service and must complete an additional 20 hours within their high school.
- ◆ Students must submit proof of service and have 3 letters attesting to their character and/or service.
- ◆ Students must hand in the invitational packet and letters when due to be considered.
- ◆ Students who are denied admittance will have recourse to appeal their denial through the channels outlined in the national handbook.
- ◆ Students are expected to maintain good standing through senior year in order to remain in the honor society.

The induction for both high schools will take place in the fall for seniors who have been admitted.

GRADUATION REQUIREMENTS

New York State requires that every student complete a minimum of 22 units of credit to earn a diploma. In order to be best prepared for academic life beyond the high school, we urge our students, whenever possible, to complete four years of each of the five major academic subject areas, (English, Math, Science, Social Studies and a Language other than English.) New York State also requires students to pass a Regents Comprehensive Examination in several areas. The minimum courses required for graduation, are listed as follows:

COURSES

- English, 4 credits
- Social Studies, 4 credits
- Math, 3 credits
- Science, 3 credits *
- Language other than English, 1 credit**
- Art/Music/Drama, 1 credit
- Physical Education, 2 credits
- Health, .5 credits
- Electives as required to total 22 credits

* At least one must be in a commencement-level (lab) life sciences course and at least one must be in a commencement-level (lab) physical sciences course.

** A total of three credits must be completed to earn an Advanced Regents diploma. It should be noted that New York State's general regents graduation requirement in a Language other than English (one year), is lower than most college or university minimum entrance requirements.

REGENTS EXAM REQUIREMENTS

In order to graduate and earn a **Regents diploma**, students must score 65 or above on 5 required Regents exams. In order to earn an **Advanced Regents diploma**, students must score 65 or above on eight (8) required Regents exams and one comprehensive school-based exam in a Language Other Than English..

REGENTS DIPLOMA

- One (1) Math Regents Exam
- Global Studies Regents Exam, 10th grade
- English Regents Exam, 11th grade
- U.S. History Regents Exam, 11th grade
- One (1) Science Regents Exam (Life Science or Physical Science)

Note: Students earning an average of 90% or better on all regents exams for their respective diploma will earn an Honors designation.

Advanced Diploma

Students must pass all the above Regents exams required for a Regents Diploma, plus:

- Two additional Math Regents exams
- One additional Science Regents Exam. (One must be a Life Science and one a Physical Science)
- Language Other than English Comprehensive School-based Exam (Level III)*

Note: The Regents Competency Test safety net will continue to be available for all eligible students with disabilities entering Ninth Grade prior to the 2011-12 school year. Students using this safety net will receive a local diploma. The low-pass option of scoring between 55 and 64 on the required Regents exams to earn a local diploma will continue to be available for students with disabilities.

*A five-unit sequence in Career and Technical Education or the Arts may be substituted for the Language Other Than English requirement to earn the Advanced Regents diploma.

Revised Special Education Graduation Requirements

This revision applies to students who entered 9th grade in September, 2005 and thereafter. Currently, special education students may earn a local diploma by achieving a minimum passing score of 55 on the five required Regents Exams. Students, who began 9th grade prior to September, 201, are still eligible to sit for RCT Exams.

As of October 31, 2012, in addition to the current safety net, special education students may graduate with a minimum passing score of 45-54 on the Global History, US History or Science Regents Exams with the following conditions:

- The student must have passed the course in which the 45-54 is being used.
- The student has earned at least a 65 on another Regents examination.
- One score of 65 can only be used to balance one score of 45-54.
- This option cannot be utilized if the student is using any RCT exam to graduate.
- The 45-54 low pass score cannot be used for English or Math exams.

Grading Policy (Board of Education Policy #5123, revised 10/18/12)

The Board of Education recognizes that a grading system that evaluates a student's achievement and development in each class or subject area helps the students, teachers and parents to assess the student's progress towards personal educational goals. The Board further recognizes that the classroom teacher has the primary responsibility to evaluate students and determine student grades.

The District will establish a uniform grading system that classroom teachers will utilize to evaluate students and assign grades. As part of the grading process, the teacher shall recognize each student's ability, unique characteristics, as well as accepted standards of performance in the educational setting.

All students are expected to complete assigned classwork and homework, as directed. Class participation shall be factored into the student's grade. Students are expected to participate meaningfully in class discussions and activities in order to receive course credit. If work is missed due to excused absence, the student and/or student's parent(s)/guardian(s) should discuss making up the missed work with the student's teacher(s).

The following guidelines will be observed:

1. Parents shall be informed of their child's progress at regular intervals;
2. The use of grading marks and symbols will be explained;
3. For a full year course, the minimum quarterly grade shall be 50 for first three marking periods. Grades for the fourth marking period will reflect the students' actual average. For a semester course, the minimum quarterly grade shall be 50 for the first marking period. The second marking period will reflect the students' actual average.
4. Academic misconduct, such as plagiarism or cheating, will result in an academic sanction which may include a grade of "zero" for the assignment or test.
5. Grading will be based, in part, upon student achievement, improvement and participation in classroom discussions and activities.

Once a grade is assigned to a student by a classroom teacher, the grade may only be changed by the Building Principal after the teacher is notified of the reason for such change. The professional judgment of the teacher will be accorded due respect. If there is a dispute between the Building Principal and teacher regarding changing a student's grade, the Superintendent of Schools shall evaluate the situation and make the final grade determination. The parent/guardian may appeal the Superintendent's determination to the Board of Education, whose decision will be final.

Plagiarism/Cheating

Plagiarism is defined as using another person's ideas or expressions in your writing without acknowledging the source. This constitutes intellectual theft. A writer must document any borrowed material the reader might otherwise mistake as the author's own. If in doubt, cite. The following are examples of information to be cited: direct quotations, paraphrases, information, ideas, arguments, and statistics. Paraphrasing is not as simple as changing a few words in a sentence. When you use a thesaurus to substitute different words the syntax, or structure of the sentence remains the same. This is still plagiarism. When taking notes it is imperative that you put the author's ideas into your own words. When taking notes and writing your research paper, students should be careful not to plagiarize.

Each student is responsible for his/her own work. Academic misconduct, such as plagiarism or cheating, will result in an academic sanction which may include a grade of "zero" for the assignment or test. The parent (s) or guardian (s) will be notified of the offense.

Additional offenses may result in loss of course credit(s). Students could receive negative recommendations for National Honor Society if they are involved cheating or plagiarism.

Honor Roll- Credit Roll

A student must have a minimum of five (5) courses to be eligible for high honor, honor, and credit roll.

- ◆ Membership on the high honor roll for any marking period requires an average of 95%.
- ◆ Membership on the honor roll for any marking period requires an average of 90%.
- ◆ Membership on the credit roll for any marking period requires an average of 85%

Promotion of Students (Board Policy #5124)

It is essential that students experience both challenge and success from school programs and activities. Grade placements should enhance the possibility that students will be provided with appropriate experiences at their particular stages of physical, emotional, and academic growth.

The Board of Education believes that promotion from one grade in school to the next must indicate that students have passed a series of academically challenging courses in the core subject disciplines of English, Mathematics, Science and Social Studies, as well as other areas that contribute to a student's physical, cultural and academic knowledge. Students must attend school regularly and demonstrate academic achievement and a commitment to learning in order to progress to the next grade. Local testing and assessments will be factors considered in making promotion decisions.

The Superintendent of Schools shall develop regulations to implement this policy for the elementary, middle and high schools that includes the criteria to be considered in making determinations regarding promotion or retention of students, including considerations of academic achievement, standardized test scores, the chronological and emotional age of the student, homework/work habits and attendance.

Homework Guidelines

The Lakeland Central School District has developed homework guidelines to provide a form of consistency in assignments among grade levels and schools. These guidelines are based on best practices and current research with regard to the value of homework and teachers' surveys across grade levels. The following is summary the guidelines that were developed to guide our practices with regard to homework. For a complete copy of the Homework Guidelines document, go to the district web page at www.lakelandschools.org or contact Ms. Jean Miccio, Assistant Superintendent for Instruction, at the District Office (914)245-1700.

Professionals in the Lakeland Central School District recognize that the effectiveness of homework in improving student performance increases with the age of the child. The quantity and type of homework assigned must be grade level and ability appropriate. In support and recognition of the varied learning styles of our students, teachers will, when appropriate, offer some student choice in assignments to meet the individual styles, interests, abilities and needs of students.

Grading and Homework Completion

It is expected that anything important enough to be assigned, will then be checked to provide feedback for students and guide instruction for teachers.

Grades 9-12: Homework is assigned nightly (70-120minutes plus independent reading and completion of long-term assignments) and counts for 10-20% of a student's overall grade for the course as indicated in the course outline. At the secondary level the importance, encouragement, and support of substantial amounts of time set aside for required as well as independent reading and writing cannot be understated.

Advanced Placement (AP) and Honors courses naturally require much more emphasis on homework and outside reading as part of the requirements. In AP and Honors courses, as decided by departments, the percentages may exceed the 20% level for homework completion as outside reading and task completion are imperative to the fast pace at which these courses move. AP Students who do not demonstrate responsibility in the completion of homework as they move through their school years will not meet with success in AP or honors classes in our district. In executing these guidelines,

Students will:

Record assignments daily.

Select a good place to do their homework according to their learning style (if grades are going up, they have chosen appropriately – if not, they should redesign their space).

Remember to budget time for longer assignments and projects.

Spend more time on the subjects they find difficult.

Tell a teacher if homework is getting too hard – arrange to stay for extra help.

Parents will:

Assist students in designing their homework space.

Be a positive role model about the homework their child receives – support teachers' efforts.

Be a monitor and mentor in your child's learning at home.

Communicate immediately when homework problems/ concerns arise.

e-School, Home Access Center

Student Academic Progress Online

The Lakeland Central School District uses e-School, an integrated package that includes real-time information on attendance and grades, as well as scheduling, demographics, reports cards and more. Teachers use the grade book component to report and track assignments and grades. This data is then uploaded to a secure website to which parents have access.

All parents of students in grades 4 – 12 have an activation code that can be picked up at the start of the school year, if they have not already done so. Parents will need to show identification when picking up the code in their child's school to insure security and confidentiality. High school students may also apply for their own access code.

We are confident that e-School will provide a comprehensive view of student data, by providing information on grades, real-time attendance, and assignments.

Please see the district's web page (www.lakelandschools.org) for more information regarding e-School.

Textbooks

Textbooks will not be issued to students if they have not returned books from previously taken courses. Students will be allowed to use textbooks in class or in the library until any outstanding books are returned or paid for.

Electronic Communication Devices (ECD)

Electronic Communication Devices (e.g., Ipods, cell phones and laptops) are allowed on campus. These must be used in a way that is respectful of others and the educational process. The use of ECDs in academic areas (e.g., classrooms, library, gym) is at the discretion of the staff. ECDs must be turned off during school assemblies, testing, or emergency drills. Staff members have the right to confiscate such items when they disrupt instruction, school programs, or cause a student to be late or miss class. The use of ECDs for texting, receiving or making phone calls, or any other non-instructional purpose during class or in academic hallways during class time is prohibited and may result in disciplinary action.

Student Conduct

Students may not engage in any conduct that endangers the safety, morals, health or welfare of themselves and/or others, including lying to school personnel, engaging in gang-related activities (including the wearing of gang colors or gang-related apparel, as in the wearing of hoods, sunglasses and/or gloves in the building unless worn for medical reasons), or the withholding of information from a responsible adult about any individual who may potentially cause harm to themselves, others or school property.

A student shall not conduct himself/herself in such a manner that will defame or bring the school into contempt or disrepute. Skateboards, roller-blades, 'wheelies,' laser pointers, masks, chains, water pistols, or items, which may be dangerous or disruptive, are not permitted in the high school classrooms or on school grounds. These items will be confiscated and returned when deemed appropriate. Spitting and the throwing snow balls are not permitted and will result in disciplinary action. You must have the permission of anyone who is being photographed, recorded and/or videotaped. This includes the use of cell phone cameras. If a student finds property that does not belong to him/her, it must immediately be handed to a teacher or administrator or it will be considered stolen.

Assassination Game

Participation in the Assassination game is not permitted on high school grounds. Any involvement (e.g., collecting of money, distributing rules for the game) will be met with disciplinary action. All water pistols will be confiscated and not returned.

Gambling

Gambling is not allowed on school grounds. Students may not use the premises to buy, sell, or exchange personal property (e.g., Ipods, cell phones). Students may not conduct personal business for profit on school property. Appropriate administrative action will be taken depending on the seriousness of the incident.

Overnight Trips

The following apply to student overnight trips:

- ◆ School rules remain in effect during the trip.
- ◆ Products with alcohol may not be taken on a trip.
- ◆ All bags may be searched prior to departure.
- ◆ Individual advisor contracts must be adhered to.
- ◆ Students found with contraband items will not be permitted on the trip and will be subject to disciplinary action.
- ◆ Medication of any kind (prescription & over the counter) is prohibited without adhering to LCSD medication policy.
- ◆ There is no guarantee that students will receive reimbursement for the trip should they not be able to attend.

Drills

In our continuing efforts to ensure the safety of our students and staff, and to comply with governmental regulations, we will be conducting both announced and unannounced drills periodically, which will include, but not be limited to, evacuation drills, early dismissal drills, fire drills, and lockdown drills, as well as periodic checks that will include visits by drug-sniffing dogs and local authorities.

Misconduct, false reporting, or inciting of disorder is not permitted. Severe school and legal consequences may be applied.

Comprehensive Student Attendance Policy

Philosophy and Purpose

A positive academic culture is best achieved by the regular and continued exchange of ideas among peers, guided by teachers and educational leaders. Because excellence in all aspects of a student's school experience is the hallmark of The Lakeland Central School District, the following policy regarding student attendance has been established. This policy recognizes that school attendance is the responsibility of the student and parent/guardian, supported by the teachers and administration. The intention of this policy is encourage regular student attendance through positive rather than punitive means.

Shared Responsibility

The Board of Education recognizes that class attendance is a shared responsibility involving commitment on the part of the student, parent/guardian, and the school. This policy is intended to involve all parties in promoting regular school attendance.

A. Student's Responsibility: It is the student's responsibility to:

1. Attend all assigned classes and other instructional activities on time every day that school is in session;
2. Be aware of and follow the correct procedures when absent from an assigned class or other instructional activity;
3. Request any missed assignments due to an absence; and
4. Complete assigned work, including make-up work, in a timely manner.

B. Parent/Guardian's Responsibility: It is the responsibility of the student's parent/guardian to:

1. Ensure the student is attending school regularly and on time;
2. Inform the school in the event of a student absence, in advance if possible;
3. Be aware of and follow the correct procedures for reporting student absence and send in a note or documentation on the day the student returns to school and in any event within 48 hours of the student's return to school.
4. Work cooperatively with the school and the student to resolve any attendance issues that may arise.
5. Be available to attend an administrative meeting related to attendance issues;
6. Arrange family vacations and trips when school is not in session so that the student does not miss school;
7. Arrange doctor and dentist appointments before or after school, or on weekends, when possible.

C. Teacher's Responsibility: It is the teacher's responsibility to:

1. Take daily attendance and maintain accurate attendance records in each assigned class and other instructional activities;
2. Be familiar with all procedures governing attendance and to apply these procedures uniformly for all assigned students.
3. Provide any student who has been absent with any missed assignments upon request and a date by which the assignment must be made up;
4. Work cooperatively with the student's parent/guardian as well as the student to resolve any attendance issues that may arise;
5. Notify administration when you become aware of an issue regarding a student that is affecting or may affect the student's attendance.

D. Administrator's Responsibility It is the administrator's responsibility to:

1. Require students to attend all assigned classes and other instructional activities;
2. Be familiar with statutes, policies and procedures governing attendance and apply them uniformly to all students;
3. Ensure that all teachers properly account for student attendance in a timely manner;
4. Inform the student's parent/guardian of the student's attendance and work cooperatively with them and the student to resolve attendance problems; and
5. Work collaboratively with the teaching staff to develop and implement uniform attendance procedures.

Record Keeping

A. Attendance recordkeeping shall conform to the following:

1. Elementary schools shall ensure that attendance is taken once each day, except where students are dismissed from campus for lunch a second attendance shall be taken upon the return from lunch.
2. In departmentalized grades including grades 9-12, attendance shall be taken in each period of scheduled instruction, with an exception for consecutive periods where classes are in the same room.
3. In Grades K-12, any absence for a school day or part of a school day shall be recorded as excused or unexcused as provided for in this policy.
4. In Grades 7-12, events of tardiness shall be recorded as excused or unexcused as provided for in this policy.
5. In Grades K-12, events of late arrival or early departure shall be recorded as excused or unexcused as provided for in this policy.
6. A record shall be maintained of each scheduled day of instruction during which school is closed for all or part of the day because of extraordinary circumstances including adverse weather, failure of the heating system or water supply, fuel supply shortage or structural damage to the building, etc.
7. A record shall be made of the date when a student withdraws from enrollment or is dropped from enrollment in accordance with §3202(3-a) of the Education Law.

- B. All entries in the register of attendance shall be made by a teacher or another employee designated by the Board of Education. Any individual authorized to make entries in the register of attendance shall, by oath or affirmation, verify the contents of the entries.
- C. Student attendance records shall be reviewed by the Principal of each school building in the District and/or his/her administrative designee for the purpose of initiating appropriate actions to address unexcused student absences, tardiness and early departures.
- D. The register of attendance shall consist of any written or electronic record to record attendance, absence, tardiness or early departure of a student. The register shall be maintained for every period that a student is scheduled to attend actual instruction or supervised study during the course of the school day during the school year, from July 1st through June 30th. The register at every school building shall include separate notations regarding student presence, absence, tardiness and early departure. The contents of the register for each student shall contain the information prescribed in Part 104 of the Regulations of the Commissioner of Education.

Excused and Unexcused Absences

The Board recognizes the following as excused absences, each of which must be verified by the student's parent/guardian, in writing, or school personnel, where applicable:

1. Personal illness
2. Death in the [immediate] family
3. Religious observance
4. Required attendance in court
5. Approved school-sponsored activities, including field trips, interscholastic athletics, musical and other competitions
6. Directed or authorized presence at the Administrative Offices, Guidance or Nurse's Office.
7. Quarantine
8. Emergency dental and medical appointments (only with physician's/dentist's note)
9. Military obligations
10. Approved cooperative/work study program
11. College visitations [only for juniors and seniors], with the prior knowledge and approval of parent/guardian and counselors, so long as it does not exceed 4 days in a school year.

The written excuse must be presented by the student on the day when returning to school following such absence. If the written excuse is not submitted within 48 hours following such absence, it will be considered an unexcused absence.

Any absence not provided for on the excused list shall be deemed an unexcused absence. However, the Building Principal, in his/her discretion, may determine that an absence due to unusual and extraordinary circumstances should be deemed an excused absence.

A student who is offered home instruction for medical or disciplinary reasons by the School District, and who receives such home instruction, shall be counted as present for school attendance purposes.

Attendance Expectations

It is the expectation of the School District that each student will attend school on time, for the maximum number of days and instructional periods possible.

All students who are absent from school or class, whether excused or unexcused, must make up all class assignments to remain current with their coursework. Students are expected upon their return after an absence to consult with their teachers regarding missed work and complete all work by the date specified by the student's teacher for the class in question (generally within one week).

Students who are unable to attend school or a class due to an excused absence may arrange with their teachers to make up any work missed and receive assignments in advance if requested two or more days prior to the absence.

Only students who are absent from school due to an excused absence may make up quizzes and examinations.

With the approval of the Principal, make-up assignments may be waived in exceptional circumstances or where a Section 504 accommodation is warranted.

Grades K-8 Attendance

Class attendance is a critical component of the K-6 learning process. Students must be in the classroom to learn. Students must maintain a minimum 90% attendance rate. The Principal may convene a meeting with the Response to Intervention Team if any student has three or more absences in a quarter to evaluate the need to develop intervention strategies. The Principal shall also make contact with the student and his/her parent(s)/guardian and may require a meeting with the student, his/her parent(s)/guardian and other appropriate personnel to address attendance issues.

Grades 9-12 Attendance Course Credit

To earn course credit, students must be in attendance for at least 90% of classes based on a 180 school day calendar. Both excused and unexcused absences will be counted in determining the minimum 90% attendance requirement, except that approved school-sponsored activities (e.g., field trips, interscholastic athletics, competitions) will not be counted if the student makes up all missed assignments in a timely manner. This provision shall also apply to Middle School students who are enrolled in high school level courses.

Benchmarks for Intervention

Parents/Guardians will be notified at regular intervals during the school year regarding their child's attendance record.

In addition, to assist students in meeting the minimum 90% attendance standard for the Lakeland Central School District, absence benchmarks for intervention have been established.

For a One-half Credit Course they are as follows:

- A. The parent(s)/guardian will be contacted either by automated telephone call or other electronic communication for any absence for which there is no prior telephone call or excuse received from the parent(s)/guardian.
- B. 8 Days: The parent(s)/guardian may be contacted by a school administrator to schedule a meeting or telephone conference for purposes of discussing the student's attendance issues, which may include drafting an agreement between all parties identifying those attendance and academic behaviors and strategies that will likely result in the student's successful completion of the course. (Discussed below).
- C. End of term: Review of agreement and student progress and attendance for credit award determination.
- D. Failure to meet the terms of the agreement may result in loss of eligibility to sit for the final examination.

For a One Credit Course they are as follows:

- A. The parent(s)/guardian will be contacted either by automated telephone call or other electronic communication for any absence for which there is no prior telephone call or excuse received from the parent(s)/guardian.
- B. 10 Days: The parent(s)/guardian may be contacted by a school administrator to discuss the student's attendance issues.
- C. 16 Days: The parent(s)/guardian may be contacted by a school administrator to schedule a meeting or telephone conference for purposes of discussing the student's attendance issues, which may include drafting an agreement between all parties identifying those attendance and academic behaviors and strategies that will likely result in the student's successful completion of the course. (Discussed below).
- D. End of term: Review of contract and student progress and attendance for credit award determination.
- E. Failure to meet the terms of the agreement may result in loss of eligibility to sit for the final examination.

If a student exhibits a pattern of unexcused absence, tardiness or early departure, the parent(s)/guardian will be contacted. In addition, the student shall meet with the classroom teacher and/or a guidance counselor in an effort to remediate the underlying problem. The Principal or designee may meet with the student and/or his/her parent(s)/guardian.

All verbal, electronic and written contacts with the parent(s)/guardian will be documented by the District.

Appeals

A student or his/her parent(s)/guardian will have the right to appeal to the Principal or designee regarding the accuracy of the number of or type of absences for any class as well as a determination that a student has not earned credit in a course or courses. Chronic illness or medical conditions which may affect a student's attendance will be considered.

The Principal's decision denying a student credit in a course of courses may be appealed to the Superintendent of Schools or designee within 10 days of the Principal's determination.

Additional Interventions

In the event that school level interventions have not improved the student's attendance, the Principal or designee may:

- 1. recommend disciplinary action in accordance with the District Code of Conduct
- 2. recommend that a Person in Need of Supervision (PINS) petition be filed with the Family Court.
- 3. after, investigation, make a report to Child Protective Services (CPS) for educational neglect.
 - Educational neglect is defined as the failure of a parent/guardian to ensure that a child's prompt and regular attendance in school or the keeping of a child out of school for impermissible reasons results in an adverse effect on the child's educational progress or imminent danger of such an adverse effect.
 - The report must be made by a mandated reporter who has reasonable cause to suspect educational neglect.

Encouraging Student Attendance: (Incentives)

At the elementary level, teachers shall utilize attendance incentives such as recognition of students with good attendance and consideration of such students for special privileges.

At the secondary level, eligibility for extra and co-curricular activities, interscholastic sports and attendance at school sponsored activities shall be restricted to those students whose attendance supports course credit in each of their academic subjects.

Incentives:

- A. Different incentives will be established for different grade levels as appropriate to each building's resources and limitation.
- B. Incentives will be offered throughout the year for students with excellent (or perfect) attendance. Incentives may include certificates of recognition, drawings for prizes, privileges, etc.

Oversight Responsibilities

- A. The Building Principal and/or his/her administrative designee shall be responsible for reviewing student attendance records and initiating appropriate action consistent with this policy.
- B. The Board of Education shall annually review building level student attendance records to determine if the comprehensive student attendance policy is effective. If a decline in attendance is evident, the Board shall revise the policy as deemed necessary to improve student attendance.

Tardiness

Students are expected to arrive at school and class on time. A pattern of tardiness will result in disciplinary action. Students involved in extra-curricular activities must be in school by third period and be in attendance for at least four periods on the day of the event or they may not participate. Students who do not meet attendance requirements for the school day may not participate in any school function that day (e.g., sports, drama, band, debate, clubs, trips, and Board of Cooperative Educational Services (BOCES) programs).

Truancy

If a student is truant from school, the student is given an unexcused absence. Truancy will result in disciplinary action, which may include detention, suspension, and /or court action.

Leaving School Grounds

Under no circumstances may a student leave the school or the school grounds without authorization from a building administrator. If a student is found to be in violation of this rule, appropriate disciplinary action will result. (see Board Policy #5130 Closed Campus at HS)

Early Dismissal from School

Students may leave the grounds after they have arrived at school only with proper authorization.

In order to leave early for any reason, it is necessary to bring in a written request from a parent or guardian. The note must be given to the attendance office and should contain a phone number where the parent/guardian can be reached to verify the request. Students dismissed early must sign out at the attendance desk before leaving the building.

The school nurse may excuse a student early for illness after contacting the parent and being assured that the parent or guardian is at home or is assuming responsibility for the student.

Any student in grades 11 or 12 whose scheduled classes are completed before period 8 and wishes to be excused from school on a daily basis must complete the application for an early dismissal pass. This pass must be presented to the attendance office prior to leaving the building.

The following are legal excuses for early dismissal:

1. Personal Illness
2. Death in the immediate family
3. Religious observance
4. Required attendance in court
5. Approved school-sponsored activities
6. Emergency dental and medical appointments
7. Approved cooperative/work study program
8. College visitation (only for juniors and seniors)
9. When the student's classes are completed earlier than the regular dismissal time and an early dismissal form is on file

Any dismissal not provided for on the excused list is an unexcused absence. Unexcused absences will result in a grade of zero for any test or quiz given that day.

Student Illness

If a student becomes ill during school hours, he/she is to report to the nurse who will determine the nature and seriousness of the illness. If necessary, the nurse will notify the parent (s) or guardian (s) immediately. If a student becomes ill while in class, he/she must obtain a pass from the teacher before going to the nurse's office. Students who are ill are responsible for any missed class work during this time. A student may not legally leave the school because of illness unless dismissed by the nurse. Students who leave school grounds without permission will be disciplined as deemed appropriate.

Please note: Failure to adhere to this process will result in absences which may impact a student's ability to earn course credit.

Medication Policy

Medication of any kind cannot legally be dispensed to any student without a physician's order and parental consent. Medications that can be taken at home before or after school should be arranged in this manner. If it is absolutely necessary to take medication during school hours, follow this procedure:

The parent or guardian must obtain a form from the Health Office or download the form from the LCSD website for the physician to fill out and sign. The parent/guardian must bring in the bottle from the pharmacy with the label attached. Students are not to bring in medication. If a student brings the medication into school, it will be taken from him/her and not given until the parent comes to school with necessary forms. Any student found with medication by school personnel will have the medication confiscated and disciplinary consequences may occur. This includes both over-the-counter and prescription medication.

Lakeland Central School District policy requires that a parent or guardian must pick up all medication on or before the last day of school. Any remaining medication will be disposed of at the close of the last day. If a student needs to carry their own medication, a parent or guardian must contact the school nurse to for further information. This includes both over-the-counter and prescription medication.

Physical Education Grading Policy

Every student must receive two credits in physical education in order to graduate as required by the NYSED. A physical education teacher must give the grade and every student must be placed on an official class roster.

No student can be given a waiver or exemption from physical education. Alternative assignments are outlined below and will be assigned after reviewing the student's circumstances on an individual basis. A physician must document medical conditions.

Grading Policy

The basic criteria for grading in Physical Education is participation in each class as well as attendance and being prepared by wearing the proper attire. All students will receive up to five (5) points for each class in which they attend, dress and participate fully. Quarterly grades will be numeric and based on twenty (20) classes per quarter.

Students are expected to: Attend + Be Punctual + Be Prepared + Participate

Attendance

Attendance is mandatory and is the basis of the Physical Education grading policy. Students, who do not attend class, cannot earn the five (5) points for the class.

Punctuality

Students must be seated in their assigned area when the whistle blows signaling the beginning of class. Those who are not seated in their assigned areas are subject to a two (2)-point grade penalty for lateness.

Preparation (Proper Attire)

To be considered prepared for class students should be wearing the proper attire. The proper attire consists of:

- ◆ Sneakers only (rubber soled shoes or boots and platform sneakers are not acceptable)
- ◆ Shorts, sweat pants or wind warm-ups only (full length pants, i.e. jeans, under sweat/wind warm-ups are not acceptable)
- ◆ Change of shirt (preferably T-shirt or sweat shirt)

Note: Those students not wearing the above proper attire will not receive the five (5) points for the class. Excessive unpreparedness may result in disciplinary action.

Participation

Each student is expected to perform the tasks outlined in the Physical Education curriculum to the best of his/her ability. Any student showing no effort may not receive the entire five (5) points for the class. For example, students who refuse to do warm-up activities at the beginning of class will not receive the entire five (5) points.

Missed Class

A missed class is a class a student may miss due to absence, unpreparedness, lack of participation or removal from class.

Missed classes that may be made up: legal absence, unprepared, medical excuse

Missed classes that may not be made up: illegal absence (cut), refusal to participate, removal from class.

Extra Help Physical Education

Students who accumulate missed physical education classes will have the opportunity to attend extra help Physical Education sessions. By attending, being prepared and participating in one (1) extra help Physical Education session a student will receive credit for one (1) regular Physical Education class.

Students can only attend extra help classes if their schedules can accommodate the sessions. A student cannot cut another class to attend an extra physical fitness class. Extra help sessions must be arranged in advance with a Physical Education teacher.

Medical

Medical excuses for Physical Education are separated into two (2) categories:

- ◆ Excuse via a parent note - short term-maximum two (2) weeks
- ◆ Excuse via a note from a doctor – long term

Parental Note

A student may be excused from participation in Physical Education class if a parental note (indicating illness or injury) is presented to the school nurse before class. The student must report to the Physical Education class with the authorized excuse. The Physical Education teacher will determine where the student will spend the remainder of the period. Students will be required to complete a written assignment each class period for which there is a medical excuse.

Doctor's Note

A long-term medical difficulty preventing a student from attending Physical Education classes will be handled on an individual basis. An alternative assignment will be given.

Alternative Assignment and Procedures

Physically challenged students who may not be able to participate in some/all physical education activities may be given one of the following assignments for credit. Some units of instruction may provide the opportunity for full or adapted participation within the regular class setting:

1. An alternative activity may be assigned in PE class (i.e., walking). The amount of time, duration, and degree of difficulty of the activity completed will be determined by the student's individual ability. Those students with a 1:1 aide should check in with the PE teacher for attendance purposes, then complete their activity.

2. One research paper per semester (2 per year) may be assigned on a topic to be determined by the physical education teacher and student. When utilizing this option, the student must check in with the PE teacher before each class for attendance purposes then report to the library or study hall. Meeting between the student and PE teacher should be held periodically to assess the progress and provide guidance.
3. Written or oral exams may be given to students based on research topics given as alternatives to participation.
4. Assigned adaptive physical education.

Students unable to take part in regular physical education class due to a medical condition, but are able to attend school, will complete one of the following assignment for credit:

1. Students with a short-term medical condition (up to two weeks) will complete a written assignment for the physical education classes missed during the two-week period. The topic will be determined by the PE teacher and completed in the library or study hall.
2. Students with a long-term medical condition (more than two weeks) will complete one of the assignments as outlined in the section for physically challenged students.

Failing Physical Education

Students who fail physical education may utilize one of the following options:

1. Double up their physical education class during the subsequent semester.
2. Take physical education class off campus at an accredited school or college. Prior approval from principal is required.
Note: Being a member of a fitness club is NOT acceptable.
3. If a student is in need of physical education credit, he/she may petition the physical education department in writing for an alternative assignment. In order for this option to be used, the Guidance Department, under the direction of the principal, will work with the physical education department to outline the parameters of the alternative assignment.

Home Instruction

Students on home instruction due to suspension, a medical condition, or CSE placement may utilize one of the following options:

1. Double up their physical education class during the subsequent semester(s) following their return to school.
2. Take physical education class off campus at an accredited school or college. Prior approval from the principal is required.
Note: being a member of a fitness club is NOT acceptable.
3. If a student is in need of physical education credit, he/she may write a research paper for each semester of absence. In order for this option to be used, the guidance counselor, under the direction of the principal, will work with the physical education department to outline the parameters of the paper.

Physical Education Alternative Program

As an alternative to our regular physical education required program, students in the 10th, 11th or 12th grade classes who have successfully completed previous requirements may participate in any Lakeland sport provided the following criteria are met:

1. Only students in 10, 11th or 12th grade who participates and competes in a varsity sport may obtain credit for this 10-week marking period in physical education.

EXAMPLE: Fall Sports - First quarter exemption from Physical Education only.
 Winter Sports - 3rd quarter only
 Spring Sports - 4th quarter only

2. Approval for programs must be granted by Physical Education Department and coach and by the student's parents/guardians.
3. Students must fulfill the following conditions to be eligible for the alternative program:
 - a. Must have passed Physical Education in the previous year.
 - b. Must have successfully completed all alternative programs.
 - c. Must be in good standing each quarter preceding enrollment in the alternative program.
4. Alternative programs cannot be used as make-ups for regular classes missed nor can regular classes be used as make up for alternative program.
5. Alternative program contract form must be completed, signed by your Report Card PE teacher within the required period of time, personally delivered to and signed by supervising teacher.

The alternative program is only granted for one quarter of the year.

Tenth graders in the Physical Education Alternative Program, who are assigned to a study hall, must report to the study hall. Failure to do so may result in a student's removal from the Physical Education Alternative Program.

♦ **Procedure**

1. Obtain alternate program forms from the supervising physical education teacher.
 2. Fill out the form located in the appendix. Your parents, the coach and your report card teacher must sign it.
- The completed forms must be personally returned to, approved by and signed by the supervising teacher of the alternative program at school, within the required time. (Two (2) weeks prior to the start of each quarter. The exception is the first quarter, which is one week.)

♦ **Withdrawal from team**

If voluntary or involuntary withdrawal from the team is necessary, the student must contact the supervising teacher at school within one week to get reinstated into physical education classes.

Failure to immediately report to the supervising teacher of the alternative program may impact the student's grade.

♦ **Contract**

Any irregularities in the fulfillment of the program will result in an automatic removal from the alternative program and a failing grade for the quarter.

LAKELAND CENTRAL SCHOOL DISTRICT

ACADEMIC ELIGIBILITY POLICY

FOR ATHLETICS AND EXTRACURRICULAR ACTIVITIES

Philosophy

The Board of Education encourages student participation in athletics and extracurricular activities while recognizing the importance of maintaining academic standards. This policy reflects the common goals of sustaining academic achievement, while participating in extracurricular activities.

It is the intention that this policy support education and serve as a guide to help participating students remain focused, maintain academic standards and remain eligible. Students, who become academically ineligible, will be given the opportunity to regain full eligibility status through adherence to guidelines outlined in this policy. In the event that a student feels that he or she has been inappropriately deemed ineligible, he or she can appeal this decision as set forth in this policy.

Responsibility of the Parent and Student

It is the sole responsibility of the student and/or his/her parent/guardian to review and monitor student progress in all classes throughout the school year. When a concern arises, it is incumbent upon the parent/guardian or student to seek out the teacher, counselor or assistant principal to discuss the student's progress in class.

General Academic Eligibility Statement

This policy applies to all extracurricular activities that meet more than three hours per week and includes all clubs and athletic teams. Participation in extracurricular activities is a privilege, not a right; students are expected to maintain a certain level of academic performance in order to participate in extracurricular programs. Once a student has been identified as being in danger of or being academically ineligible, academic performance will be monitored during the entire school year. Students must meet the following criteria in order to participate in extracurricular activities:

Academic Standard

A student must maintain an academic program of at least 5.5 credits, which includes physical education. The student must attend classes regularly and perform course work in all of his/her classes for each marking period. Student performance will be reviewed at the end of each interim progress report and each marking period (further known as the Eligibility Period). An eligibility list will be published after each interim progress report or marking period report is finalized – approximately every five weeks. In order for a student to be removed from any level of probation, the student must be passing all courses at the next quarter or interim progress (mid-quarter) report.

Eligibility Standards

1. Academic Probation

- a. If a student receives **one** comment of "Failing Probation/Ineligible" on the interim progress report or **one** failure on the report card, he/she will be placed on academic probation until the end of the next Eligibility Period (*See Academic Standard*).
- b. A student on academic probation may fully participate in all extracurricular activities and interscholastic sports, and is required to **make every effort** to attend before and/or after-school study sessions – these are available most days, and should be fully utilized in these cases.
- c. If, after the next interim progress report or report card, the student is still failing the same one course, he/she will become "Ineligible to Compete/Participate." (*See 2a.*)

2. Ineligible to Compete/Participate

- a. A student on "ineligible to compete/participate" status will be allowed to participate in **practices only**, but may not participate in games, competitions or other similar activities until the end of the next Eligibility Period (*See Academic Standard*). It is **required** that the student attend before and/or after-school study sessions.

- b. Ineligible to Compete/Participate status can be appealed following the appeal process guidelines. (*See Appeals*) If a student appeal is granted, he/she will not return to competition/participation sooner than two weeks from the previous Eligibility Period. If a student appeal is denied, the student remains “ineligible to compete/participate” until the next Eligibility Period.

3. Ineligible Status

- a. If a student receives **two or more** “Failing Probation/Ineligible” comments on an interim progress report or **two or more** failures on a report card, he/she will be ineligible to participate in ANY extracurricular activity until the end of the next Eligibility Period (*See Academic Standard*). It is **required** that the student attend before and/or after-school study sessions. In order for the student to return to his/her activity, he/she must be passing all classes.
- b. Ineligible Status cannot be appealed.

Tryout Period

Due to the brief and specific dates for athletic tryouts, auditions and certain extracurricular activities, students will be permitted to tryout or audition, and will not be penalized due to their eligibility status. The ability to tryout or audition does not give the student the ability to participate if selected, unless he/she meets the Academic Standard.

Fall Sports & Extracurricular Activities

The June report card final grades will determine fall eligibility status. Upon submission of proof of successful completion of courses in summer school, eligibility will be restored.

Appeals

A student or his/her parent/guardian may request reconsideration or appeal the determination regarding the student’s ineligibility to compete/participate status to the Academic Eligibility Committee. The Academic Eligibility Committee will be comprised of an Administrator, Teachers and/or Guidance Counselors from the other district high school in which the student is or will be enrolled. This committee shall not include the student’s coach/advisor for the particular sport or activity from which declared ineligible. At least three individuals must be present to make a determination. The decision of the Academic Eligibility Committee is final and is not subject to appeal.

NOTE: A student may only appeal his/her status within the first week of being ineligible if he/she is failing one class during concurrent Eligibility Periods. (*See 1c.*) Additionally, the student **MUST** be passing ALL of his/her courses at the time in which the request is made. In order to appeal his/her status, a student must complete the “*Academic Ineligibility Status Change Request Form*” for the class he/she is failing, and submit the appeal to the principal. This form can be obtained in either the Principal’s Office or the Athletic Office or on the District website.

The response for the appeal will be returned to the student within one week’s time and, if granted, the student may begin to compete/participate in games, competitions or other activities at the conclusion of the second week following the previous Eligibility Period. Therefore, a student granted their appeal will not return to competition sooner than two weeks from the previous Eligibility Period. If a student appeal is denied, the student remains “ineligible to compete/participate” until the next Eligibility Period.

Enforcement

If a student does not follow the protocols relevant to his/her academic probation status as set forth in this policy, either the student’s probation will be extended or the student may be removed from the team/activity. In addition, once a student violates this policy, he/she loses the right to appeal his/her probationary status.

Policy Adopted: June 8, 2017

Drug Policy

Students who are found to be in possession of or under the influence of a drug (including alcohol) or who are demonstrating other questionable symptomatic behavior at any school function (or on school grounds) at any time will be escorted immediately to an administrator or to the nurse's office. Students found in or returning from unauthorized outside and off campus areas will be subject to a search.

Responsibilities of the Administration and School Nurse

If there is a possibility of an overdose involving alcohol or drugs, the school will call the hospital or ambulance immediately. If a student is judged under the influence of drugs and/or alcohol, the following actions will be taken:

The student and the student's locker will be searched by the administration. Parents will be notified by the administration and requested to come to school immediately.

It may be necessary to have concurrent opinions as to whether a student is under the influence of a drug. Appropriate disciplinary action will be taken by the administration.

Search by School Personnel

When school officials have a reasonable suspicion that contraband is concealed in a student's locker or on his or her person, they may act upon that suspicion and search the locker or student without the student's consent.

Since driving to school and parking on school grounds is a privilege, not a right, school officials have the right to search a student's vehicle while it is parked on campus if there is reasonable suspicion that it may contain anything that may endanger the health, safety or welfare of students and/or school personnel. (See Policy on Searches and Interrogations on Page 56 of this booklet for details.)

The resulting evidence may be used in connection with the student's disciplinary hearing (Matter of Chipman, 10 Ed., Dept. Rep., Decision No. 8286, dated June 7, 1971). It is recommended that the student be present if her or his locker is searched.

A school administrator, not acting in concert with the police, is a private person to whom the fourth amendment prohibition against unreasonable searches and seizures do not apply. (People v. Steward, 63 misc. 2d601). United States Supreme Court decisions regarding the right to counsel, the privilege against self-incrimination, and the constitutional warning prior to the admissibility of a confession are inapplicable to administrative searches. (People v. Steward, 63 misc. 2d601)

The student's primary responsibility in regard to searches and seizures is to be familiar with and abide by the school's standards of conduct. Please refer to N.Y. State Education Law Sect. 912.

Narcotics, Illegal Drugs, Alcohol

The health and general welfare of students on school property are the legal and moral responsibility of the Board of Education. The fulfillment of this responsibility mandates the prohibition of the sale, possession or use of any substance classed as narcotics, illegal drugs, or alcohol on property owned by the Lakeland School District.

The Board of Education in executing this prohibition instructs the Superintendent of Schools to establish uniform rules and regulations for all school property covering narcotics, illegal drugs and alcohol. These rules and regulations will include among other matters:

- ◆ Procedures for identification and processing of individuals who are found to be in possession of or under the influence of a narcotic, illegal drugs, or alcohol.
- ◆ Procedures for removing such individuals from contact with other students until a professional medical opinion on the state of their health can be obtained.
- ◆ Procedures establishing the conditions and duration of required suspension for such individuals.
- ◆ Procedures also shall require enforcement of applicable New York State Laws, copies of which shall be provided to all administrators of the District.

Students in violation of this policy shall have recorded upon their permanent records the cause and duration of any suspension resulting from such violation.

Rules and regulations established by the Superintendent, or subsequent revisions, shall be reviewed by the Board of Education.

Student Code of Conduct and Discipline Policies

Zero Tolerance for Violence

It is the policy of the Board of Education that violence in any form will not be tolerated anywhere in the School District. This includes all school buildings, grounds and facilities, on school buses, and at all school activities and events, whether on campus or off campus.

For purposes of this policy, “Violent Act” shall mean any intentional act by a student involving force or the threatened use of force, or an intentional act by a student that supports or assists the use or the threatened use of force:

- 1) against any other person or group of persons with the intent to injure, intimidate, harass, physically intimidate, or otherwise harm when the act occurs on school premises, during school hours, on a school vehicle or at any school sponsored program, activity or event;
- 2) to prevent, inhibit, or otherwise interfere with the conduct or operation of any educational or other school sponsored program, activity or event.

If an incident involving a violent act occurs, the Building Principal may use his/her discretion to assign penalties, such as detention, in-school suspension, out-of-school suspension for up to five days, parent notification and/or conferences, warning letters. The Principal may recommend counseling and/or may refer the student for a Superintendent’s disciplinary hearing. Repeated incidences of violent acts will result in referral for a Superintendent’s disciplinary hearing.

If a violent act occurs in which there is serious injury inflicted or force used, or if a student refuses to take redirection from supervisors, the student will be suspended for five days and referred for a Superintendent’s disciplinary hearing.

Any single occurrence of a violent act arising from gang conflict, use of weapons, mental condition as a result of drug or alcohol use, third party participation, or physical assault will result in a five-day suspension and referral for a Superintendent’s disciplinary hearing. It may also result in notification to the police.

Drug-Sniffing Dogs

The Board of Education has authorized the use of drug-sniffing dogs to detect the presence of illegal drugs in lockers, classrooms, common areas, other facilities, and on the District’s transportation vehicles. Students should be aware that such searches by dogs may be occurring at times to be determined by the building administrator and Superintendent of Schools. Students should also expect that dogs will not be allowed to sniff their persons.

Dangerous Weapons Policy (Board Policy #5144.3)

The possession of a weapon in school buildings, in school vehicles, upon school grounds (including in personal vehicles) or at School sponsored events and activities, whether on or off school premises, is strictly prohibited, except by authorized law enforcement personnel (e.g., New York State Peace Officers and Police Officers). Any other individual in possession of a weapon will be asked to leave the premises and the proper police authorities will be immediately notified. If such individual is an employee of the School District, s/he will be subject to discipline pursuant to the provisions of law and any applicable provision in a collectively negotiated agreement. Any student violating this policy shall be subject to suspension in accordance with the New York State Education Law, the Gun-Free Schools Act of 1994, if applicable, and the District Code of Conduct, as well as referral to the proper police authorities.

For general purposes of this policy, a weapon is defined pursuant to the provisions of Section 265.01 of the New York State Penal Law and includes, but is not limited to: any firearm (including water guns, imitations and look-alikes), BB gun, pellet gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, electronic dart gun, dagger, dirk, knife, sword, billy blackjack, bludgeon, metal knuckles, razor, stiletto, brass knuckles, sling shot, , box cutter, Kung Fu star, electronic stun gun, laser pointing device, 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, or any other dangerous weapon or deadly instrument or object which is not necessary for school purposes (e.g., bow and arrows for an archery class; rifle for a riflery class) and which could be used as a weapon (e.g., explosives, dangerous chemicals, ice pick, pellet gun, etc.)

Gun-Free School Act Of 1994

Any student who comes onto school property (or a school event whether on or off school property) with a firearm, as defined under this Act (see definition of “weapon” on page 31) will receive a minimum one-year suspension from school, subject to the discretion of the Superintendent of Schools to modify the penalty for a student if the Superintendent believes that the one year or longer suspension penalty is excessive. The Superintendent shall make the decision on a case-by-case basis, based upon criteria, including but not limited to:

1. The age of the student;
2. The student’s grades in school;
3. The student’s prior disciplinary record;
4. The Superintendent’s belief that other forms of discipline may be more effective;
5. Other relevant information from the parent(s), guardian(s), teacher(s) and/or others;
6. Other extenuating circumstances.

Disciplinary Measures

The following shall constitute appropriate disciplinary measures authorized by this Student Code of Conduct:

A. Disciplinary Measures:

The following shall constitute appropriate disciplinary measures authorized by this student Code of Conduct:

1. Warnings (oral or written) and/or Notification to Parent
2. Detention
3. Removal from class
4. In-school suspension
5. Suspension from school for up to five (5) school days
6. Suspension from school in excess of five (5) days
7. Suspension from school for at least one (1) year for possession of a weapon pursuant to the Gunn-Free Schools Act of 1994 (subject to the right of the Superintendent to modify such penalty) or, in the case of a student with a disability whose possession of a weapon is determined not to be related to his/her disability, placement in an interim alternative educational setting for a period of up to 45 school days.
8. Placement in an interim alternative educational setting for a period of up to 45 school days, in the case of a student with a disability whose knowing possession or use of illegal drugs, or sale or solicitation of the sale of a controlled substance or inflicting a serious bodily injury to another person at a school or a school function is determined not to be related to his/her disability.
9. Suspension from school and notification of police
10. Permanent suspension (Expulsion)

The following are other consequences that may be taken independently or concurrently with the above disciplinary measures:

1. Suspension from transportation
2. Suspension from athletics, extra-curricular activities and/or social activities
3. Suspension of other privileges

B. Infractions with Penalty References:

Schools may use one or more of the following, as appropriate:

NOTE: BEING MINDFUL OF THE AGE AND UNDERSTANDING OF ELEMENTARY AND MIDDLE SCHOOL STUDENTS AND NOTWITHSTANDING THE LEVELS OF DISCIPLINE SET FORTH IN THIS SECTION, BUILDING ADMINISTRATORS IN THE ELEMENTARY AND MIDDLE SCHOOLS SHALL HAVE THE DISCRETION TO IMPOSE ANY OF THE LESSER DISCIPLINARY MEASURES SET FORTH ABOVE.

INFRACTION	LEVEL OF DISCIPLINE
1. Disturbances which disrupt instruction and/or school environment (including but not limited to instigating or inciting others to commit any of the acts prohibited by this Code)	1, 2, 3, 4, 5
2. Substantially disruptive and/or substantially interferes with teacher's authority in class	3
3. Repeatedly disruptive and/or substantially interferes with the teacher's authority in class giving rise to removal on four or more occasions per semester.	5, 6
4. Abusive language and/or gestures directed at staff, students or visitors on school grounds or at school functions.	4, 5
5. Carelessness in failure to follow school rules and staff directions.	1, 2
6. Dress or grooming which is inappropriate as described in this Code of Conduct	1, 2
7. Possession or dissemination of obscene materials.	2, 4, 5, 6
8. Smoking (including electronic cigarettes) or other tobacco use on campus and within 100 feet of the entrances, exits or outdoor areas of any elementary or secondary school, or at school functions.	2, 4
9. Possession of and/or dissemination and/or use of tobacco, tobacco products and accessories, e.g. lighters and matches, including lighting a match or lighter, electronic cigarettes or any nicotine delivery system, e.g., hookah sticks, vaporizers).	1, 2, 4, 5
10. Cheating in any academic or extra-curricular or co-curricular activity.	1, 2, 4, 5
11. Abusive and/or insubordinate gestures at school employees or peers that could or does provoke a fight.	4, 5
12. Willful failure to obey the reasonable directives of school staff (insubordination), including directives not to engage in conduct otherwise referenced as an infraction herein and for failing to notify a parent of assignment to detention.	1, 2, 4, 5, 6
13. Fighting between students where no dangerous instruments are involved and no person is injured in the altercation.	5, 6
14. Fighting between students where harm is caused to one or more of the combatants.	5, 6, 8
15. A fight involving the use or threatened use of a dangerous or deadly weapon.	5, 6, 7, 8, 9, 10
16. Any violent act against a teacher or other staff member, as described in this Code of Conduct.	6, 8, 9
17. Any violent act against another student or person in the schools, on school property or at a school function, as described in this Code of Conduct.	6, 9

18. An unprovoked assault against another student or person in the schools, on school property or at a school function.	5, 6, 9
19. An unprovoked assault against another student or person in the schools, on school property or at a school function that causes bodily harm.	5, 6, 9
20. Possession and/or use and/or sale and/or distribution of dangerous or deadly weapons or other potentially dangerous objects on school property or at school functions.	7, 8, 9
21. Possession of illegal drugs, dangerous drugs, counterfeit drugs, synthetic drugs (such as synthetic cannabinoids) whether specifically illegal or not, unauthorized prescription medication or alcohol, or a substance which the individual believes or represents to be such drugs or alcohol, or dangerous or deadly substances (including but not limited to chemicals and inhalants) in school, on school property or at school functions.	6, 8, 9
22. Use or being under the influence of illegal drugs, dangerous drugs, synthetic drugs whether specifically illegal or not, counterfeit drugs, unauthorized prescription medication or alcohol, or a substance that the individual believes or represents to be such drugs or alcohol, or dangerous or deadly substances (including but not limited to chemicals and inhalants) at school, on school property or at school functions.	6, 8, 9
23. Sale or other distribution of illegal drugs, dangerous drugs, synthetic drugs whether specifically illegal or not, counterfeit drugs, unauthorized prescription medication or alcohol, or a substance which the individual believes or represents to be such drugs or alcohol, at school, on school property or while at school functions.	6, 8, 9
24. Possession and/or sale and/or distribution of drug paraphernalia on school property or at school events.	4, 5, 6
25. Possession and/or sale and/or distribution and/or use of fireworks on school property or at school events.	5, 6
26. Commission of conduct that constitutes a misdemeanor while on school property or at a school event.	5, 6
27. Commission of conduct that constitutes a felony while on school property or at a school event.	5, 6, 9
28. Gambling	4, 5
29. Hazing	5, 6
30. Obscene, lewd, vulgar or indecent conduct or speech that is oral or written and/or physical expressed or distributed on school property or at a school.	4, 5, 6
31. Public displays of affection beyond hand holding.	1, 2, 4, 5, 6, 9
32. Theft of personal property.	2, 4, 5, 6, 9
33. Theft of school property.	5, 6, 9
34. Extortion.	5, 6, 9
35. Plagiarism.	4, 5
36. Arson	6, 9
37. Intentional destruction of school property (vandalism).	4, 5, 6, 9
38. Use or possession of a light or laser pointer.	2, 4 and/or confiscation
39. Use of a cellular phone or any electronic communication device during instructional time without authorization.	2, 3, 4 and/or confiscation
40. Violation of computer use policy.	1, 2, 4, 5, 6, 9 and/or suspension of computer privileges.
41. Class, study hall, homeroom, teacher detention, administration detention cuts.	2, 4
42. Eating or drinking where prohibited.	1, 2
43. Driving recklessly, speeding, failing to follow campus monitor's directives on school grounds.	4, 5 suspension or revocation of driving and parking privileges
44. Activation of a false alarm, bomb threat or other disaster alarms.	6, 7, 8
45. Forgery or Fraud	4, 5, 6
46. Harassment (any word, communication or action based in whole or in part upon actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, as well as marital status, veteran status, appearance or other physical attribute for which there is no legitimate purpose).	4, 5, 6, 7, 8
47. Bullying, intimidation or coercion (the act of threatening, verbally, in writing, by electronic/digital/mobile communication or by gesture, the well-being, health, safety, freedom or property of any person).	4, 5, 6, 7, 8
48. Leaving a school building and/or campus without authorization.	4, 5
49. Parking and/or standing in unauthorized areas.	1, 2, 4
50. Tardiness to class or school.	1, 2, lunch detention
51. Unauthorized absence from school.	2, 4
52. Trespassing while suspended from school.	5, 6
53. Any threat of violence, whether against another student, staff member or other person connected with the schools, the school district or school property, communicated verbally, in writing or by electronic/digital means, whether from an on-campus or off-campus location.	4, 5, 6, 9, 10
54. Use of any electronic/digital device to photograph and/or video record anyone (without their knowledge) on school property and/or in violation of privacy rights of others on school property or at school activities.	4, 5, 6, 9 and/or confiscation

55. Lighting or attempting to light a fire in school, on school property or at a school function, whether or not damage results (includes lighting a match or lighter if not authorized).	5, 6
56. Disorderly conduct (intentionally causing public inconvenience, annoyance, alarm, or recklessly creating a risk thereof, or someone who obstructs, fails to disperse, or disrupts others.)	4, 5, 6

Notes:

- **The repeating of an infraction may lead to the imposition of the next measure of discipline.**
- **Chronic repeating of infractions may lead to long-term suspension or permanent suspension (expulsion).**
- **The above listing is not intended to be all-inclusive. The Administration reserves the right to implement disciplinary action for incidents not specifically identified above. Students who engage in behavior determined to be inappropriate and/or disruptive to the school environment will be subject to disciplinary consequences.**

Bus Safety Rules

The Lakeland Student Code of Conduct and Discipline Policies apply to conduct on buses.

The Lakeland Central School District requires that all students, as bus riders whose behavior can significantly affect the safety of fellow passengers, must observe the following:

1. Respect the personal rights of others and their property while riding the bus. Students should not participate in any unsafe or damaging activity.
2. Board the bus in an orderly fashion without pushing or shoving other students.
3. Remain seated and facing forward at all times, keeping aisles clear.
4. Zero Tolerance on Violence; physical contact, harassment and intimidation are unacceptable.
5. Inappropriate language, loud talking, or loud singing is unacceptable.
6. Keep head, hands, feet and all objects inside the bus.
7. Eating, drinking, smoking, and the transporting of large and/or sharp objects or pets are forbidden.
8. Destruction or defacing of the bus is punishable and restitution will be required.
9. A school issued bus pass is required to ride a different bus or get off at a different bus stop. Because of overcrowding, passes will be supplied in emergency situations and for long term childcare.
10. Students must be at the bus stop five minutes before scheduled pick-up and go directly home when leaving bus on return trip.

The Lakeland Central School District's Code of Conduct includes conduct on buses, field trips, participation in extra and co-curricular activities, and all other school related activities. See pages 26-28 for a listing of infractions and penalties. Certain behaviors can result in the suspension of transportation privileges and/or suspension from school. In the event of a bus suspension, the parent/guardian must arrange transportation. Students suspended from their bus may not ride the late bus during this period.

Suspension from Transportation Service

Students may be suspended from transportation services for an infraction or infractions listed herein upon the conducting of an informal hearing by the Superintendent of Schools or his/her designee, at which time the student's parent/guardian or other representative shall be allowed to confront the witnesses relied upon by the District in determining the appropriateness of such suspension of service. If such informal hearing is conducted before the Superintendent's designee, the designee shall make a recommendation to the Superintendent as to the action to be taken.

- Bus Riding is a Privilege.
- The bus driver has the authority to assign seats.

Suspension from Extra-Curricular, Co-Curricular Activities, & School Functions

Extra-curricular and co-curricular activities, as well as, school functions (including dances, prom, and graduation) are privileges, not rights. A student may be suspended from participating in extra-curricular or co-curricular activities (including a sports team) for an infraction of any of the provisions herein, for violating a code of conduct issued to participants in the activity by the activity supervisor or for fighting at games. Upon the request of the student's parent/guardian, the Building Principal shall allow the parent/ guardian or other representative of the student the right to appear before him/her informally, to discuss the conduct which led to suspension from the activity.

If a student is suspended from school pursuant to §3214 of the Education Law, s/he shall not be permitted to participate in any extra-curricular or co-curricular activities, as well as, any other school events or activities (including but not limited to dances, the prom, graduation) which take place on the days of suspension (including intervening weekends). In addition, a student's disciplinary record may have an impact on the student's participation in graduation ceremonies and other school-sponsored activities such as the senior trip and the prom.

Corporal Punishment

The Board of Education prohibits the use of corporal punishment. Corporal punishment means any act of physical force for the purpose of punishing a student. Corporal punishment shall not mean the use of reasonable physical force for any of the following purposes:

- ◆ To protect oneself from physical injury;
- ◆ To protect another pupil or teacher or any other person from physical injury;
- ◆ To restrain or remove a pupil whose behavior is interfering with the orderly exercise and performance of school district functions, powers or duties, if that pupil has refused to comply with a request to refrain from further disruptive acts; provided that alternative procedures and methods not involving the use of physical force cannot reasonably be employed to achieve the purpose set forth above.

Group Involvement

Any student involved in a group behavior that results in a violation of school rules would be held responsible for the behavior even if the student did not actually commit the offense. Students are expected to separate themselves from groups that are violating school rules.

Defacing School Property

There shall be no defacing of any school property. Any person caught defacing school property will be prosecuted to the fullest extent of the law and subject to disciplinary action deemed appropriate by administration. Spitting is a health hazard and is not permitted and is subject to disciplinary action.

Insubordination

There shall be no disobedience (defined as rebellion against rules and authority) in this school, nor shall there be disorderly behavior (defined as causing a disturbance; unruly, riotous, breach of public peace, disregard of a system: an upset of normal function) toward the administration, faculty, substitute teachers, secretaries, school aides and monitors, custodians, bus drivers and students.

Students hindering school personnel who are responding to a disturbance will be considered insubordinate.

Students who are insubordinate or disorderly may be suspended from school or be subject to whatever disciplinary action is deemed appropriate by the administration.

Student Lockers

The Lakeland Central School District provides lockers for students' use in each middle and high school. Valuables and money should not be left in lockers. Students are required to provide their own locks for use on any and all school lockers. The administration has the legal right to inspect student lockers.

Students are to use lockers that are assigned to them and recorded in the main office. The administration will remove locks from lockers that students occupy without authorization. Any student found rifling through another student's locker will be subject to disciplinary action and police referral.

Behavior at School Functions

The following guidelines apply for school functions held at the school or at other locations:

- ◆ No smoking is permitted anywhere on the grounds.
- ◆ Once a student enters the event, he/she will not be allowed to leave and return.
- ◆ If a student leaves the event, he/she must leave the grounds. No loitering on the grounds will be permitted. If necessary, actions will be taken to remove persons who are loitering.
- ◆ Students must make prior arrangements for transportation home at the conclusion of the event.
- ◆ There are no alcoholic beverages and/or controlled substances permitted on the grounds at any time. Students who have used such substances prior to the event will be denied admission. Parents/guardians will be called and will be expected to pick up their student. If parents/guardians are not available, local law enforcement representatives will be called upon to assist.
- ◆ Student who have been drinking, fighting or taking drugs at the event will be suspended from all future events and subject to school disciplinary action including suspension. All students who are on denial of privileges from school at the time of event are prohibited from attending the event.
- ◆ Students who have been removed from an event because of inappropriate behavior will be subject to disciplinary action and suspension from future events at the discretion of administration.
- ◆ Only those students with tickets to the event will be allowed to enter and/or park in the lot.
- ◆ No student will be permitted to loiter in an automobile. Students are expected to enter the lot, park their cars, and enter the event within a reasonable period of time.

Prom and Dances

Proms/dances are school functions; all school rules remain in effect. Prom attendance is for members of the class hosting it and their guests.

Guests from other schools must be signed up in the Assistant Principal's office prior to the event. The student bringing the guest is responsible for his/her behavior and must arrive with the guest in order to enter the prom/dance. Inappropriate dancing will not be permitted.

The Junior Prom is an informal prom and can only be held within the school district area. Limousines are not permitted.

The Senior Prom is to be held within a reasonable distance from the school and cannot be held in New York City.

Attending your prom is a privilege not a right.

Lunch Periods - Cafeteria

The following are cafeteria guidelines:

- ◆ It is the obligation of all students to keep the cafeteria clean during each lunch period. Each student is responsible for his/her own refuse. It is also the responsibility of each student to encourage fellow students to care for the cafeteria's appearance and cleanliness. The lunch/faculty monitors will be asking all students to clean their tables.
- ◆ Throwing food, trash, or roughhousing is not permitted. This type of behavior will result in the appropriate disciplinary treatment, including denial of access to cafeteria services for a designated period of time.
- ◆ There is to be no loitering in the cafeteria.
- ◆ Travel throughout the building during a lunch period without a pass is not permitted.
- ◆ Students without a lunch period are required to fill out the appropriate lunch pass form in the Assistant Principal's office and will then receive a laminated lunch pass.
- ◆ Use of the courtyard and/or front yard is a privilege. Abuse of this privilege will result in the courtyard and/or front yard being closed.
- ◆ Students cannot arrange for food from an outside vendor to be delivered to them during the school day.

Traffic Regulations on School Grounds

The Board of Education, pursuant to the provisions of Section 1670 of the Vehicle and Traffic Law of New York, has adopted the following orders, rules and regulations:

- ◆ No person shall operate a vehicle on school grounds at a rate of speed in excess of 15 miles per hour.
- ◆ No person shall fail, neglect, or refuse, to comply with any instructions, directions or regulations displayed upon any post, standard, or traffic sign officially installed or placed on grounds for the regulation of traffic.

Penalties for violations shall be in accordance with local law, ordinance, order, rules, regulations, as well as, applicable provisions of the New York Vehicle and Traffic Law.

The School Board has the right to arrange for the removal and storage of vehicles when found:

- ◆ Parked in the parking fields or driveways during snow storms, floods, fires, or public emergencies;
- ◆ Unattended in the parking fields or driveways where they constitute an obstruction to traffic;
- ◆ Abandoned in the parking fields or driveways.

Parking Permit Regulations and Procedures

Students must be in possession of a valid driver's license and have regular access to a vehicle in order to apply for a parking spot on campus. In addition, students must adhere to the following regulations:

Passengers are not permitted in any car without written parental consent authorizing the passenger to occupy the car is filed in the office. Written authorization from parent(s)/guardian(s) for both the driver and passenger(s) must be on file.

1. Observance of all standard driving laws and regulations for safety and courtesy must be maintained; failure to observe may result in discipline action and may result in suspension of parking permit.
2. Comply with a 15-mile per hour speed limit in all parts of the lot and on school grounds.
3. Display permit so it is readable through the front windshield.
4. Park in designated student parking spaces only. Any students parking in staff spaces could face loss and/or suspension of their parking privileges for the year.
5. Arrive to school on time. Lateness to school may result in suspension and/or loss of parking privileges on school grounds. Students' attendance records will be reviewed regularly in order to maintain parking privileges.
6. A student may not have access to his/her car prior to dismissal without permission from building administration.

Building-specific student parking applications/regulations do vary and are available in each high school.

Student Driving to BOCES Tech or Internship Program Locations

Driving to school and parking on school grounds is a privilege, not a right. If a student does not behave responsibly while driving on and/or parking on school grounds, the privilege may be suspended or revoked.

It is the policy of the district that a student who drives to school must still use district provided transportation to and from any school program, athletic competition or organized activity (except athletic practices).

Notwithstanding this provision, a parent/guardian may submit a notarized letter to the building principal, or designated assistant principal, requesting that permission be granted for his/her child to drive between high schools or to and from a BOCES program. The letter must specify a valid reason for the student to drive between the schools or BOCES and provide explicit permission for the student to do so.

The building principal will review the circumstances surrounding the request and determine if permission will be granted. If permission is granted, the parent/guardian and student must also sign a statement acknowledging that the student will not allow passengers in his/her car when driving between the schools or BOCES. If the student does not comply with this requirement, the privilege of driving between the schools or BOCES may be suspended or revoked.

Lakeland Central School District

Policies



Code of Conduct (Revised July 2016)

Dignity for All Students

Sexual Harassment

Racial Harassment

Bias Harassment

INTRODUCTION:

The Lakeland Central School District is committed to maintaining high standards of education for students in the schools. Because the District believes that order and discipline are essential to being educated effectively, the District is also committed to creating and maintaining high behavioral standards and expectations. An orderly educational environment requires that everyone in the school community play a role in contributing to an effective environment. It also requires the development and implementation of a code of discipline that clearly defines individual responsibilities, describes unacceptable behavior, and provides for appropriate disciplinary options and responses.

The District believes that order and discipline must be a shared responsibility between school, home and community. This Code of Conduct was developed in collaboration with student, teacher, administrator and parent organizations, school safety personnel and other Board-approved school personnel. Finally, it is our belief that, to be effective, such a code must:

- Identify, recognize and emphasize acceptable behavior;
- Identify, recognize and prevent unacceptable behavior;
- Promote self-discipline;
- Consider the welfare of the individual, as well as, that of the school community as a whole;
- Promote a close working relationship between parents/guardians and school staff;
- Distinguish between minor and serious offenses, as well as, between first time and repeated offenses;
- Provide disciplinary responses that are appropriate to the misbehavior;
- Outline procedures to ensure that it is administered in a way that is fair, firm, reasonable, and consistent;
- Encourage a high regard for every person's right to reasonable hearing procedures and due process when accused of misconduct;
- Comply with the provisions of federal, state and local laws, as well as, the guidelines and directives of the New York State Department of Education and the Board of Regents.

A school's primary concern in establishing a code of discipline is to enable our young people to become responsible, respectful and caring citizens within the school and community settings. The Board of Education is responsible for ensuring that essential regulations are established and adequate discipline is maintained in the operation of the schools to effectively promote safety, as well as the social and educational growth of the students. Administrative regulations are developed and enforced by the school administration and staff.

The parent/guardian is expected to assume primary responsibility for control of his or her child. The parent/guardian may be called upon to actively cooperate with the school in providing the necessary structure to promote his or her child's social and education growth. To this end, a high degree of parent-school communication will be fostered by the school.

Disciplinary measures available to the administration of each school building include conferences, detention, in-school suspension, out-of-school suspension and administrative hearings with the designated hearing officer. Administrative hearings can result in out-of-school suspensions of more than five days and, in particularly serious cases, a student may be permanently suspended from school.

DEFINITIONS:

For the purposes of this Code, the following definitions apply:

Bullying – has the same meaning as harassment under the Dignity for All Students Act (DASA) (see below).

Cyberbullying – means harassment or bullying through any form of electronic communications.

Discrimination – means the act of denying rights, benefits, justice, equitable treatment or access to facilities available to others, to an individual or group of people because of the group, class or category to which that person belongs.

Disruptive Student – an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

Gender – actual or perceived sex and includes a person's gender identity or expression.

Gender Expression – the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.

Gender Identity – one's self-concept as being male or female, as distinguished from actual biological sex or sex assigned at birth.

Harassment – means the creation of a hostile environment by conduct or by threats, intimidation or abuse that (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; (b) reasonably causes or would reasonably be expected to cause a student to fear for his/her physical safety; (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Parent – the parent, guardian or person in parental relation to a student.

Removal – the act of a teacher in discontinuing the presence of the student in his/her classroom for being disruptive or interfering with the teacher's authority over the class.

School Property – 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 §142 of the New York State Vehicle and Traffic Law.

School Function – any school sponsored extra-curricular or other event or activity, whether on or off school property.

Sexual Orientation – actual or perceived heterosexuality, homosexuality or bisexuality.

Suspension – the act of a Building Principal (or acting building principal), Superintendent of Schools, District Superintendent or Board of Education in discontinuing the presence of a student from his/her regular classes.

Violent Student – a student under the age of 21 who:

- Commits an act of violence upon a school employee, or attempts to do so;
- Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so;
- Possesses, while on school property or at a school function, a weapon;
- Displays, while on school property or at a school function, what appears to be a weapon;

- Threatens, while on school property or at a school function, to use a weapon;
- Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function;
- Knowingly and intentionally damages or destroys school district property.

Weapon – a firearm, as defined in the Gun-Free Schools Act (18 USC §921) [any firearm, including a starter gun which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive; the frame or receiver of such firearm; any firearm muffler or silencer; or any destructive device as defined in that law], as well as, any other gun (including water guns, imitations and look-alikes), BB gun or pellet 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. “Weapon” shall also include any other instrumentality or device defined as a “weapon” under any provision of the New York State Penal Law, or under the U.S. Code.

STUDENT BILL OF RIGHTS AND RESPONSIBILITIES:

The Lakeland Central School District believes in the right of each child, between the ages of five and 21 years or until the child receives a high school diploma, whichever comes first, to receive a free and appropriate education. All students in this state between the ages of six and the school year through which he or she becomes 16 are required by law to regularly attend school, either in the public schools, non-public schools that are approved for equivalency of instruction by the appropriate school authorities, or in the home in accordance with the Regulations of the Commissioner of Education.

The right to a free public school education extends to all students, including those with disabilities. However, this right is not unconditional. As long as due process of law requirements are met, a student may be removed from the classroom, suspended temporarily or suspended permanently from school. Only students within the compulsory education ages (age six through the school year in which the student turns 16) are entitled to alternative, equivalent instruction following suspension.

RIGHTS OF STUDENTS:

Education in a free society demands that students be aware of their rights and learn to exercise them responsibly. To this end, students have a right:

- To be provided with an education that is intellectually challenging and relevant to demands of the 21st century;
- To learn in an environment free from interruption, harassment, discrimination, intimidation and fear;
- To participate in district activities on an equal basis regardless of race, weight, color, creed, national origin, ethnic group, religion, religious practice, gender, disability or sexual orientation;
- To be informed of all school rules;
- To be guided by a discipline policy which is fairly and consistently implemented.

In addition, students in this District are afforded the following rights:

1. **Student Expression** – Students shall be allowed the opportunity for the free expression of ideas consistent with rights established by the federal and state constitutions. However, a student’s freedom is subject to limitation in that the constitutional protections will not extend to libelous, slanderous, vulgar, lewd, indecent or obscene words or images or to words or images which by their very use incite others to damage property or physically injure persons. Any assembly or public expression on school grounds or at school activities that advocates the use of drugs or other substances that are illegal to minors is prohibited. Furthermore, speech which materially and substantially disrupts the work and discipline of the school may be subject to limitation.
2. **Symbolic Expression** – Students, in light of constitutionally protected free speech rights, may wear political buttons, arm bands or badges of symbolic expression so long as the same conform to the limits set forth herein under “dress code.”
3. **Student Activities** – All students shall enjoy equal access to the extent of their capabilities for participation in the various extra-curricular and co-curricular activities sponsored by the school district. The privilege of participating in such activities shall be conditioned upon appropriate conduct as established by the student Code of Conduct and any rules promulgated specifically for participation in extra and/or co-curricular activities.
4. **Student Government** – Students are encouraged to participate in the various student governmental bodies which have been or may be established in our schools. It shall be the duty of the student governmental body to establish reasonable standards for qualification of candidates to serve in offices of the government. Elections for student government shall be conducted in accordance with the principles of our democracy and elected student representatives shall work with the faculty, administration and student body in identifying cooperatively those areas of appropriate student responsibility. All student governmental bodies shall have a faculty advisor and shall be organized pursuant to a specific written constitution which the students shall participate in formulating.
5. **Student Clubs and Other Student Organizations** – The District encourages students to participate in curriculum related extra-curricular activity clubs and/or organizations. To the extent that the District authorizes meetings of non-curriculum related clubs or organizations, the same shall be subject to the constitution of the student government and shall be conducted in accordance with any applicable federal or state law, as well as, Board of Education policy or regulations.
6. **Privacy Rights [Search and Seizure]** – Students in attendance in our public schools are protected against illegal or unreasonable personal searches or seizures of their property by both the federal and state constitutions. In light of these protections, no student’s person or property shall be searched for illegal substances or materials unless the school authorities conducting the search have reasonable suspicion to do so. Lockers, desks, storage spaces and computers assigned to or used by students may be subject to inspection at any time by school officials since such places are not the property of the student, but rather are owned by the school district and shared with the student.

For privilege activities, such as the prom, students, their guests and any possessions (including vehicles) brought to the event location shall be subject to search for illegal substances (e.g., weapons, alcohol, drugs). In addition, since driving to school and parking on school grounds is a privilege, school officials have the right to search a student’s vehicle while it is parked on campus if there is a reasonable suspicion that it may contain anything that may endanger the health, safety or welfare of students and/or school personnel.

7. **Pregnant Students** – The Board of Education will provide instruction to pregnant students in the same manner as instruction is provided to other students unless the student’s physician determines that the student is disabled and certifies that the student requires home instruction.
8. **Student Grievances and Complaints** – If a student has a grievance or a complaint about a school-related matter, a school employee or other school official, he/she may submit it, in writing, to the Principal of the school who shall respond within ten (10) school days with a written answer or proposed resolution. Grievances or complaints may be appealed in writing to the Superintendent of Schools if the Principal’s answer or proposed resolution is not deemed satisfactory by the student. The Superintendent of Schools shall respond to all grievances and complaints within a reasonable period of time following receipt of the written appeal document.
9. **Video Surveillance** – Video surveillance cameras may be used in school buildings in areas where there is no “reasonable expectation of privacy” and on school buses in order to assist the District to maintain student discipline, to safeguard facilities and property of the District and for the safety of students, staff and visitors while on District property.

THE RESPONSIBILITIES OF STUDENTS:

Students attend school so that they may develop to their fullest potential. With this in mind, each student is expected:

- To accept responsibility for his/her actions;
- To respect the rights of others, including his/her right to secure an education in an environment that is orderly and disciplined;
- To attend school on a regular and punctual basis;
- To complete class assignments and other school responsibilities by established deadlines;
- To show evidence of appropriate progress toward meeting course and/or diploma requirements;
- To respect school property, e.g. lockers, and help to keep it free from damage;
- To obey school regulations and rules made by school authorities and by the student governing body;
- To recognize that teachers assume the role of a surrogate parent in matters of behavior and discipline when at school, as well as, during any school-sponsored activities;
- To contribute toward establishing and maintain a safe and supportive atmosphere that generates mutual respect and dignity for all;
- To become familiar with this code and seek interpretation of parts not understood;
- To actively discourage inappropriate behavior of other students and report eh incidents to the administration;
- To use their own ideas, works, creations and knowledge in completing examinations, projects, reports. Students who cheat and/or plagiarize (use the ideas or words or another without full acknowledgment or attribution) will receive an academic sanction, which may include a zero on the assignment.

THE RESPONSIBILITY OF PARENTS:

A cooperative relationship between home and school is essential to each student’s successful development and achievements. To achieve this wholesome relationship, parents are urged:

- To show an enthusiastic and supportive attitude toward school and education;
- To build a good working relationship between themselves and their child;
- To teach their child self-respect, respect for the law, respect for others and for public property;
- To insist on prompt and regular attendance;
- To listen to the views and observations of all parties concerned;
- To recognize that teachers merit the same consideration and respect that parents expect from their child;
- To encourage their child to take pride in his/her appearance;
- To insist that their child promptly bring home all communications from school;
- To cooperate with the school in jointly resolving any school related problem;
- To inform school officials of changes in the home situation that may affect student conduct or performance;
- To inform and update school officials on medical, legal and other matters that relate to the student in the school setting;
- To set realistic standards of behavior for their child and resolve to remain firm and consistent;
- To help their child learn to deal effectively with negative peer pressure;
- To provide a place conducive for study and completion of homework assignments;
- To demonstrate desirable standards of behavior through personal example;
- To foster a feeling of pride in their child for their school;
- To provide support and positive reinforcements to their child;
- To read, support and help their child to understand the District Code of Conduct and school rules.

Parents should be aware that they are responsible for any financial obligations incurred by their child in school. This includes lost books, damage to property, etc.

THE RESPONSIBILITY OF SCHOOL PERSONNEL:

School personnel play an important role in the education of students. In view of this responsibility, school personnel must:

- Promote a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen each student’s positive self-image;
- Teach the common courtesies by precept and example;
- Treat students in an ethical and responsible manner;
- Help students to reach their maximum potential;
- Demonstrate desirable standards of behavior through personal example;
- Report violations of the Code of Conduct to the building principal or acting building principal;
- Immediately report and refer violent students to the Principal or Superintendent of Schools;

- Address issues of harassment (including bullying) or any situation that threatens the emotional or physical health or safety of any student, employee or other person lawfully on school property or at a school function;
- Address personal biases that may prevent equal treatment of all students and staff;
- Maintain confidentiality in accordance with federal and state law.

THE RESPONSIBILITY OF TEACHERS:

Every teacher knows that he/she works every day with this nation's most precious commodity – the future generation. In view of this responsibility, the teacher must:

- Promote a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen each student's positive self-image;
- Plan and conduct a program of instruction that will make learning challenging and stimulating;
- Recognize that some disciplinary problems are caused by a student's personal and academic frustrations;
- Utilize classroom routines which contribute to the total instructional program and to the student's development of civic responsibility;
- To read, understand and comply with a student's individualized education plan or §504 plan;
- To read, understand and comply with a student's behavior improvement plan;
- Seek to develop close cooperative relationships with parents for the educational benefit of the student;
- Distinguish between minor student misconduct best handled by the teacher and major problems requiring the assistance of the administrator;
- Teach the common courtesies by precept and example;
- Handle individual infractions privately and avoid punishing the group for the misbehavior of one or two;
- Help students cope with negative peer pressure;
- Identify changing student behavior patterns and notify appropriate personnel;
- Enable students to discuss their problems with them;
- Send communications home promptly;
- Immediately report to the principal any student who jeopardizes his/her own safety, the safety of others or of the teacher, or who seriously interferes with the instructional program or the classroom;
- Treat students in an ethical, responsible and nondiscriminatory manner;
- Help students to reach their maximum potential;
- Serve as a surrogate parent in matters of behavior and discipline in accordance with New York State School Law;
- Explain and interpret the discipline code and other school rules to students;
- Maintain student confidentiality in accordance with federal and state law;
- Enforce the code in all areas of the school;
- Demonstrate desirable standards of behavior through personal example;
- Know the support services available to students and refer students who are in need of such services;
- Comply with state education law and regulations regarding corporal punishment, mandated reporting of suspected child abuse in the domestic setting and in the educational setting;
- In the event of removal from class, inform the student and the Principal of the reason for the removal;
- Immediately report and refer violent students to the Principal or Superintendent of Schools;
- Address issues of harassment (including bullying) or any situation that threatens the emotional or physical health or safety of any student, employee or other person lawfully on school property or at a school function;
- Address personal biases that may prevent equal treatment of all students and staff.

THE RESPONSIBILITY OF BULLYING PREVENTION COORDINATORS:

It is the responsibility of Bullying Prevention Coordinators to:

- Promote a safe, orderly and stimulating school environment supporting active teaching and learning for all students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex;
- Oversee and coordinate the work of the district wide bullying prevention committee;
- Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources;
- Coordinate training in support of the District's Bullying Prevention and Intervention Policy;
- Be responsible for monitoring and reporting on the effectiveness of the District's Bullying Prevention and Intervention Policy;
- Address issues of harassment (including bullying) or any situation that threatens the emotional or physical health or safety of a student, school employee or person who is lawfully on school property or at a school function;
- Address personal biases that may prevent equal treatment of all students and staff.

THE ROLE OF BUILDING ADMINISTRATORS:

As the educational leaders of the school, the Principal and his/her assistant(s) set the disciplinary climate for the school, not only for students, but for staff as well. Therefore, they must:

- Promote a safe, sound and healthful atmosphere of mutual respect supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex;
- Evaluate the program of instruction in their school to achieve a meaningful educational program and the infusion of civility education in the curriculum;
- Help their staff self-evaluate their procedures and attitudes in relation to the interaction within their classrooms;
- Develop procedures which reduce the likelihood of student misconduct;
- Provide the opportunity for students and staff to approach the Principal directly for redress of grievances;
- Work with students and staff to formulate school regulations;
- Assist staff members to resolve problems which may occur;

- Work closely with parents to establish a wholesome relationship between home and school;
- Utilize all appropriate support staff and community agencies to help parents and students identify problems and seek solutions;
- Establish necessary building security;
- Assume responsibility for the dissemination and enforcement of the “Code of Discipline and Responsibilities” and ensure that all discipline cases referred are resolved promptly;
- Ensure that students are provided with fair, reasonable, and consistent discipline;
- Comply with pertinent state laws governing hearings, suspensions, and student rights;
- Develop behavior guidelines and appeals procedures specific to each assigned school in harmony with this “Code of Student Conduct and Responsibilities.”
- Demonstrate desirable standards of behavior through personal example;
- Comply with state education law and regulations regarding corporal punishment, mandated reporting of suspected child abuse in the domestic setting and in the educational setting;
- Address issues of harassment (including bullying) or any situation that threatens the emotional or physical health or safety of any student, employee or other person lawfully on school property or at a school function;
- Address personal biases that may prevent equal treatment of all students and staff;
- Maintain confidentiality in accordance with federal and state law.

THE RESPONSIBILITY OF DISTRICT ADMINISTRATORS:

As the educational leaders of the school system, the Superintendent of Schools and central administrators must:

- Promote a safe, sound and healthful atmosphere of mutual respect supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex;
- Reinforce and extend the indicated responsibilities of the Principals and make them applicable to the school system for grades K-12;
- Recommend to the Board of Education appropriate policy, regulations and actions to achieve optimum conditions for positive learning and a safe and supportive environment for students;
- Develop and implement an effective “Code of Conduct” supportable by students, parents, staff and community and ensure that all cases are resolved promptly and fairly;
- Endeavor to provide adequate supervision in all school spaces;
- Demonstrate desirable standards of behavior through personal example;
- Comply with state education law and regulations regarding corporal punishment, mandated reporting of suspected child abuse in the domestic setting and in the educational setting;
- Address issues of harassment (including bullying) or any situation that threatens the emotional or physical health or safety of any student, employee or other person lawfully on school property or at a school function;
- Address personal biases that may prevent equal treatment of all students and staff;
- Maintain confidentiality in accordance with federal and state law;
- Disseminate the Code of Conduct and anti-harassment policies to staff.

THE ROLE OF THE BOARD OF EDUCATION:

As the elected officials in charge of our schools, the Board of Education:

- Promotes a safe, sound and healthful atmosphere of mutual respect supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex;
- Adopts the policies governing the District, including this Code of Conduct;
- Ensures that the Code of Conduct contains clear behavioral expectations and disciplinary consequences for students, staff and visitors;
- Ensures that the Code of Conduct is clearly communicated to students, staff and visitors;
- Ensures that the Code of Conduct is implemented and enforced in a consistent, reasonable, fair and equitable manner;
- Annually reviews the Code of Conduct and updates it as necessary;
- Comply with state education law and regulations regarding mandated reporting of suspected child abuse in the educational setting;
- Addresses issues of harassment (including bullying) or any situation that threatens the emotional or physical health or safety of any student, employee or other person lawfully on school property or at a school function;
- Addresses personal biases that may prevent equal treatment of all students and staff;
- Maintains confidentiality in accordance with federal and state law.

CONDUCT OF VISITORS:

In an effort to maintain a safe, orderly, and healthy educational environment that is conducive to learning, all visitors to the District must sign-in at the Main Office of the building visited, display a picture ID or other acceptable ID, and receive and display a Visitor’s Identification Badge. Visitors are expected to conduct themselves in a manner that does not disrupt the order of schools or the educational process and in accordance with the law and this Code of Conduct.

REPORTING CODE VIOLATIONS:

1. To School District Personnel:

Students, teachers and other District personnel are expected to report any violation of the Code of Conduct to the Building Principal or, in his/her absence, the Acting Building Principal. Such individuals are required to report any threat of violence, including but not limited to, bomb threats, threats to persons or property, whether by oral, written or electronic means, possession of a weapon, alcohol or illegal substance on school property or at a school function to a teacher, the Building Principal or, in his/her absence, the Acting Building Principal.

Teachers and other District personnel shall immediately report violent students to the Building Principal or Superintendent of Schools.

Any weapon, alcohol, illegal substance or similar item (such as synthetic drugs) found shall be confiscated immediately, if possible, maintained in a secure location, followed by notification to the student’s parent and law enforcement as appropriate.

2. To Local Law Enforcement Agencies:

The District will report any acts of violence against persons that constitute a crime, threatened acts of violence, and other violations of the Code of Conduct which constitute a crime and affect the order and security of the school to the appropriate local law enforcement agency (e.g., theft; destruction of school property; assault; false fire reports; arson; bomb threats; use, possession, distribution or sale of drugs or alcohol; use, possession, distribution or sale of a dangerous or deadly object or a potentially dangerous or deadly object) when the child is over the age of 16 or is 14 or 15 years old and qualifies for juvenile offender status. This report shall be made as soon as practical but in no event later than the close of business the day the Principal or Acting Building Principal learns of the violation.

When necessary, the District will file a complaint in criminal court against the actor.

3. To Human Services Agencies:

The District will report any violations of the Code of Conduct which constitute a crime when the actor is under the age of 16 to the appropriate human services agencies. When necessary, the District will file:

- A juvenile delinquency petition before the Family Court for a student under the age of 16 who is found to have brought a weapon to school or a student 14 or 15 years old who qualifies for juvenile offender status.
- A person in need of supervision (PINS) petition in Family Court for a student under the age of 18 who is habitually truant and not attending school as required by law, engages in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient, or knowingly and unlawfully possesses marijuana.

GUN-FREE SCHOOLS ACT

ANY STUDENT WHO COMES ONTO SCHOOL PROPERTY (OR A SCHOOL EVENT, WHETHER ON OR OFF SCHOOL PROPERTY) WITH A FIREARM, AS DEFINED UNDER THIS ACT (SEE DEFINITION OF “WEAPON” ON PAGE 31), WILL RECEIVE A MINIMUM ONE-YEAR SUSPENSION FROM SCHOOL, SUBJECT TO THE DISCRETION OF THE SUPERINTENDENT OF SCHOOLS TO MODIFY THE PENALTY FOR A STUDENT IF THE SUPERINTENDENT BELIEVES THAT THE ONE YEAR OR LONGER SUSPENSION PENALTY IS EXCESSIVE. THE SUPERINTENDENT SHALL MAKE THE DECISION ON A CASE-BY-CASE BASIS, BASED UPON CRITERIA, INCLUDING BUT NOT LIMITED TO:

1. The age of the student;
2. The student’s grades in school;
3. The student’s prior disciplinary record;
4. The Superintendent’s belief that other forms of discipline may be more effective;
5. Other relevant information from the parent(s), guardian(s), teacher(s), an/or others;
6. Other extenuating circumstances.

DIGNITY FOR ALL STUDENTS ACT

The Board of Education recognizes that a learning environment that is safe and supportive can increase student attendance and improve academic achievement. A student’s ability to learn and achieve high academic standards, and a school’s ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to, bullying, taunting, hazing and intimidation. The District will, therefore, strive to create an environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District’s educational mission.

The District condemns and prohibits all forms of discrimination and harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex by school employees or students on school property or at schools-sponsored events which can reasonably be expected to materially and substantially disrupt the educational process may be subject to discipline (DASA – Policy #5151)

REMOVAL OF A STUDENT FROM THE CLASSROOM:

The School District has determined that certain acts of misconduct interfere with instruction and/or the safety and welfare of students and staff. Although some incidents of misconduct may require removal from the classroom or suspension from school, effort will be made to deal with misconduct without removal from the classroom or suspension from school. This is in keeping with the District goal of avoiding consequences that interrupt or interfere with learning. However, no child will be allowed to continue disrupting the instruction of the class or interfering with the safety of the school, its staff, students and visitors.

Teachers shall have the authority to remove a student from their classrooms whenever the student substantially disrupts the educational process or substantially interferes with the teacher’s authority over the classroom. “Substantially disruptive” shall mean that the course of instruction has to be discontinued more than momentarily such that it breaks the continuity of the lesson, to address the disruptive conduct of the student. “Substantially interferes” with the teacher’s authority over the classroom shall mean that the student has been insubordinate to the teacher in the presence of the class and has failed to obey the teacher’s directives to cease and desist (e.g., at least two directives).

A secondary teacher may remove a student for the remainder of the class upon the first event and for two days of class upon the second or third event. An elementary teacher may remove a student for one class period or one hour upon the first event and for two class periods or two hours upon the second or third event. Upon the occurrence of a fourth event, a Principal’s suspension shall occur.

Notwithstanding the above, in light of circumstances that warrant suspension, a Principal’s suspension for substantially disruptive behavior may be implemented in addition to or in lieu of removal of the student from the classroom by the teacher.

Once the teacher determines that the student has been substantially disruptive or substantially interferes with the teacher’s authority over the classroom:

- The teacher must confront the student in class (or within 24 hours of removal where the student is unmanageable at the time of initial removal) to inform the student of the reason(s) for the removal;
- Prior to removal from the classroom (or within 24 hours of removal where the student presents an ongoing threat of disruption or a continuing danger at the time of removal), the teacher shall inform the student of the basis for the removal and allow the student to informally present his/her version of the relevant events;
- The Building Principal or designee must be notified immediately, in writing, by the teacher of the student’s removal from the teacher’s class;

- The Building Principal or designee must inform the student's parent of the removal and the reasons therefor within 24 hours of the student's removal;
- Upon request, the student and his/her parent must be given an opportunity for an informal conference with the Principal or designee to discuss the reasons for removal. If the student denies the charge(s), the Principal or designee must provide an explanation of the basis for the removal and allow the student and/or his/her parent an opportunity to present the student's version of the relevant events within 48 hours of the student's removal;
- The Principal or designee may not set aside the removal unless he/she finds that the charges against the student are not supported by substantial evidence or the student's removal otherwise violates law or the conduct warrants suspension from school and a suspension will be imposed;
- The Principal's or designee's determination on whether or not to support the teacher's removal of the student shall be made by the close of business on the day succeeding the 48-hour period for the informal Principal's removal conference. The teacher who causes the removal may be required to attend the Principal's conference at the Principal's discretion.

The District shall provide continued educational programming and activities for students who are removed from their classrooms.

An appeal brought by the parent or student over the age of 18 of a Principal's removal decision must be presented to the Superintendent of Schools or designee within 10 calendar days, prior to any further appeal.

STUDENT SUSPENSION PROCESS:

The Board of Education, District Superintendent, Superintendent of Schools, a Building Principal and in his/her absence, an action Building Principal, may suspend a student from school where it is determined that the student:

- Is insubordinate, disorderly or violent, or exhibits conduct which endangers the safety, morals, health or welfare of others; or
- Is removed from a classroom for substantially disrupting the educational process or substantially interfering with the teacher's authority in the classroom four or more times in one semester.

In addition to the statutory grounds for suspension from school for conduct or health condition, students shall also be subject to suspension based upon a violation of the specific disciplinary infractions listed below:

A. Pre-suspension Process:

Prior to being suspended from school, the student shall be confronted by a school official empowered to suspend, as referenced above, at which time the evidence upon which the decision to suspend is based shall be stated to the student and the student shall be given the opportunity to explain his/her version of the facts. The student shall also be afforded the right to present other persons to the suspending authority in support of his/her version of the facts. If the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, such confrontation shall occur following suspension, as soon thereafter as is reasonably practicable. In all cases, there shall be no suspension until after the informal Principal's conference, unless waived, as described in paragraph "C", below.

B. Short-Term Suspension Process:

Prior to a proposed suspension from school for between one and five days by a Building Principal or an Acting Principal in the absence of the Building Principal, the student and his/her parent shall be notified, in writing, by personal delivery. Such written notice shall include a description of the incident(s) resulting in the suspension and shall inform the parent of their right to request an immediate informal conference with the Principal at which the student and/or his/her parent may present the student's version of the event and ask questions of complaining witnesses. Upon such request, an informal conference with the Principal and other parties involved shall be convened as soon as possible, [at which time the evidence, including the witness(es) relied upon by the Principal in making the suspension determination, may be questioned by the parent or guardian.] The right to an informal conference with the Principal shall also extend to a student if 18 years of age or older. The notice and informal conference shall be in the dominant language or mode of communication used by the parent. If the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

Any appeal brought by the parent or student over the age of 18 of a Principal's suspension must be presented to the Board of Education within 10 calendar days of the suspension and prior to filing any further appeal.

C. The Long-Term Suspension Process: Suspension for More than Five Days:

Any suspension from school in excess of five school days shall be considered a long-term suspension. Unless there is a written agreement between the person requesting the suspension and the parent, a long-term suspension may be imposed only after the Superintendent of Schools or the Board of Education has conducted a hearing.

When a student is subject to a long-term suspension, a hearing shall be conducted by the Superintendent if the Building Principal, Acting Building Principal or the Superintendent has made the original suspension or before the Board where that body has made the original suspension. The Superintendent of Schools or Board of Education may designate a Hearing Officer to make findings of fact with respect to the charges of infractions under this Code of Conduct, as well as, penalty recommendation pursuant to the penalty parameters described herein.

D. Hearing Procedures:

1. Notice of Hearing:

In the event of the suspension of a student under the age of 18 years, the notice of suspension will be mailed or delivered to the parent, who shall have a minimum of 48 hours' notice of the time and place of the hearing, as well as, the nature of the charge(s) and the facts, sufficiently stated so that a proper defense may be placed upon the record on behalf of the student.

In the event of the suspension of a student over the age of 18, the notice, as described above, shall be delivered or mailed to the student, as well as to the student's parent(s), if any. Emancipated minors shall be entitled to the same notice rights as a student beyond the age of 18 years.

All notices of long-term suspension hearings shall contain provisions indicating that the student has the right to be represented by an attorney or lay counsel, that a transcript of the hearing will be prepared (tape recording or stenographic record) and that the

student has the right to subpoena witnesses or otherwise present witnesses in his/her defense. The time, date and location of the hearing shall also be prominently set forth in the notice.

If the student is 18 years of age or older, the letter described above will be mailed to the student, as well as, his/her parent.

2. The Long-Term Suspension Hearing:

The Hearing shall be conducted by the Superintendent or a designated Hearing Officer in the event of a suspension by a Building Principal, Acting Building Principal; or the Superintendent. The Hearing shall be conducted by the Board or its designated Hearing Officer in the event that the suspension originated by Board action.

At the beginning of the Hearing, the Hearing Officer shall inform the student and the student's representative(s):

- That the District's and the student's representatives shall have the right to examine and cross-examine witnesses;
- That the student has the privilege against self-incrimination, but that if the student does not testify, he/she shall be subject to cross-examination;
- That the District has the burden of proving the charges by a preponderance of the credible evidence;
- That a transcript of the proceedings shall be maintained and made available to the student's representative upon request; and
- That the Hearing shall be private or open to the public, as determined by the student's representative.

The person conducting the Hearing shall not have intimate knowledge of the details of the charges to assure an impartial, unbiased hearing of the case.

The Hearing Officer shall inform the parties:

- That the case will proceed by having the District present its evidence through witnesses and other evidence first;
- That the District's witnesses shall be subject to cross-examination by the student's representative; and
- That the student will then have the opportunity to present witnesses on his/her behalf, subject to cross-examination by the District's representative.

Following the conclusion of the testimony and the introduction of other evidence matters, the parties shall be afforded the opportunity to present oral arguments to the Hearing Officer indicating the reasons why the charges should be sustained or dismissed.

The hearing Officer shall then reach findings of fact upon the charges. In the event that one or more of the charges is sustained, the Hearing Officer shall then entertain statements from the parties regarding the appropriate penalty outcome. In the event that the parent and/or the student, in an appropriate case, have been served with a copy of the student's past disciplinary anecdotal record in a timely fashion (at least 48 hours before the hearing), for consideration at the hearing, such record may be considered by the Hearing Officer in determining an appropriate penalty. The incidents contained within the past anecdotal record shall be subject to proof to the extent that they are denied by the student, as expressed by the student's representative.

The Hearing Officer, upon the conclusion of the portion of the proceedings dealing with penalty determinations, shall make findings of fact and penalty recommendations, if any, to the person or body which designated him/her immediately upon the conclusion of the long-term suspension hearing.

The Superintendent or Board, whichever designated the Hearing Officer, shall make its own findings of fact and penalty decision, by adopting those of the designated Hearing Officer, where applicable, in whole or in part, or by reaching independent findings of fact and penalty determinations. This process shall be concluded within the five school day period from the time of the initial suspension if the student is to be continuously suspended. The decision may be communicated to the student's representative and/or student (where over the age of 18) beyond the five school day period in cases where the student has been reinstated to attendance in school pending the final determination on the charges and penalty by the Superintendent or the Board, in cases to be decided by them, respectively.

3. Alternative Instruction:

Pursuant to the Education Law, no student of compulsory education age shall be suspended from school in his/her regularly scheduled classes without being provided alternative equivalent instruction, either in the form of home instruction or instruction in an alternative setting. Such instruction shall be of a reasonably equivalent nature to that provided in the student's regularly scheduled classes. A good faith effort shall be made to provide such alternative instruction immediately, giving due regard for the nature and circumstances of each particular case.

In the event that a student within the compulsory education ages of six and the school year in which he/she becomes 16 is suspended from school in excess of five school days, alternative equivalent instruction shall be provided for the duration of the period of suspension.

4. Appeals Process:

The decision of the Superintendent with respect to the findings of fact sustaining charges in a long-term suspension hearing and/or penalty determination shall be subject to appeal to the Board of Education within 30 calendar days of receipt of the Superintendent's determination. The Board shall review the record of the proceedings before the Superintendent or his/her designated Hearing Officer, including a review of the transcript of the proceedings, documentary evidence and written arguments of the representatives of the respective parties, if any. The Board does not provide the representatives of the respective parties with the opportunity either to present evidence not previously in the record or to make arguments in person or before the Board.

The Board may review findings of fact, uphold the penalty, reduce the penalty or condition a suspended student's voluntary participation in counseling or (2) voluntary participation in special classes, such as those addressing anger management or dispute resolution.

In the event that the initial long-term suspension hearing was conducted by the Board or its designated Hearing Officer, or where the Board has ruled on an appeal from a Superintendent's long-term suspension hearing, the matter may be further appealed to the Commissioner of Education.

E. Off-Campus Misconduct:

A student may be subject to discipline for conduct constituting a crime which is committed off of school premises or at non-school sponsored activities to the extent that the Superintendent of Schools or Board of Education reasonably believes that the continued attendance in school of the student would adversely affect the educative process (e.g., disrupts the operation of the school) or constitutes an endangerment to the health, safety, welfare or morals of the student and/or others in our schools.

A student may be subject to discipline for off-campus misconduct that does not involve criminality that the Superintendent of Schools or Board of Education reasonably believes has a nexus to the educative process (i.e., student-student, student-personnel, interactions that foreseeably would have a detrimental or disruptive effect upon school programs or activities).

A student may also be subject to discipline for cyberbullying that occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

F. Dress and Grooming:

Students are expected to dress and groom themselves in an appropriate manner. Student must be dressed in appropriate clothing and protective equipment as required for physical education classes, participation in athletics, science laboratories and home and careers skills classes.

The following are considered to be inappropriate dress, grooming and appearance and are prohibited in school or at school functions:

- Any dress or appearance which constitutes a threat or danger to the health and safety of students (e.g., heavy jewelry or jewelry with spikes which can injure the student or others);
- Any dress or appearance which is vulgar, lewd, obscene or indecent or profane or which exposes to sight the private parts of the body (e.g., t-shirts with phallic symbol and messages consisting of sexual metaphors; see-through garments, extremely plunging necklines or waistlines);
- Any dress or appearance which encourages or advocates the use of illegal drugs, alcohol and/or tobacco;
- Any dress or appearance which advocates or encourages the other illegal or violent activities;
- Any dress or appearance which advocates discrimination or denigrates others based upon actual or perceived race, color, creed, weight, religion, religious practice, ethnic group, national origin, gender, sexual orientation or disability;
- The wearing of hats in the classroom as this is a sign of disrespect (unless worn for religious or medical reasons);
- Any dress or appearance which constitutes a disruption to the educational process.

A dress code for employees is a mandatory subject of collective bargaining and, as such, may not be imposed upon employees who are members of unions without negotiations. Nevertheless, employees are responsible to ensure that their dress is safe and appropriate, and does not disrupt or interfere with the educational process.

G. Computer and Internet Use:

The following prohibited use of District-owned technology resources (including but not limited to computer drives, network facilities, the Internet and Internet links) may give rise to disciplinary action against users of such equipment and/or facilities:

1. E-mail or other electronic or digital communications or mobile communications (e.g., texts) created by a student or another individual at a student's request, which originates from the school premises or which is received at the school premises or school event or activity or which affects the operation of the school or a school event or activity which:
 - Is lewd, vulgar, obscene, indecent or inappropriate for student recipients of certain ages;
 - Conveys a threat of violence, including sexual violence, to a specific individual or individuals or to the school district;
 - Constitutes a state and/or federal crime;
 - Is the cause of or a substantial contributing factor to a substantial interference with the orderly functioning of the school(s);
 - Attributes the text of e-mail or text message to school officials or that the text is school endorsed, unless there is such official endorsement or consent from school officials.
2. Technology/Internet use that circumvents access restrictions placed upon the District's computer systems by the Board of Education or its administrative designee(s).
3. Technology and/or Internet use that is not school related or is unauthorized.
4. Permitting the use of a student's log-in credentials by any other person and such student shall assume responsibility for occurrences in violation of this Code of Conduct that occurs under the student's log-in credentials.
5. E-mails or other electronic, digital or mobile communications created by a student or another individual at a student's request, which originates from an off-campus computer or site and which is received at the school premises or by one or more District students or staff members at their homes or other off-campus sites which conveys threats of violence to or harasses or bullies a specific individual or individuals or to the school district may give rise to disciplinary action against such student. Local law enforcement agencies will be contacted in an appropriate case.

H. Suspension from Transportation Service:

Students may be suspended from transportation services for an infraction or infractions listed herein upon the conducting of an informal hearing by the Superintendent of Schools or his/her designee, at which time the student's parent/guardian or other representative shall be allowed to confront the witnesses relied upon by the District in determining the appropriateness of such suspension of service. If such informal hearing is conducted before the Superintendent's designee, the designee shall make a recommendation to the Superintendent as to the action to be taken.

I. Suspension from Extra-Curricular and Co-Curricular Activities, and School Functions:

Extra-curricular and co-curricular activities, as well as, school functions (including dances, prom, and graduation) are privileges, not rights. A student may be suspended from participating in extra-curricular or co-curricular activities (including a sports team) for an infraction of any of the provisions herein, for violating a code of conduct issued to participants in the activity by the activity supervisor or for fighting at games. Upon the request of the student's parent/guardian, the Building Principal shall allow the parent/guardian or other representative of the student the right to appear before him/her informally, to discuss the conduct which led to suspension from the activity.

If a student is suspended from school pursuant to §3214 of the Education Law, he/she shall not be permitted to participate in any extra-curricular or co-curricular activities, as well as, any other school events or activities (including but not limited to dances, the prom, and graduation) which take place on the days of suspension (including intervening weekends). In addition, a student's disciplinary record may have an impact on the student's participation in graduation ceremonies and other school-sponsored activities such as the senior trip and the prom.

J. BOCES Students

If a student who attends a BOCES program for part of the day receives an out-of-school suspension either at the BOCES or at the District, the student will also be suspended from the other program as well.

K. Discipline of Students with Disabilities:

A principal may suspend a student with an educational disability for a short-term (5 days or less) in the same manner as non-disabled students may be suspended. A principal's designation of an Interim Alternative Educational Setting must be made in consultation with the student's special education teacher.

In the event that a student has a known disability or when school officials can be deemed to know, in accordance with law, that a student has a disability or meets the "suspected of having a disability" standard, the District will first proceed to conduct a §3214 long-term disciplinary proceeding for any suspension of more than five days. The §3214 disciplinary proceeding will be held in two parts, first to determine the student's guilt or innocence on the charges and the second to determine the penalty.

If guilt is determined on a violation of a provision of the District's Code of Conduct, before a penalty may be imposed, the following rules shall apply:

1. Section 504/Title II ADA Disability:

Before discipline may be meted out for a student with a disability or suspected disability founded solely under §504 of the Rehabilitation Act of 1973 (hereinafter §504)/Title II of the Americans with Disabilities Act (hereinafter the ADA), the §504 multi-disciplinary committee (hereinafter the §504 Committee) must make a determination of whether the conduct underlying the charge(s) was a manifestation of the disability.

- If a nexus is found between the disability and the conduct, **no** additional discipline shall be imposed and the record of discipline imposed to date shall be expunged. The §504 Committee shall consider any appropriate evaluations and/or modifications to the student's accommodation plan.
- If no nexus is found, yet nonetheless a disability is indicated or has been identified, discipline may be imposed in the same manner as it would be for nondisabled students, upon remand to the §3214 hearing officer. Any penalty imposed may not be based on past behavior for which a nexus determination was not made. A change in placement; i.e. a suspension, removal or transfer, in excess of 10 school days must be preceded by notice and an evaluation conducted by the §504 team.
- Students with a recognized §504/ADA disability who are currently using or in possession of alcohol or drugs may be disciplined, regardless of their disability status in the same manner and to the same extent as non-disabled students, provided that same students are currently engaged in the illegal use of drugs or use of alcohol.
- The School District must continue to provide a free appropriate public education to students who have been suspended from school as required by the regulations implementing §504(34 CFR §104 et. Seq.) until the end of the school year in which the student reaches the age of 21.

2. IDEA Disability:

For students classified or presumed to have disabilities under the Individuals with Disabilities Act (hereinafter referred to as "IDEA") (a student with an educational disability), a Manifestation Team must make a Manifestation Determination prior to a student's suspension for 10 or more consecutive school days or prior to a suspension of 10 days or less, if it has been determined that a suspension for less than 10 consecutive school days would constitute a disciplinary change in placement.

A series of suspensions that are each 10 or fewer days in duration may create a pattern of exclusions that constitutes a disciplinary change in placement. That determination will be made on a case-by-case basis in accordance with applicable law and regulation. Among the factors considered in making this determination are the length of each suspension, the proximity of the suspensions to one another, and the total amount of time the student is excluded from school.

A student shall be presumed to have a disability if prior to the time the behavior occurred:

- The parent or guardian of the child has expressed in writing to supervisory or administrative personnel of the appropriate educational agency or to a teacher of the student that the student is in need of special education, provided that such notification may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
- The parent of the student has requested an evaluation of the student; or
- A teacher of the student or other personnel of the District has expressed specific concern about a pattern of behavior demonstrated by the student to supervisory personnel in the District in accordance with the District's child-find procedures.

A student shall not be presumed to have a disability for discipline purposes, despite satisfaction of one or more of the above criteria, if:

- The parent of the student has not allowed a relevant evaluation of the student by the Committee on Special Education (“CSE”);
- The parent of the student has refused special education services; or
- It was determined by the CSE or Committee on Preschool Special Education (“CPSE”) that the student is not a student with a disability; or
- It was determined that an evaluation was not necessary and the District provided appropriate notice to the parents of such determination.

3. Manifestation Determinations:

A Manifestation Team, which shall include a representative of the school district knowledgeable about the student and interpretation of information about child behavior, the parent and relevant members of the Committee on Special Education as determined by the parent and the school district. The parent must receive written notification prior to any Manifestation Team Meeting to ensure that the parent has an opportunity to attend and inform the parent(s) of their right to have relevant members of the CSE participate at the parent’s request.

- When making a manifestation determination, the Manifestation Team shall review all relevant information in the student’s file including the student’s IEP, any teacher observations and any relevant information provided by the parents to determine if:
 - a. The conduct in question was caused by or had a direct and substantial relationship to the student’s disability; or
 - b. The conduct in question was a direct result of the school district’s failure to implement the IEP

If either of the aforementioned criteria listed as “a” and “b” above are answered affirmatively, the conduct in question shall be deemed to be a manifestation of the student’s disability.

When a Manifestation Team determines that the conduct in question was a manifestation of a student’s disability, the CSE shall meet to recommend and conduct a Functional Behavioral Assessment and implement a Behavior Intervention Plan in accordance with 8 NYCRR §201.3 and 201.4(d)(2)(a)).

A meeting for the sole purpose of making a manifestation determination does not require five calendar days’ notice to the student’s parent or guardian at the meeting. However, if the CSE meets to consider a change in placement in conjunction with the manifestation determination, the five-day notice requirement of §200.5(a)(3) of the Commissioner’s Regulations is applicable and parental participation in all CSE meetings is expected and strongly encouraged.

- **Discipline of Students with Disabilities When the Manifestation Team has made an Affirmative “Manifestation Finding”**

When an educationally disabled student’s conduct is a manifestation of the child’s disabling condition, a student classified under IDEA may only be suspended from school for more than 10 consecutive school days, if one of the following applies:

- a. The CSE recommends a change in placement on the student’s Individualized Education Plan (IEP) and/or Behavior Intervention Plan and the parent, guardian or eighteen-year or older student consents to such change in writing following receipt of their Procedural Safeguards Notice.
- b. A court order or order from an impartial hearing officer of suspension/removal of a dangerous student pursuant to 8 NYCRR 201.8 is obtained.
- c. The violation involves weapons, drugs or serious bodily injury.

- **Suspension for Misconduct Involving Weapons and/or Drugs and/or Serious Bodily Injury**

A student classified or deemed to be known as having an educational disability under IDEA may be suspended and placed in an Interim Alternative Educational Setting (“IAES”) for up to 45 school days (less if the discipline is for a non-disabled student would be less), if the student is found guilty of: 1) carrying or possessing a weapon while at school, on school property or while at a school function; 2) knowingly possessing or using illegal drugs, or selling or soliciting the sale of a controlled substance while at school, on school premises or while at school function; or 3) inflicting a serious bodily injury to another person while at school or a school function.

- a. In accordance with law, the term “weapon” means “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, except that such term does not include a pocket knife with a blade of less than 2-1/2 inches in length.” While a pocket knife with a blade of less than 2-1/2 inches in length is not a weapon for purposes of Commissioner’s Regulation §201.7, the student will, however, be subject to discipline under the Code of Conduct, including suspension from school.
- b. In accordance with law, the term “illegal drugs” means controlled substances but not those legally possessed or used under the supervision of a licensed health care professional or other permitted authority under the Federal Controlled Substances Act or under any other provision of Federal law. Controlled substances are drugs and other substances identified under schedules set forth in applicable Federal law provisions.
- c. In accordance with law, the term “serious bodily injury” means bodily injury which involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

Before a student is suspended and placed in an IAES for up to 45 school days for behavior involving weapons and/or drugs and/or serious bodily injury, the Manifestation Team must conduct a manifestation determination. Placement in an IAES as a result of conduct involving weapons and/or drugs and/or serious bodily injury is not contingent upon a Manifestation Team determination that the misconduct is not related to the student's disability.

- a. If the student is or may be placed in an IAES, the CSE shall as appropriate, recommend functional behavioral assessment and behavior intervention, or review any such pre-existing plan for modification; and
- b. A CSE shall determine and recommend an IAES reasonably calculated to enable the child to continue to receive educational services, participate in the general curriculum and progress toward meeting IEP goals and objectives during the period of suspension from instruction.

- **Dangerous Students**

To continue the suspension of a student classified or deemed to be known as having an education disability under IDEA for more than 10 consecutive school days, the School District may commence an expedited hearing before a special education impartial hearing officer to demonstrate that a student is "dangerous" and is substantially likely to cause injury to himself or others if returned to his last agreed upon placement. An impartial hearing officer may order the placement of the student in an interim alternative setting for up to 45 school days in accordance with 8 NYCRR §201.8 and 201.11.

- a. The Manifestation Team must still conduct a manifestation determination within 10 consecutive school days of the initial disciplinary action.
- b. If the student is or may be placed in an IAES, the CSE shall as appropriate, recommend Functional Behavioral Assessment and Behavior Intervention Plan, or review an such pre-existing, plan for modification; and
- c. An impartial hearing officer's determination allowing a student's placement in an IAES as a result of dangerous behavior is not contingent upon a Manifestation Team determination that the misconduct is not related to the student's disability.

- **Discipline of Students with Disabilities when the Manifestation Team has made a "No Manifestation Finding"**

Where a student with a disability's conduct is found not to be a manifestation of his/her disability he/she may be disciplined in the same manner and to the same extent as nondisabled students. In such instances, the CSE shall meet upon proper notice to determine any appropriate evaluations which must be performed, changes to a student's IEP and to recommend an appropriate IAES where the child can continue to receive educational services, although in another setting, that enable the child to participate in the general curriculum and progress toward meeting IEP goals and objectives during the period of suspension from instruction.

- **Pendency Placement**

An IAES shall be deemed the student's "stay put" placement for up to 45 school days, during the pendency of any expedited due process proceedings commence by parents to contest 1) a finding that a student is not "presumed to have a disability", and/or 2) a finding that the student's misconduct was not a manifestation of the student's disability, and/or 3) a decision to place a student in a CSE recommended IAES for misconduct involving weapons and/or drugs and/or serious bodily injury, and or 4) the decision of an impartial hearing officer in a dangerousness hearing and/or 5) the appropriateness of an IAES program recommended by the CSE in the context of one of the four categories of action listed above.

- **Declassified Students**

In accordance with law, the CSE must conduct a manifestation determination in the case of a student with an educational disability who has been declassified if the disciplinary matter involves behavioral problems.

L. Disciplinary Measures:

The following shall constitute appropriate disciplinary measures authorized by this student Code of Conduct:

1. Warnings (oral or written) and/or Notification to Parent
2. Detention
3. Removal from class
4. In-school suspension
5. Suspension from school for up to five (5) school days
6. Suspension from school in excess of five (5) days
7. Suspension from school for at least one (1) year for possession of a weapon pursuant to the Gunn-Free Schools Act of 1994 (subject to the right of the Superintendent to modify such penalty) or, in the case of a student with a disability whose possession of a weapon is determined not to be related to his/her disability, placement in an interim alternative educational setting for a period of up to 45 school days.
8. Placement in an interim alternative educational setting for a period of up to 45 school days, in the case of a student with a disability whose knowing possession or use of illegal drugs, or sale or solicitation of the sale of a controlled substance or inflicting a serious bodily injury to another person at a school or a school function is determined not to be related to his/her disability.
9. Suspension from school and notification of police
10. Permanent suspension (Expulsion)

The following are other consequences that may be taken independently or concurrently with the above disciplinary measures:

1. Suspension from transportation
2. Suspension from athletics, extra-curricular activities and/or social activities
3. Suspension of other privileges

M. Infractions with Penalty References:

Schools may use one or more of the following, as appropriate:

NOTE: BEING MINDFUL OF THE AGE AND UNDERSTANDING OF ELEMENTARY AND MIDDLE SCHOOL STUDENTS AND NOTWITHSTANDING THE LEVELS OF DISCIPLINE SET FORTH IN THIS SECTION, BUILDING ADMINISTRATORS IN THE ELEMENTARY AND MIDDLE SCHOOLS SHALL HAVE THE DISCRETION TO IMPOSE ANY OF THE LESSER DISCIPLINARY MEASURES SET FORTH ABOVE.

INFRACTION	LEVEL OF DISCIPLINE
1. Disturbances which disrupt instruction and/or school environment (including but not limited to instigating or inciting others to commit any of the acts prohibited by this Code)	1, 2, 3, 4, 5
2. Substantially disruptive and/or substantially interferes with teacher's authority in class	3
3. Repeatedly disruptive and/or substantially interferes with the teacher's authority in class giving rise to removal on four or more occasions per semester.	5, 6
4. Abusive language and/or gestures directed at staff, students or visitors on school grounds or at school functions.	4, 5
5. Carelessness in failure to follow school rules and staff directions.	1, 2
6. Dress or grooming which is inappropriate as described in this Code of Conduct	1, 2
7. Possession or dissemination of obscene materials.	2, 4, 5, 6
8. Smoking (including electronic cigarettes) or other tobacco use on campus and within 100 feet of the entrances, exits or outdoor areas of any elementary or secondary school, or at school functions.	2, 4
9. Possession of and/or dissemination and/or use of tobacco, tobacco products and accessories, e.g. lighters and matches, including lighting a match or lighter, electronic cigarettes or any nicotine delivery system, e.g., hookah sticks, vaporizers).	1, 2, 4, 5
10. Cheating in any academic or extra-curricular or co-curricular activity.	1, 2, 4, 5
11. Abusive and/or insubordinate gestures at school employees or peers that could or does provoke a fight.	4, 5
12. Willful failure to obey the reasonable directives of school staff (insubordination), including directives not to engage in conduct otherwise referenced as an infraction herein and for failing to notify a parent of assignment to detention.	1, 2, 4, 5, 6
13. Fighting between students where no dangerous instruments are involved and no person is injured in the altercation.	5, 6
14. Fighting between students where harm is caused to one or more of the combatants.	5, 6, 8
15. A fight involving the use or threatened use of a dangerous or deadly weapon.	5, 6, 7, 8, 9, 10
16. Any violent act against a teacher or other staff member, as described in this Code of Conduct.	6, 8, 9
17. Any violent act against another student or person in the schools, on school property or at a school function, as described in this Code of Conduct.	6, 9
18. An unprovoked assault against another student or person in the schools, on school property or at a school function.	5, 6, 9
19. An unprovoked assault against another student or person in the schools, on school property or at a school function that causes bodily harm.	5, 6, 9
20. Possession and/or use and/or sale and/or distribution of dangerous or deadly weapons or other potentially dangerous objects on school property or at school functions.	7, 8, 9
21. Possession of illegal drugs, dangerous drugs, counterfeit drugs, synthetic drugs (such as synthetic cannabinoids) whether specifically illegal or not, unauthorized prescription medication or alcohol, or a substance which the individual believes or represents to be such drugs or alcohol, or dangerous or deadly substances (including but not limited to chemicals and inhalants) in school, on school property or at school functions.	6, 8, 9
22. Use or being under the influence of illegal drugs, dangerous drugs, synthetic drugs whether specifically illegal or not, counterfeit drugs, unauthorized prescription medication or alcohol, or a substance that the individual believes or represents to be such drugs or alcohol, or dangerous or deadly substances (including but not limited to chemicals and inhalants) at school, on school property or at school functions.	6, 8, 9
23. Sale or other distribution of illegal drugs, dangerous drugs, synthetic drugs whether specifically illegal or not, counterfeit drugs, unauthorized prescription medication or alcohol, or a substance which the individual believes or represents to be such drugs or alcohol, at school, on school property or while at school functions.	6, 8, 9
24. Possession and/or sale and/or distribution of drug paraphernalia on school property or at school events.	4, 5, 6
25. Possession and/or sale and/or distribution and/or use of fireworks on school property or at school events.	5, 6
26. Commission of conduct that constitutes a misdemeanor while on school property or at a school event.	5, 6
27. Commission of conduct that constitutes a felony while on school property or at a school event.	5, 6, 9
28. Gambling	4, 5
29. Hazing	5, 6
30. Obscene, lewd, vulgar or indecent conduct or speech that is oral or written and/or physical expressed or distributed on school property or at a school.	4, 5, 6

31. Public displays of affection beyond hand holding.	1, 2, 4, 5, 6, 9
32. Theft of personal property.	2, 4, 5, 6, 9
33. Theft of school property.	5, 6, 9
34. Extortion.	5, 6, 9
35. Plagiarism.	4, 5
36. Arson	6, 9
37. Intentional destruction of school property (vandalism).	4, 5, 6, 9
38. Use or possession of a light or laser pointer.	2, 4 and/or confiscation
39. Use of a cellular phone or any electronic communication device during instructional time without authorization.	2, 3, 4 and/or confiscation
40. Violation of computer use policy.	1, 2, 4, 5, 6, 9 and/or suspension of computer privileges.
41. Class, study hall, homeroom, teacher detention, administration detention cuts.	2, 4
42. Eating or drinking where prohibited.	1, 2
43. Driving recklessly, speeding, failing to follow campus monitor's directives on school grounds.	4, 5 suspension or revocation of driving and parking privileges
44. Activation of a false alarm, bomb threat or other disaster alarms.	6, 7, 8
45. Forgery or Fraud	4, 5, 6
46. Harassment (any word, communication or action based in whole or in part upon actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, as well as marital status, veteran status, appearance or other physical attribute for which there is no legitimate purpose).	4, 5, 6, 7, 8
47. Bullying, intimidation or coercion (the act of threatening, verbally, in writing, by electronic/digital/mobile communication or by gesture, the well-being, health, safety, freedom or property of any person).	4, 5, 6, 7, 8
48. Leaving a school building and/or campus without authorization.	4, 5
49. Parking and/or standing in unauthorized areas.	1, 2, 4
50. Tardiness to class or school.	1, 2, lunch detention
51. Unauthorized absence from school.	2, 4
52. Trespassing while suspended from school.	5, 6
53. Any threat of violence, whether against another student, staff member or other person connected with the schools, the school district or school property, communicated verbally, in writing or by electronic/digital means, whether from an on-campus or off-campus location.	4, 5, 6, 9, 10
54. Use of any electronic/digital device to photograph and/or video record anyone (without their knowledge) on school property and/or in violation of privacy rights of others on school property or at school activities.	4, 5, 6, 9 and/or confiscation
55. Lighting or attempting to light a fire in school, on school property or at a school function, whether or not damage results (includes lighting a match or lighter if not authorized).	5, 6
56. Disorderly conduct (intentionally causing public inconvenience, annoyance, alarm, or recklessly creating a risk thereof, or someone who obstructs, fails to disperse, or disrupts others.)	4, 5, 6

Notes:

- The repeating of an infraction may lead to the imposition of the next measure of discipline.
- Chronic repeating of infractions may lead to long-term suspension or permanent suspension (expulsion).
- The above listing is not intended to be all-inclusive. The Administration reserves the right to implement disciplinary action for incidents not specifically identified above. Students who engage in behavior determined to be inappropriate and/or disruptive to the school environment will be subject to disciplinary consequences.

PUBLIC CONDUCT ON SCHOOL PROPERTY:

The Board of Education recognizes that the primary purpose of the School District is to provide a superior atmosphere for learning and education. Any action by an individual or group(s) aimed at disrupting, interfering with or delaying the education process or having such effect, is prohibited. The Board also recognizes its responsibility to protect school property and declares its intent to take any and all legal action to prevent its damage or destruction. The Board will also seek restitution from, and prosecution of, any person or persons who willfully damages school property.

These rules govern the conduct of students, parents, faculty and other staff, other visitors, licensees, invitees, and all other persons, whether or not their presence is authorized, upon district property, and also upon or with respect to any other premises or property (including school buses) under control of the District and activities, whether or not conducted on school premises.

PROHIBITED CONDUCT:

No person, either singly or in concert with others, shall:

- Willfully cause physical injury to any other person, or threaten to do so;
- Intimidate, harass or discriminate against any person on the basis of actual or perceived race, creed, color, weight, national origin, ethnic group, religion, religious practice, gender (including gender identity and gender expression), age, marital status, sexual orientation or disability;
- Physically restrain or detain any other person, or remove such person from any place where he/she is authorized to remain;
- Willfully damage or destroy property of the District or under its jurisdiction or the personal property of a district employee or any person lawfully on school property (including graffiti or arson), or remove or use such property without authorization;
- Without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty or staff member;

- Enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others;
- Without authorization, remain in any building or facility after it is normally closed;
- Refuse to leave any building or facility after being required to do so by an authorized administrative officer, member of the faculty or staff member, or member of the Board of Education;
- Obstruct the free movement of persons and vehicles in any place to which these rules apply;
- Deliberately disrupt or prevent the peaceful and orderly conduct of classes, school programs or other school activities;
- Deliberately interfere with the freedom of any person to express his/her views, including invited speakers;
- Knowingly have in his/her possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon without written authorization of the Superintendent of Schools or designee, whether or not a license to possess the same has been issued to such person;
- Drive recklessly, speed or fail to follow school crossing guard or traffic directions on school grounds, or park in unauthorized areas;
- Use or distribute any cigarettes, electronic cigarettes, tobacco or tobacco related products;
- Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous or obstruct the rights of others;
- Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances or illegal substances (including synthetic drugs such as synthetic cannabinoids, whether specifically illegal or not) or be under the influence of any such items on school property or at a school function;
- Loiter on or about school property;
- Litter on school property;
- Spit or engage in other unhygienic behavior on school property or at a school function;
- Gamble on school property or at school functions, unless conducted pursuant to the Games of Chance laws;
- Refuse to comply with the reasonable order or directive of identifiable school district officials performing their duties;
- Willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so; and/or
- Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

PENALTIES AND PROCEDURES:

A person who violates any of the provisions of these rules shall be subject to the following penalties and procedures:

- If a licensee or invitee, his/her authorization to remain upon the grounds or other property shall be withdrawn and he/she shall be directed to leave the premises. In the event of failure to do so, he/she shall be subject to ejection.
- If a trespasser or visitor without specific license or invitation, he/she shall be subject to ejection and/or arrest.
- If a student, he/she shall be subject to disciplinary action as the facts of the case may warrant, as prescribed by §3214 of the Education Law and the Student Code of Conduct
- If a faculty member, he/she shall be subject to disciplinary action as prescribed by and in accordance with procedures of the Education Law and the applicable collectively negotiated agreement.
- If a staff member in the classified service of the civil service, described in §75 of the Civil Service Law, he/she shall be guilty of misconduct and subject to the penalties and procedures prescribed in said section and applicable collectively negotiated agreement, and be subject to ejection.
- If a staff member other than one described above, he/she shall be subject to discipline in accordance with law and any applicable collectively negotiated agreement.

ENFORCEMENT PROGRAM:

The Superintendent of Schools and designees shall be responsible for the enforcement of these rules, and he/she shall designate the other personnel who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.

1. In the case of any apparent violation of these rules by such persons, which, in the judgment of the Superintendent or his/her designee, does not pose any immediate threat of injury to person or property, such officer may make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for resolution of any issues which may be presented. In doing so such officer shall warn such persons of the consequences or persistence in the prohibited conduct, including their ejection from any district properties where their continued presence and conduct is in violation of these rules.
2. In any case where violation of these rules does not cease after such warning and in other cases of willful violation of such rules, the Superintendent or his/her designee shall cause the ejection of the violator from any premises which he/she occupies in such violation and shall initiate disciplinary action hereinbefore provided.
3. The Superintendent or his/her designee may apply to the public authorities for any aid which he/she deems necessary in causing the ejection of any violator of these rules and he/she may request the Board's Counsel to apply to any court of appropriate jurisdiction for any injunction to restrain the violation or threatened violation of such rules.

This code and the penalties set forth herein are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal or state law or local ordinance and the imposition of a fine or penalty provided for therein.

DISSEMINATION AND REVIEW

A. Dissemination of Code of Conduct

The Board of Education and Superintendent 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 the beginning of each school year.
2. Making copies of the code and a summary of the code available to all parents at the beginning of the school year.
3. Providing all current teachers and other staff members with access to or a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
4. Providing all new employees with access to or a copy of the current Code of Conduct when they are first hired.
5. Making copies of the code available for review by students, parents and other community members.

Dignity for All Students Act

The Board of Education is committed to providing an educational and working environment that promotes respect, dignity and equality. The Board recognizes that discrimination, such as harassment, hazing and bullying, are detrimental to student learning and achievement. These behaviors interfere with the mission of the district to educate its students and disrupt the operation of the schools. Such behavior affects not only the students who are its targets but also those individuals who participate and witness such acts.

To this end, the Board condemns and strictly prohibits all forms of discrimination, such as harassment, hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events, whether on or off of school property.

Discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds, such as cyberbullying, which creates or would foreseeably create a risk of substantial disruption within the school environment where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Definitions

Bullying: Bullying is a form of harassment (see “Harassment” below). The accompanying regulation provides more guidance regarding the definition and characteristics of bullying.

Cyberbullying: Cyberbullying is harassment or bullying through any form of electronic communication. In order to be actionable under this Policy, cyberbullying that occurs off campus must create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Discrimination: Discrimination is 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 *Definitions* section, under Harassment, below).

Hazing: Hazing is 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.

Harassment: Harassment has been defined in various ways in federal and state law and regulation. The Dignity for All Students Act defines harassment as the creation of a hostile environment by conduct or by threats, intimidation or abuse, whether verbal or non-verbal, including cyberbullying, that (a) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. The harassing or discriminating 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).

For purposes of this Policy and its implementing Regulation, the term “bullying” will encompass harassment, intimidation, cyberbullying and hazing behaviors.

Prevention

The school setting provides an opportunity to teach children, and emphasize among staff, that cooperation with and respect for others is a key district value. A program geared to prevention is designed to not only decrease incidents of bullying but to help students build more supportive relationships with one another by integrating the bullying prevention program into classroom instruction. Staff members and students will be sensitized, through district-wide professional development and instruction, to the warning signs of bullying, as well as to their responsibility to become actively involved in the prevention of bullying before overt acts occur.

Curricular material that raises awareness and sensitivity to discrimination or harassment and civility in the relationships of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, sexes or gender expression or identities will be included in the instructional program K-12.

In order to implement this program the Board will designate at its annual organizational meeting a Dignity Act Coordinator (DAC) for each building to coordinate and enforce this policy in the school to which assigned. In addition, the Board will annually designate a district wide DAC to oversee and enforce this policy throughout the District.

Intervention

Intervention by adults and bystanders is an important step in preventing escalation and resolving issues at the earliest stages. Intervention will emphasize education and skill-building, and may involve remediation. Remedial responses to bullying and harassment include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target. Remediation may be targeted to the individual(s) involved in the bullying behavior or systemic approaches which are targeted to the school or district as a whole.

In addition, intervention will focus upon the safety of the target. Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this policy and regulation.

Provisions for Students Who Do Not Feel Safe at School

The Board acknowledges that, notwithstanding actions taken by district staff, intervention may require a specific coordinated approach if the child does not feel safe at school. Students who do not feel safe at school are limited in their ability to learn and reach their academic potential. Staff, when aware of bullying, should determine if accommodations are needed in order to help ensure the safety of the student and bring this to the attention of the building principal. The building principal, other appropriate staff, the student and the student’s parent will work together to define and implement any needed accommodations.

The district recognizes that there is a need to balance accommodations which enhance student safety against the potential to further stigmatize the targeted student. Therefore, each case will be handled individually. The student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

Training

The Board recognizes that in order to implement an effective bullying prevention and intervention program, professional development is needed. The Superintendent, the DAC professional development team will incorporate training to support this program in new teacher orientation and the annual professional development plan, as needed. Training opportunities will be provided for all staff, including but not limited to bus drivers, cafeteria and hall monitors and all staff who have contact with students. The DAC will be trained in accordance with state requirements and will continue their professional development so as to successfully support this policy and program.

Incident Reporting and Investigation

The district cannot effectively address bullying if incidents are not reported. Students who have been bullied, parents whose children have been bullied or other students who observe bullying behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided.

There shall be a duty for all school personnel to report any incidents of bullying that they observe or of which they become aware to their building principal, the DAC or other administrator who supervises their employment. An oral report shall be made within one school day and the district reporting form must be completed within two school days. The individual to whom the report is made will refer the information to appropriate district staff for investigation in accordance with the regulation. If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with their supervisor. A district employee may be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident, whether or not the target complains.

At all times, complaints will be documented, tracked and handled in accordance with the regulations or, if applicable, the District's Code of Conduct. The Building Principal shall maintain a log of bullying incidents as a record for the purpose of tracking repeat offenders, as well as identifying trends. Specifically, all reported incidents of bullying must be documented in the file of the student being accused of the conduct. Written records should also capture what action, if any, was taken, or why no action was taken. These reports shall remain in the student's file and will travel with the student from elementary school to high school.

Incidents will be included in the Violent and Disruptive Incident Reporting (VADIR) system when applicable.

An equitable and thorough investigation will be carried out by the appropriate personnel in accordance with the regulation. The results of the investigation shall be reported back to both the target and the accused in accordance with the accompanying regulation. If either of the parties disagrees with the results of the investigation, they can appeal the findings in accordance with the regulations that accompany this policy.

Disciplinary Consequences/Remediation

While the focus of this policy is on prevention, bullying acts may still occur. In these cases, offenders will be given the clear message that their actions are wrong and the behavior must improve. Student offenders will receive in-school guidance in making positive choices in their relationships with others. If appropriate, disciplinary action will be taken by the administration in accordance with the district's Code of Conduct, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, and must be consistent with the district's Code of Conduct. The District shall ensure the safety of the student or students against whom such bullying was directed and take reasonable measures to prevent recurrence of the offending behavior.

Non-Retaliation

All complainants and those who participate in the investigation of a complaint in conformity with state law and district policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

Dissemination, Monitoring, Review, and Reporting

This policy, or a plain language summary, shall be published in student registration materials, student, parent and employee handbooks, and posted on the district's website. A bullying complaint form will be available on the district's website. The district will ensure that the process of reporting bullying is clearly explained to students, staff and parents on an annual basis.

Each year, as part of the annual review of the Code of Conduct, this policy will be reviewed to assess its effectiveness and compliance with state and federal law. If changes are needed, revisions will be recommended to the Board for its consideration.

The Board will receive the annual VADIR report, for each building and for the district as whole, with particular attention to the trends in the incidence of bullying. In addition, the Board will receive on an annual basis a more detailed report of the number of bullying incidents that occur, disaggregated by school, student demographic information and type of incident. Based on the review of the data, the Board may consider further action, including but not limited to modification of this policy and additional training.

The district will ensure that reporting of information to the public will be in a manner that complies with student privacy rights under the Family Educational Rights and Privacy Act (FERPA).

Adoption date: June 14, 2012, Revised: June 13, 2013

SEXUAL HARASSMENT AND GRIEVANCE PROCEDURES FOR STUDENTS (Board Policy \$5148)

It is the policy of the Lakeland Central School District to prohibit student sexual and gender based harassment in the schools, at school activities and at events sponsored by the School District. To that end, all officers, supervisory personnel, employees and students of the School District shall be given a copy of this policy and training regarding its terms, procedures, protections and penalties.

DEFINITIONS

Sexual harassment is defined as discrimination against a person of a different or the same sex because of their actual or perceived sex and/or gender, which creates a hostile learning or school environment.

Gender based harassment is defined as pervasive and/or severe conduct intended to intimidate or demean a person or persons of the same or opposite gender or that which treats a person of that gender differently in the learning or school environment because of his or her gender and/or failure to conform to gender stereotypes.

Sexual or gender based harassment that creates a hostile learning or school environment is either pervasive and/or severe conduct that involves unwelcome: sexual advances; sexual violence¹, sexual conduct that constitutes a crime; sexual touching; indecent exposure of a sexual nature; pervasive sexual remarks, comments, displayed materials, printed materials, electronic/digital media or jokes. The determination of a hostile learning or school environment shall be objective, based upon the viewpoint of a reasonable person and subjectively perceived to be so by the complainant.

TITLE IX OFFICER

The District's Title IX Officers are the Assistant Superintendent for Instruction and the Director of Guidance. They are charged with investigating and/or overseeing the investigation of sexual or gender based harassment complaints. The District's Title IX Officers can be reached by calling (914) 245-1700, Ext. 262 or Ext. 275; or by mail: 1086 East Main Street, Shrub Oak, NY 10588; or by email at the following email addresses: jmiccio@lakelandschools.org or pkavanagh@lakelandschools.org.

PROCEDURE

Any student, parent, employee or third party who believes that a student has been subjected to sexual or gender based harassment by an officer, employee, student or volunteer must promptly report the matter to the District's Title IX Officer, who shall promptly and impartially investigate the alleged conduct. The District shall investigate an allegation of student-on-student sexual harassment even if the alleged conduct occurred initially off school grounds. The Title IX officer shall conduct an intake interview and explain the following options to the alleged victim(s) for resolution:

- (1) registering an informal complaint verbally or in writing; or
- (2) registering a formal complaint verbally or in writing; or
- (3) engaging in voluntary staff facilitated mediation to arrive at a resolution of the matter (this shall not be utilized when allegations involve sexual assault or sexual violence); or
- (4) placing the District on notice of the objectionable conduct without seeking a resolution through the complaint process or mediation.

The Title IX Officer will also explain that the complaining student shall not be subject to retaliation or retribution by reason of making the complaint and that confidentiality shall be maintained throughout the process by all involved, except as necessary to assure fair and due process.

The Title IX Officer or investigator shall:

- (1) Consult with relevant staff and notify the complainant of his/her options to avoid contact with the alleged perpetrator during the pendency of the investigation; minimizing any burden on the educational program of the complainant.
- (2) Advise the alleged victim(s) of available resources such as counseling and mental health services;
- (3) Advise the alleged victim(s) of their right to file a complaint with local law enforcement (a referral or pending law enforcement investigation shall not be a basis to delay the District's investigation and remediation, if appropriate)
- (4) Make follow-up inquiries with the alleged victim and alert the victim and relevant staff of the need to report to the Title IX officer any subsequent retaliatory action and/or harassment; such as name calling or taunting of the complainant or others involved in the investigation that may occur.

COMPLAINTS

All complaints shall be received in writing or reduced to writing by an Title IX Officer, who shall personally or by reference to a designee on the Board's approval list, promptly conduct a full and fair impartial investigation of the complaint, which will include providing the opportunity for both the complainant and alleged perpetrator to present witnesses and evidence, make written findings of fact; and, where warranted, recommend a resolution to the Superintendent of Schools within sixty (60) calendar days of the initial report received either verbally or in writing. The evidentiary standard used during the investigation in resolving the complaint is preponderance of the evidence. The Superintendent of Schools shall advise the complainant and the subject of the complaint of the disposition of the complaint, in writing, concurrently. Such written determination may include:

- (1) a finding that this policy has not been violated; or
- (2) a finding that this policy has been violated and appropriate corrective, disciplinary and/or other action has been taken.

¹ Prohibited sexual violence refers to physical sexual acts perpetrated against a person's will or where the person is incapable of giving consent due to the person's use of drugs or alcohol or an individual's intellectual or other disability.

The Superintendent shall take such further action necessary to reasonably deter and prevent any further acts prohibited by this policy. Such further action may include:

- (1) Separating the harasser and the victim (in a way that does not adversely impact the victim's educational program);
- (2) Providing an escort to ensure that a student is able to safely move between classes and activities;
- (3) Providing counseling to the target and/or harasser;
- (4) Disciplinary action against the harasser;
- (5) Providing academic support services such as tutoring or arranging for a complainant to re-take or withdraw from a course, including ensuring that any changes do not adversely affect the complainant's academic record;
- (6) Reviewing any disciplinary action taken against the complainant to determine if there was a causal connection between the harassment and the misconduct that may have resulted in the complainant being disciplined;
- (7) Providing education and training on sex and/or gender based harassment;
- (8) Directing the victim, in writing, to immediately report any new concerns or incidences of harassment and/or retaliation by the perpetrator(s) or others;
- (9) Providing a written directive to those involved in the investigation/allegations of the prohibition against further harassment and/or retaliation against the victim and others for their role in cooperating in the investigation.

ALTERNATES

The Board shall appoint two (2) Title IX Officers and several designated Title IX formal complaint investigators. Complainant will have a choice of which Title IX Officer to approach regarding a Title IX complaint. If the complaint is about the Superintendent of Schools, the Board shall stand in the Superintendent's place for review activities, as described above, with respect to informal or formal complaints.

APPEAL OF FORMAL COMPLAINTS

If a complaint has not been processed to a satisfactory disposition by the Superintendent within sixty (60) calendar days of when the complaint is received in writing by the Title IX Coordinator, unless longer following request by the Title IX officer and/or investigator, and this timeline has been extended by the Superintendent with the written consent of the complainant, the complainant or alleged perpetrator(s) may appeal in writing to the Board for disciplinary action to be taken or disciplinary proceedings to be commenced, where necessary. The Board shall render a written decision on such an appeal within thirty (30) calendar days. In cases in which the Board serves as an alternate, there shall be no internal appeals process.

CONFIDENTIALITY

The District's Title IX Officers, the Superintendent of Schools and the Board of Education shall, to the maximum extent possible, maintain as confidential the transaction(s) underlying the proceedings or complaint, the outcome of a mediated agreement and action taken, other than formal discipline. The subject of the proceedings or complaint, however, shall be informed of the identity of the person who commenced the proceedings or complaint in order to provide fair and due process.

If the complainant student requests that his/her identity and other identifiable information not be revealed, the School District should weigh that request against the following factors:

- (1) The seriousness of the alleged harassment;
- (2) The complainant's age;
- (3) Whether there have been other complaints about the same individual; and
- (4) The alleged harasser's rights to receive information about the allegation if the information is maintained as an educational record under the Family Educational Rights and Privacy Act.

CONSEQUENCES

Students or staff members who violate this policy shall be subject to disciplinary or other corrective action with due process provided as appropriate.

Any complaint that is determined to have been processed maliciously or in bad faith, shall be deemed to be in violation of this policy and may give rise to disciplinary consequences against the complainant.

Any complaint that involves allegations which constitute or may constitute criminal behavior will be immediately and directly referred to law enforcement personnel by the District. Such a referral shall not relieve the District of its obligations to investigate and remediate such conduct.

TRAINING

The District shall provide appropriate written notice and preventative training to students, staff, school law enforcement and volunteers regarding awareness of and reporting/investigation of sexual and gender based harassment and sensitivity to issues involving sex and gender based harassment, including condemnation of such conduct, the sanctions for harassment and preventive measures to help reduce incidents of sexual harassment.

DISTRIBUTION OF POLICY

A copy of this policy and its procedures for investigating sexual and/or gender based harassment complaints shall be available on the District's website and electronically or manually distributed to all personnel, middle school students, high school students and their parents/guardians and posted in appropriate places within the District. This policy shall be disseminated and reviewed during staff and student orientations, mailings and upon receipt of complaints. Elementary age students shall be provided with age appropriate materials and training.

Bias Harassment of Students (Board Policy # 5149)

The Board of Education is committed to safeguarding the rights of all students within the school district to learn in an environment that is free from all forms of bias discrimination, including bias harassment. Therefore, the Board, consistent with law, condemns all forms of bias discrimination and harassment (e.g., based upon race, color, religion, ethnicity or national origin including, but not limited to, discrimination or harassment based upon anti-Semitism).

Bias harassment of students consists of different treatment on the basis of race, color, religion, ethnicity or national origin (including, but not limited to, discrimination or harassment based upon anti-Semitism) and is recognized in two different forms:

1. when the district's employees or agents, acting within the scope of official duties, treat a student differently than other students solely on the basis of race, color, religion, ethnicity or national origin; or
2. when the education environment is not kept free from discrimination because the harassing conduct is so severe, pervasive or persistent that it interferes with or limits the ability of a student to participate in or benefit from the services, activities or privileges provided.

The Board recognizes that bias harassment of students can originate from a person of the same or different race, color, religion, ethnicity or national origin of the victim, including peers, officers, employees, agents or other individuals who foreseeably might come in contact with students on school grounds or at school-sponsored activities.

Complaint Procedure:

Any student who believes that he or she has been subjected to bias harassment or any person who believes that s/he has witnessed an incident(s) of bias harassment shall report all incidents of such conduct to any staff member with whom the complainant feels comfortable (e.g., a teacher, the building principal, school nurse, guidance counselor, designated Title VI Complaint Officer). The staff member to whom the complaint is made shall promptly report the complaint to the Complaint Officer who shall make a determination as to who will investigate the complaint (e.g., building principal in the case of an elementary student, high school principal in the case of a high school student, Complaint Officer, outside investigator) through informal and/or formal complaint procedures developed by the District. Any staff member who fails to report a bias harassment complaint may be subject to disciplinary action in accordance with law and any applicable collectively negotiated agreements.

All complaints of bias harassment will be held in confidence to the extent practicable to enable the District to conduct a thorough investigation and as permitted by law. While the District respects the privacy and anonymity of all parties and witnesses to complaints brought under this policy, it cannot guarantee absolute confidentiality. At the conclusion of the investigation and at such time when the written report is issued and becomes a final agency determination (30 days after the issuance of the report if no appeal is made or after the issuance of the appeal determination), the report may become public.

If the District has knowledge of or reason to know of the occurrence of any alleged bias harassment, the District shall, even in the absence of a complaint, cause a prompt and thorough investigation of any such incident to be made.

Upon receipt of any complaint of bias harassment, the District will cause a thorough, prompt and impartial investigation of the charges to be conducted within 30 calendar days of receipt of a complaint. It is the policy of the District that all complaints of bias harassment shall be taken seriously and that an investigation shall be conducted to the extent possible. The investigator shall prepare a written summary report of the investigation. The report shall be filed with the Complaint Officer. The outcome of any investigation of a bias harassment complaint shall be related to the student and his/her parent/guardian, as well as to the accused.

If the results of the District's investigation indicate that bias harassment or other inappropriate behavior has occurred, immediate and appropriate corrective action will be taken. It is the policy of the District to appropriately discipline the offending individual in accordance with law, District policy and any applicable collectively negotiated agreements. If the alleged behavior constitutes or may constitute a crime, the police authorities or District Attorney's office, or any other appropriate agency shall be immediately notified.

If the student, or his/her parent/guardian, or the accused is not satisfied with the results of the investigation, an appeal of the findings may be made to the Board of Education within 30 calendar days from receipt of the investigation report, for its review and action. Such review shall occur promptly, within 30 calendar days of the filing of the appeal.

The Board prohibits any retaliatory behavior directed against a complainant for the good faith reporting of an incident pursuant to this policy, as well as against any witness who testifies in a bias harassment investigation. Follow-up inquiries by Complaint Officer shall be made to ensure that the complainant and/or witnesses have not suffered retaliation.

The District shall establish appropriate training programs for staff and students to raise awareness of and sensitivity to issues involving bias harassment, including condemnation of such conduct, the sanctions for harassment and preventive measures to help reduce incidents of bias harassment.

The Superintendent of Schools is directed to develop and implement specific procedures for reporting, investigating and resolving bias harassment complaints.

A copy of this policy and its accompanying regulations shall be distributed to all personnel, students and parents/guardians and posted in appropriate places within the District.

(Revised: October 16, 2008)

Bias Harassment of Students - Regulation

DISTRICT COMPLAINT PROCEDURES:

I. Complaint Officer

The Board of Education shall appoint a Title VI Complaint Officer at its annual reorganization meeting, or as needed during the year.

II. Reporting of Complaints

All complaints of bias harassment or discrimination (based on race, color, religion, ethnicity or national origin, including, but not limited to, discrimination or harassment based upon anti-Semitism) must be reported to the Title VI Complaint Officer appointed by the Board of Education.

1. A student (or his/her parent/guardian) who believes that s/he has been subjected to bias harassment should immediately consult with any staff member with whom the student (parent/guardian) feels comfortable (e.g., a teacher, guidance counselor, school nurse, building principal, the Superintendent of Schools or the Complaint Officer).
2. Any staff member who is consulted with in accordance with paragraph "1", above, shall:
 - A. Provide a copy of the Student Bias Harassment Policy and Regulations to the student or parent/guardian.
 - B. Promptly report the complaint or inquiry to the Complaint Officer.
 - C. Maintain complete confidentiality and secrecy that a complaint or inquiry has been made.
 - D. NOT attempt to influence any further actions on the part of the student, except to tell the student to talk to his/her parents/guardian.
3. Any staff member who becomes aware of a possible incident of bias harassment shall promptly report it to the Complaint Officer.
4. Any staff member who fails to report a possible incident or complaint of bias harassment may be subject to disciplinary action in accordance with law and any collectively negotiated agreement.

III. Investigation of a Complaint

1. Upon receipt of a complaint, the Title VI Complaint Officer shall:
 - A. Conduct a preliminary investigation to determine whether to proceed personally or to designate or request a different investigator.
 - B. Determine whether or not the complaint can be handled in an informal manner with the Complaint Officer acting as a mediator.
 - C. Discuss the above actions with the Superintendent, unless the Superintendent is the subject of the complaint, in which case the Complaint Officer should consult with the President of the Board of Education.
 - D. Report the incident to the police and/or to other appropriate authorities if the behavior constitutes or may constitute a crime.
 - E. Ensure that any investigation or mediation is conducted within 30 calendar days from receipt of the complaint.
2. If, after consultation, the Complaint Officer determines that a more formal investigation is warranted, any investigation must adhere to the following:
 - A. During the investigation, the investigator must protect the confidentiality of the complainant, the victim, the accused and all witnesses to the extent practicable. The investigator shall inform all parties of the need for confidentiality.
 - B. The investigator must immediately notify the parents/guardian of any child, other than witnesses, that an investigation is taking place, the nature of the complaint and the nature of the child's involvement.
 - C. The investigator must conduct a thorough, prompt and impartial investigation.
 - D. The investigator must seek out relevant documents.
 - E. The investigator must interview any and all witnesses, including the accused, the victim and the complainant.
 - F. The investigator must keep accurate documentation and records.
 - G. The complainant, victim and accused may bring their attorney or union representative (if applicable) to any meetings, and children may also be accompanied by their parents/guardian.
 - H. The investigator must notify the accused that s/he is the subject of a bias harassment complaint investigation when appropriate.
3. As soon as possible upon completion of any investigation, the investigator shall issue a written factual report containing:
 - A. A summary report for distribution to the parties and School District officials as needed. This report shall contain:
 - a. A summary of the complaint and findings.
 - b. A determination of whether or not the behavior constitutes bias harassment. (The investigator may find that the evidence is inconclusive.)
 - c. Recommended action, if any.

- B. The investigative information shall be sealed and kept on file by the Complaint Officer, including:
- a. Copies of all related written documents, including the summary report.
 - b. Copies of any handwritten notes taken during the investigation and interviews.
 - c. Any further written details deemed by the investigator to be informative or useful to a better understanding of his/her findings.
4. The following individuals shall be given a copy of the summary report:
- A. The victim
 - B. The complainant (if applicable)
 - C. The accused
- If any of the above individuals is a minor, the summary report shall be sent to their parents/guardian.
5. The Superintendent (or President of the Board of Education, if the Superintendent is the subject of the investigation) shall review the summary report and shall determine whether or not formal disciplinary action is needed. Formal discipline of students or staff shall be in accordance with law, District Policy and any applicable collectively negotiated agreement.

IV. Appeal Procedure

The victim (or his/her parents/guardian if a minor) and/or the accused may appeal the findings and/or recommendations of the investigation, as contained in the summary report.

- A. The appeal must be in writing.
- B. The appeal must be made within 30 calendar days from the date of receipt of the written results of the investigation.
- C. The appeal is made to the Board of Education, who shall review all relevant information within 30 calendar days of the date of the filing of the appeal.
- D. The determination of the Board of Education is final insofar as the District Policy is concerned.

V. District Training and Distribution of Policy

- A. The Superintendent of Schools shall implement specific and continuing actions to notify students, parents/guardians, employees and prospective students and employees that the District does not discriminate on the basis of race, color, religion, ethnicity or national origin including, but not limited to, discrimination or harassment based upon anti-Semitism in the educational programs or activities which it operates, as required by Title VI. Such actions may include, but are not limited to:
 1. Annual publication in local newspapers and/or School District publications.
 2. Announcements in school sponsored publications.
 3. Memoranda or other written communications distributed to students and employees.
- B. The Superintendent shall provide for student and staff training in accordance with Policy.
- C. The Superintendent shall insure that all students, parents/guardians and staff are informed of the name, office address and office telephone numbers of the Title VI Complaint Officer, and that such information is posted conspicuously and updated, as needed.
- D. The District Policy on bias harassment of students shall always be distributed with a copy of the applicable regulations.

(February 15, 2007)

Procedures for Resolving Parent and Community Complaints

The following procedures, adopted by the Board of Education as part of Policy #1310, are designed to provide parents and other community members with an efficient and effective way of processing and resolving complaints and concerns at the earliest possible stage. The procedures listed below should be followed before an issue is brought before the Board of Education.

Complaints and concerns shall be channeled as follows, in the order indicated:

- ◆ **Teacher:** In most cases, a parent should speak with the individual who works most closely with his/her child, usually his/her teacher.
- ◆ **Guidance Office:** At the Middle or High Schools, questions regarding student schedules, counseling or college applications should first be addressed to guidance.
- ◆ **Principal or Assistant Principal:** If an issue is not resolved after speaking with the teacher or guidance person, a building administrator should be contacted.
- ◆ **Transportation Office:** If an issue involves transportation matters, such as routing or times, the transportation office should be contacted first, and, if not resolved, the Transportation Supervisor should be contacted.
- ◆ **Director of Facilities:** For issues involving transportation, facilities, and food services.
- ◆ **Central Office Administrators:** If an issue is not resolved at the building administrator level, a central office administrator should be contacted as follows:
 - ◆ **Assistant Superintendent for Instruction:** For instructional concerns and student discipline
 - ◆ **Business Manager:** For business-based concerns.
 - ◆ **Director of Human Resources:** For personnel issues.
 - ◆ **Director of Pupil Personnel Services:** For special education issues and concerns.

If an issue or concern remains unresolved after following the above procedures, the Superintendent of Schools should be contacted. If the issue is not resolved at the Superintendent of Schools level, the issue or concern may be brought to the Board of Education for their consideration if they determine it to be within their purview and appropriate for consideration.

Student Searches and Interrogations 5145.1

Searches

The Board of Education recognizes that students retain some legitimate expectations of privacy within the school. Against a student's privacy expectations must be set the substantial interests of the teachers and administrators in maintaining discipline in school, on school grounds, at school events and activities, and safeguarding the safety and well-being of the students in their care. The Board directs that no student be searched by school officials unless reasonable suspicion exists that the search will reveal evidence that the student has violated or is violating either the law or the rules of the school.

The reasonableness of the search will depend upon: the student's age; the student's history and record in school; the prevalence and seriousness of the problem to which the search is directed; the urgency requiring an immediate search; and the probative value and reliability of information used as justification for the search.

The request for a search of a student or a student's possessions will be directed to the Building Principal who shall attempt to obtain an admission from the student of possession of the illegal matter or voluntary consent to the search.

Whenever practicable, the search should be conducted in the presence of the student in the privacy of the Principal's office, with at least two staff members present. The search shall be limited to the extent necessary to locate the illegal matter. Involuntary personal searches of students shall only be conducted by the police unless a serious and immediate danger exists to those in our schools and probable cause exists for an administrative search. No strip searches may be conducted without the prior authorization of the school attorney.

The Principal shall be responsible for the prompt recording in writing of each student search, including the name, age and grade of the student searched; the reason(s) for the search; information received that established the need for the search and the name of the informant (school district employees will be considered reliable; informants other than school district employees will be considered reliable if they have previously supplied information which was accurate and verified); the purpose of the search (what item[s] were being sought); type and scope of the search; the persons present when the search was conducted, including name and title of the person who conducted the search and any witnesses, if any, to the search; time and location of the search; results of the search (what substances or objects were found); the disposition of the item(s) found and the matter; and the time, manner and results of parent notification.

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

A search based upon the reasonable belief that the health and safety of others is immediately threatened may be conducted with as much speed as is required to protect persons and property.

Desks, school lockers and storage spaces, and computers are the property of the School District over which school officials retain complete control and, therefore, students have no reasonable expectation of privacy in such locations. This means that student lockers, desks and other storage spaces may be subject to search at any time by school officials, without prior notice to students and without their consent. Students shall be informed by the administration that desks, lockers, storage spaces and computers are not their private property, but are the property of the School District and, as such, may be opened and subject to inspection at any time by school officials. Further, the School District may invite the police with K-9 units for the purpose of detecting the presence of illegal drugs and/or other illegal substances in such spaces.

No police officer shall perform a student search unless authorized by a search warrant or court order or upon demonstrating probable cause to establish that the commission of an illegal act is occurring on school premises or at a school event (hot pursuit doctrine).

When authorized to search a student by a warrant, the Principal shall first attempt to inform the student's parent/guardian of the police demand to search the student in order to afford the parent/guardian an opportunity to be present at the search. In the event that the parent/guardian cannot be contacted prior to a police search, the search shall not be conducted unless the student is 16 years of age or older. In addition, the parent or guardian shall be informed of the search in writing by the Principal immediately thereafter.

Police Questioning/Interrogations

It is the policy of the District to cooperate with law enforcement agencies. While police do not have general powers to interview children in school or to use school facilities in connection with police department work, the police may enter the schools of the School District or a school event, if a crime has been committed on school property or at a school event or if they have a warrant for arrest or search. The police may not remove a student from school for questioning without parental permission, regardless of the child's age.

When the police have properly entered the school and desire to interview students in the school, the students must be afforded the same rights they have outside the school. They must be informed of their legal rights, for example, to remain silent if they so desire, to request the presence of an attorney and to be protected from coercion and illegal restraint (*Miranda* rights). In general, the police may not interrogate students in school without parental permission. When the police are present for an interview or investigation, school officials must make every reasonable effort to notify the student's parent/guardian, and if the parent/guardian cannot be contacted, the police may not question the student unless he or she is 16 years of age or older, unless the police indicate that such interview concerns a student's parent(s) or other household member and it is pursuant to a report regarding suspected child abuse, maltreatment or neglect.

Privilege Activities

While reasonable suspicion is generally required to conduct searches of students and their property for illegally possessed items, for privilege activities, such as the prom, students, their guests and any possessions (including vehicles) brought to the event location shall be subject to search by school officials for illegal substances, including but not limited to weapons, alcohol and drugs. If any illegally possessed item is found as a result of the search, the student (and his/her guest if applicable) will be removed from the prom or other privilege activity, the parents/guardian will be contacted and the student (and his/her guest if applicable) will be sent home with a parent/guardian. The student will also be prohibited from participation in graduation exercises and may be subject to other disciplinary action in accordance with the Code of Conduct.

Since driving to school and parking on school grounds is a privilege, not a right, school officials have the right to search a student's vehicle while it is parked on campus if there is reasonable suspicion that it may contain anything that may endanger the health, safety or welfare of students and/or school personnel.

Students and their parents/guardians will be informed, in writing, of the special rules that apply to privilege activities.

Miscellaneous

The Superintendent of Schools shall establish regulations regarding personal searches and interrogations of students, with due regard for the need for parental knowledge and involvement, in accordance with law and this policy.

MISSION STATEMENT

The Lakeland Central School District accepts the challenge of preparing students for a rapidly changing world.

We provide the opportunity for all students to learn and succeed by promoting critical thinking and high academic standards in a safe and secure environment.

Our practices and policies are shaped by: respect, kindness, responsibility, accountability and honest and ethical behavior.

CORE BELIEF STATEMENTS

The Lakeland Central School District believes that all members of the school community should:

- Treat each other with respect and kindness.
- Assume responsibility and accept accountability for their actions.
- Engage in and promote critical thinking to achieve high academic standards.
- Demonstrate honest and ethical behavior.

VISION STATEMENT

The Lakeland Central School District will work collaboratively with all members of the community to promote cooperation, collegiality, and a love of learning so all can achieve to their fullest potential.

We will focus on the whole person academically, socially, and emotionally.

We also work to ensure safety and security and inspire all to communicate honestly to achieve our goals.