

# Lakeland Central School District



## Show your TJ...

**P**roblem Solvers

**R**espectful and responsible

**I**n Control—Safe at all times

**D**etermined

**E**ngaged in Learning



## Thomas Jefferson Elementary School Student Handbook 2017 – 2018

*We are bucket fillers!*

# **BOARD OF EDUCATION 2017-2018**

Michael Daly

Carol Ann Dobson

Denise Kness, President

Elizabeth Kogler

Steven Korn

Glen P. Malia

Rachelle Nardelli, Vice President

Karen Pressman

Steve Rosen

Dr. George Stone, Superintendent of Schools

Dear Families,

Welcome to the Thomas Jefferson Elementary School, one of five elementary schools in the Lakeland Central School District. We are pleased to have you as partners this educational year. One of our goals is to see that students, parents, and guardians feel at home at Thomas Jefferson. To accomplish that, parent newsletters are sent home every month providing you with information about school events, activities and other notes of interest. Be sure to visit the school's website to view other important information about our school.

We are committed to the complete education of our students by providing high standards of scholarship, conduct, citizenship and character development. Success in achieving these goals requires the cooperation of students, parents, staff and the school community.

Please review this handbook with your child(ren) as there are many rules and consequences that you need to be aware of so that we can continue to have a safe school environment. After you have finished reading the handbook, keep it handy for future reference. Remember to return the completed form on the back cover to your child's teacher. We are looking forward to a successful academic year.

*Dr. Karen Gagliardi*  
*Principal*

**School office: 914-245-4802**

**Fax Number: 914-245-0511**

**Website: <http://lakelandschools.org/schools/tjhome.htm>**

**Office hours: 8:00 a.m. - 4:00 p.m., school days**

**3636 Gomer Street**

**Yorktown Heights, NY 10598**

# TABLE OF CONTENTS

STUDENT BILL OF RIGHTS.....	5
PARENT CONTACT NUMBERS .....	6
NURSE .....	6
LUNCH .....	6
MUSIC .....	6
PHYSICAL EDUCATION.....	6
LIBRARY .....	6
ART.....	6
GALLERY ONE .....	6
TECHNOLOGY .....	6-7
BUILDING USE.....	7
MEET THE TEACHER NIGHT .....	7
OPEN HOUSE.....	7
REPORT CARDS .....	7-8
PARENT-TEACHER CONFERENCES .....	8
ESCHOOL STUDENT INFORMATION SYSTEM.....	8
HOMEWORK GUIDELINES .....	9
SIGN IN – SIGN OUT.....	10
VISITATION/VOLUNTEERS .....	10
PARKING.....	10
THOMAS JEFFERSON PTA.....	10
EQUAL OPPORTUNITY .....	10
ELEMENTARY SCHOOL RULES AND BEHAVIOR GUIDELINES.....	11
WHAT IS PBIS? .....	12
WHAT IS A BUCKET FILLER? .....	13
PBIS SCHOOL-WIDE APPROACH .....	14
PBIS CAFETERIA AND HALLWAY EXPECTATIONS .....	15
PBIS RESTROOM EXPECTATIONS/PROCEDURES AND RECESS EXPECTATIONS.....	16
BUS SAFETY RULES .....	17
DISMISSAL EXPECTATIONS.....	18
USE OF ELECTRONIC DEVICES .....	19
DRESS AND GROOMING .....	20
CLOSINGS/EARLY DISMISSAL .....	21
PROCEDURES FOR RESOLVING PARENT AND COMMUNITY COMPLAINTS .....	21
TRANSPORTATION MESSAGE .....	22
ABSENCE NOTES .....	23
DISTRICT CODE OF CONDUCT .....	25
SEXUAL HARASSMENT POLICY .....	43
BIAS HARASSMENT POLICY .....	47
RACIAL HARASSMENT POLICY .....	48
COMPREHENSIVE STUDENT ATTENDANCE POLICY .....	51
ZERO TOLERANCE FOR VIOLENCE POLICY .....	55
DANGEROUS WEAPONS POLICY.....	55



## STUDENT BILL OF RIGHTS

I have the right to learn without interference.

I have the right to work and play in a safe environment.

I have the right to move without interference.

I have the right to be touched by another person  
only when I choose.

I have the right to have my work respected.

I have the right to have my property respected.

I have the right to be listened to when I'm speaking.

I have the right to get help when it is my turn.

I have the right to express my feelings appropriately and to  
have my feelings respected.



## PARENT CONTACT NUMBERS

The office must be advised **immediately** of any changes in phone numbers for parents or legal guardians. It is vitally important that we be able to reach parents when necessary. Please include all cell phone and work numbers, if applicable.

## NURSE

Medication of any kind, including over-the-counter drugs and cough drops, cannot be dispensed to any child without a doctor's order and parental consent. An adult must bring the medicine to school in its original container. No medication brought to school by a student will be administered. If you need to give your child any medication during the school day, you must do it in the nurse's office. Per LCSD Policy all student medication must be picked up by the last day of school or will be disposed of.

Physical examinations by a family or school physician are required for students in grades K, 2, 4, 7 and 10 and for new entrants. Physical forms or evidence of an upcoming appointment is due to the health office by OCTOBER 1st. Certificates of immunization are required for every student in Lakeland. Physical and medication forms are available online. Please contact the school nurse for further information.

If your child is/will be absent, call the nurse at 245-4802 and press #1; an answering machine is available for 24-hour notification. *A note from the parent is required when a student returns after an absence.* You should not send your child to school if he/she has: flu-like symptoms, fever 100 degrees or above, vomiting, and diarrhea in the past 24 hours. Students should stay home for at least 24 hours after they are without symptoms and fever free without the use of fever-reducing medication.

**Head Lice:** Children should be checked periodically at home and the school nurse should be called if head lice are found. Call your health care provider for best treatment. Please inform the parents of your child's playmates so that they can check their children's head. As a precaution the student's class will be checked. A note will go home to inform parents of that class. See our website for Nurses' page on TJ's webpage for further information.

## LUNCH

A hot lunch is served every full school day, and a menu is sent home each month. Prices for lunches and information on financial assistance are included

in the mailings sent home in September and are on the website. Lakeland offers mySchoolBucks (<https://www.myschoolbucks.com/>), a convenient and secure online payment and parent information portal where you can deposit money into one or more student accounts, track purchase history, create low-balance reminders and even set-up an automatically recurring payment. Please contact TJ's Main Office to obtain your child's lunch account number.

## MUSIC

All students receive general music instruction each week. Students in grade 5 are given the opportunity for instrumental instruction, and chorus is offered to children in grades 4 and 5. *Concerts are given each year by chorus members and instrumental musicians. Please see your District Calendar for specific dates and locations.*

## PHYSICAL EDUCATION

Students participate in physical education twice a week. Appropriate clothing, including sneakers, must be worn on gym days.

## LIBRARY

All students enjoy our library facilities each week. Library books are to be treated gently and respectfully, and are expected to be returned promptly when due.



## ART

Art instruction is given once a week. Please have children wear appropriate clothing, as artwork can sometimes be messy! The art teacher works with classroom teachers in order to integrate the curriculum.

## GALLERY ONE

Each month student art work from one of Lakeland's nine schools is displayed at the Lakeland Administration Building, 1086 East Main Street, Shrub Oak.

## TECHNOLOGY

We have computers in individual classrooms, the library and the computer lab. Students will have access to iPads, Chromebooks and



SMART Boards throughout the day. Technology instruction is given on a regular basis and there is Internet availability throughout the school.

For network/Internet usage students and parents must sign the Accepted Use Policy. All fourth and fifth graders will also be offered email accounts. Parents will have the option to allow or disallow an email account for their child. The Accepted Use Policy must be signed and returned to the office as soon as possible. Network/Internet and email access will be prohibited until a signed form is on file in the office.

## BUILDING USE

**Building Use forms** are available in the main office. Any time a room in the building is needed for an event, meeting, etc., a building use form must be completed and returned. Examples of building use are scout meetings, after school activities, evening programs/activities, PTA meetings/activities, sports/recreation activities, etc. This is required by the school district and rooms may not be used without completion of this form.

## MEET THE TEACHER NIGHT

During the fall, the teachers of every class at each grade level meet with the parents of their students. The purpose of the evening is for the teacher to explain her/his program. This could include the curriculum, specific homework guidelines, classroom behavior expectations, and any other special features. If parents want to speak with the teacher specifically about their child, a separate appointment may be scheduled.

## OPEN HOUSE

One evening every spring TJ welcomes students and their families to school. Teachers and students diligently work to create and prepare interesting work for families to view. During this informal evening, families can also visit with special area teachers, such as physical education, music, art and library. The purpose of the evening is to highlight the work that students have been doing throughout the year and to foster school spirit.

## REPORT CARDS

In September 2008, the Lakeland Central School District adopted a standards-based report card for the elementary grades. This past school year, Lakeland aligned its curriculum to the Common Core State Standards (CCSS) for ELA and mathematics. As a result, the district-wide report card committee revised

the elementary report card to reflect academic performance according to the standards. The content areas are categorized by ELA, mathematics, social studies, and science.

### Student Performance and Skill Levels

Similar to the NYS grade reporting, the student performance levels of 1 to 4 indicate how students have met the expectations set by the current standards.

**4** meets learning standards with distinction

**3** meets learning standards

**2** partially meets learning standards

**1** does not meet learning standards

Kindergarten through fourth grade will use the 1-4 grading system. Fifth grade will be using a percentage grading system. Numerical grades from 50-100 will be given for ELA, Mathematics, Social Studies and Science.

Skill levels indicate whether the student has the necessary skills and concepts to be successful in the next quarter or grade. For all grades, the skill levels will continue to be reported as follows:

**Established** indicates that the skill or behavior is applied independently. The student demonstrates a thorough understanding of content, knowledge and skills and exceeds expectations at this grade level.

**Developing** indicates that the skill or behavior is applied most of the time. The student is meeting grade level expectations with evidence of application.

**Beginning** indicates that the skill or behavior is applied in its initial stages with prompting and support. The student has not yet met grade level expectations set by the state.

**Support Needed** indicates that the skill or behavior has been introduced, but the student makes little attempt to apply the skill independently and demonstrates a minimal level of understanding.





## **Reporting on Classroom Behavior**

The report card includes reports on the student's behaviors that promote respect. In reporting on conduct, the teacher can indicate whether the student meets expectations in cooperating with others, respecting others, and observing rules and procedures. In reporting on the student's behaviors that promote learning, the teacher can indicate whether the student uses time wisely, listens carefully, completes assignments, demonstrates organizational skills, writes legibly, works independently or seeks help when needed, and completes homework.

The Rating Scale for Behaviors that Promote Respect and Learning rates students by describing the behavior as follows:

- O** - outstanding behavior that exceeds expectations
- C** - consistently meeting expectations
- A** - at times, the student meets expectations
- I** - improvement is needed in order to meet expectations.

Report Card Rubrics can be found online at the following locations:

- District - Assistant Superintendent for Instruction - Elementary School <http://www.lakelandschools.org/district.cfm?subpage=14766>
- District - Assistant Superintendent for Instruction - Parent News <http://www.lakelandschools.org/district.cfm?subpage=96>
- Elementary Schools homepages - Quick Links - Elementary Instructional Coaches

If you have any questions regarding the changes in the report card, please contact Jean Miccio, Assistant Superintendent for Instruction, at (914) 245-1700 ext. 223.

## **PARENT-TEACHER CONFERENCES**

Each year teachers schedule at least one conference with every child's guardian. Conferences will be scheduled before the first report card. Sometimes it is necessary to have additional conferences, either by phone or in person.

Conferences are an opportunity for parents and teachers to express concerns, problems and expectations and to discuss individual student's progress. It is very important to keep the line of communication open between home and school. Teachers do record information discussed at the conference. The reports are filed in the student's folders.



## **ESCHOOL STUDENT INFORMATION SYSTEM**

The Lakeland Central School District uses the student information system, eSchool.

This system is an integrated package that includes real-time information on attendance and grades, as well as scheduling, demographics, reports cards and more.

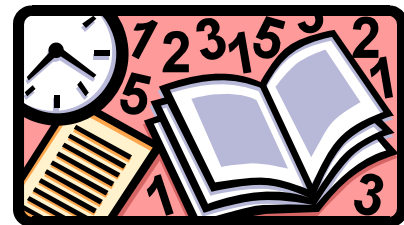
Teachers use its gradebook component to report and track assignments and grades and have the ability to upload this data to a secure website to which parents have access.

All parents of students in grades 4 – 12 will receive an activation code at the start of the school year, which will provide instructions for setting up the home account. Parents will need to show identification when picking up the code in their child's school to insure security and confidentiality.





# HOMEWORK GUIDELINES



The Lakeland Central School District Curriculum Council 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](http://www.lakelandschools.org) or contact 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.

**Time Guidelines:** Grades K through 5 follows the rule of 5-10 minutes of homework per grade most nights PLUS read aloud or independent reading and completion of long-term assignments/papers/projects.

Grade K-1: up to 10 minutes

Grade 2: up to 20 minutes

Grade 3: up to 30 minutes

Grade 4: up to 40 minutes

Grade 5: up to 50 minutes

**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.

**K-5 Level:** Homework completion will guide the discussion with parents. Grading of homework will assist in informing instruction for teachers, but will not be figured into the students' grades in content areas. This process makes it easier to identify where students are struggling in the content areas – with content, or with the responsibilities inherent in homework completion.

In executing these guidelines,

## **Students will:**

- Record assignments daily
- Pick 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



## SIGN IN – SIGN OUT

Any child who is brought to school late must report to the security window to receive a late pass. If you must pick your child up from school before dismissal, you must notify the teacher in writing and sign your child out in the main office. If you pick up your child at dismissal time you must notify the teacher in writing and your child must be signed out in the APR. You may not remove any student from a school bus in front of the school without notifying the main office.

LATE PASS	
<input type="checkbox"/> EXCUSED	Date _____
<input type="checkbox"/> UNEXCUSED	
Name _____	
Time of Arrival _____	
Time _____	Return to School by _____

## VISITATION/ VOLUNTEERS

ALL visitors and volunteers must sign-in at the security window. You must present your Driver's License/I.D. You will sign-in and out and receive a visitors pass. Remember to limit your visit to your scheduled destination only.



## PARKING

Please observe the posted traffic signs. There is **NO** parking directly in front of the school; it is a **BUS ONLY** lane. Parking at the school is limited, especially during school functions. Please consider carpooling for activities involving large attendance. Additional parking is possible in lower parking lot and on adjacent streets.



## ABSENCE NOTES

A written excuse must be presented by the student on the day he/she returns to school following such ab-



sence. If the written excuse is not submitted within 48 hours, it will be considered an unexcused absence. For your convenience, absence notes have been provided at the back of this handbook. Please make copies for your use throughout the school year.



## THOMAS JEFFERSON PTA

The Thomas Jefferson School is fortunate to have a very dedicated staff of parents, teachers, and administrators involved in the TJ PTA. These volunteers give much time and energy to provide many programs, field trips, and social events throughout the year for our students. In addition, the TJ PTA has been able to give

many gifts to the school including literature books, computer equipment and software. In



order to provide funding for these activities, the PTA sponsors fund-raising events throughout the school year. Every TJ family receives a mailing from the TJ PTA in late summer. This includes information about PTA membership, programs during the year and emergency contact information. The TJ PTA plays a vital role in our school and welcomes all volunteers.

## EQUAL OPPORTUNITY

The Lakeland Central School District does not discriminate on the basis of gender, race, creed, national origin, age, or handicap 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.



# ELEMENTARY SCHOOL RULES AND BEHAVIOR GUIDELINES FOR STUDENTS

## GENERAL RULES/BEHAVIORS/RESPONSIBILITIES

- ◆ Walk to the right
- ◆ Admire work with your eyes
- ◆ Walk at all times
- ◆ Respect selves and others
- ◆ Follow directions from adults, follow school and class rules, think before acting
- ◆ Keep hands and feet to self
- ◆ Quiet so others may learn
- ◆ Sign out or ask permission to leave classroom
- ◆ On task at all times
- ◆ Focus on work-participate
- ◆ Good listening, kind/caring, takes good care of materials
- ◆ Keep trying, work toward goals, use positive language, dream for the future
- ◆ **REMEMBER TO: BRING ALL HOMEWORK, PROJECTS, INSTRUMENTS, LUNCH/LUNCH MONEY/SNACKS, ETC., TO AVOID PHONE CALLS TO PARENTS/GUARDIANS.**
- ◆ Say: *hello, excuse me, or I'm sorry*, when appropriate
- ◆ Take turns
- ◆ Raise your hand
- ◆ Listen to adults and classmates
- ◆ Be kind and considerate of others
- ◆ Do your best work
- ◆ I "can" attitude
- ◆ Use Kelso's Choices Promote Peace
- ◆ Show empathy
- ◆ Help others, accept differences and care
- ◆ Accept help, give help, teach others, learn from others

The school is **NOT** responsible for items brought from home.

**CHILDREN ARE REQUIRED TO EXHIBIT PROPER BEHAVIOR  
AT ALL TIMES WHILE ON SCHOOL PROPERTY.**





## **What is PBIS?**

Positive Behavioral Interventions and Supports (PBIS) is a systems approach to preventing and responding to school and classroom discipline problems. PBIS develops school-wide systems that support staff to teach and promote positive behavior in all students. By reducing behavioral problems, PBIS creates and maintains safe learning environments where teachers can teach and students can learn.

### **PBIS Addresses:**

- High rates of problem behavior that interfere with learning
- Ineffective and inefficient disciplinary practices
- Lack of supports for staff to address problem behavior
- Lack of general and specialized behavior interventions
- Negative school climates
- Reliance on crisis/reactive management
- 

### **Core Elements of PBIS:**

- School-wide discipline practices and procedures
- Active leadership and ongoing participation of Principal
- Cultivation of staff commitment for consistent implementation
- Team-based planning and problem-solving
- Use of building-based discipline and academic data to make decisions
- An instructional approach to behavior and classroom management
- Classroom management and behaviorally-based interventions
- Functional assessment-based behavior support planning
- Comprehensive plans for individual students with intensive needs
- Active participation of families, students and teacher
- Integration with mental health and other community supports

## What is a Bucket Filler?

**TJ parents:** Have you heard your children talking about being a “Bucket Filler” or a “Bucket Dipper,” and wonder to what they are referring? The “Bucket Filler” idea is our Character Education and Bully Prevention program which is now in its third year of running. The “Bucket Filler” program ties in perfectly with PBIS expectations, and teaches our children how to carry out TJ PRIDE each day.

### Here’s how it works:

The idea of being a bucket filler comes from the book; Have You Filled a Bucket Today? A Guide to Daily Happiness for Kids, by Carol McCloud and David Messing. The original concept was first created by: Donald O. Clifton (1924-2003) in the 1960's. The basic idea is that we all carry an invisible bucket around with us each day. This bucket contains our feelings. When our bucket is full, we feel happy; when it is empty, we feel sad or angry. A Bucket Filler is someone who says or does something nice for other people. By being a Bucket Filler we fill other peoples’ buckets, and in turn we fill our own bucket. On the other hand, a Bucket Dipper says or does something to cause other people to feel bad. When you are dipping into someone else’s bucket you end up dipping into your own bucket. Bullies are bucket dippers. We here at TJES are a Bucket Fillers! We try to fill others’ buckets throughout the day. Ask your child(ren) if they have filled someone’s bucket today.

**The objective:** is to teach your child(ren) to become bucket fillers and not bucket dippers.

- Bucket fillers are kind, generous, and considerate.
- Bucket dippers are rude, mean, and selfish.

**The overall goals:** to teach students to:

- Decrease the incidence of bullying.
- Take responsibility for their actions.
- Help to create a safe, warm, and caring environment.
- Increase their ability to self-manage.

Aligns with the PBIS Character Education/Bully Prevention program.

## WE ARE BUCKET FILLERS with TJ PRIDE!



## Peaceful Playgrounds

Peaceful Playgrounds provide structured activities for youth during outdoor play that increase physical activity while decreasing conflict among children. Objectives include the learning of many new games and conflict-resolution skills. Children will be engaged in physical activity during recess and outdoor play using the Peaceful Playground games. All students will be involved in learning to interact with their peers, develop a sense of responsibility for self and others, and establishes a sense of community within a positive school environment. The program intertwines with our Positive Behavioral Interventions and Support Program (PBIS) that we have been developing and working on as a school.

## Positive Behavioral Interventions and Supports (PBIS) School-Wide Approach

Show your TJ...

**P**roblem solvers

**R**espectful and responsible citizens

**I**n Control-safe at all times

**D**etermined


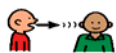
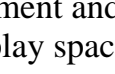






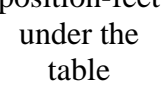


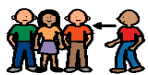
**E**ngaged in Learning



### What is PBIS?

Positive Behavioral Interventions and Supports (PBIS) is a systems approach to preventing and responding to school and classroom discipline problems. PBIS develops school-wide systems that support staff to teach and promote positive behavior in all students. PBIS creates and maintains safe learning environments where teachers can teach and students can learn.

Below you will find our expected behaviors. A class showing their TJ PRIDE, earns a blue paw placed in the PAW PRIDE jar in the main office. The class who earns the most paws will receive the Golden Spoon, Silver Sneaker or Ruby Recess Acknowledgement. The TJ Pride Platinum Citizen is earned individually with yellow paws, earned by students in classrooms and acknowledged during assemblies. Any member of the staff may distribute “paws” when expected behaviors are observed throughout the day.

Show your TJ...	Silver Sneaker Behavior	Golden Spoon Behavior	Ruby Recess Behavior	Classroom Behavior	TJ Pride Platinum Citizen
<b>P</b> roblem solvers	Walk to the right 	Use an indoor voice 	Share equipment and play space 	Take turns, Raise your hand 	Use Kelso's Choices 
<b>R</b> espectful / Responsible citizens	Admire work with your eyes  Say: <i>hello, excuse me, or I'm sorry, when appropriate</i>	Listen to your monitors  Say: <i>please, thank you, or excuse me</i>	Treat others the way you want to be treated 	Listen to adults and classmates  Be kind and considerate of others	Respect selves and others, shows empathy good listeners, kind/caring, takes good care of materials helps others, accepts differences and cares
<b>I</b> n control-safe at all times	Keep hands and feet to self 	Sit in a safe position—feet under the table 	Always play in a safe manner  Be fair, not aggressive	Sign out or ask permission to leave 	Follows directions from adults, follows school and class rules, thinks before acting 
<b>D</b> etermined	Walk at all times	Talk to others in a friendly way	Play by the rules	Do your best work I “can” attitude	Keep trying, works toward goals, uses positive language
<b>E</b> ngaged in Learning	Quiet so others may learn	Clean-up your lunch space	Include everyone 	On task-at all times Focus on work-participate	Accept help, give help, teach others, learn from others



# **PRIDE Behavioral Expectations**

## **Cafeteria Expectations**

**Problem solving in the cafeteria:**

- Find a seat
- Line up when table called
- Know account number
- Have necessary items before leaving serving zone

**Respectful and responsible in the cafeteria:**

- Wait your turn
- Use a soft voice
- Respond to signal for silence
- Give your attention to the cafeteria personnel while in serving zone
- Use an indoor voice in serving zone
- Respect others' personal space

**In control-safe at all times in the cafeteria**

- Hands, feet & objects to self
- Eat your own food
- Raise hand for permission to leave the table
- Walk

**Determined in the cafeteria:**

- Focus on eating first
- Clean up after yourself
- Use table manners
- Remain seated until teacher arrives

**Engaged in the cafeteria**

- Follow cafeteria procedures
- Be ready to follow directions



## **Hallway Expectations/Procedures**

**Problem solvers in the hallway:**

- Walk at all times
- Stay with your class

**Respectful and responsible in the hallway:**

- Say hello, excuse me or I'm sorry, when appropriate
- Admire work with your eyes only
- Walk silently
- Respect others' personal space

**In-control in the hallway:**

- Hands, feet & objects to self
- Walk on the right of the hallway in two lines
- Look straight ahead

**Determined in the hallway:**

- Go directly to your destination

**Engaged in the hallway**

- Focus on adult in charge



## **Restroom Expectations/Procedures**

Problem solvers in the restroom:

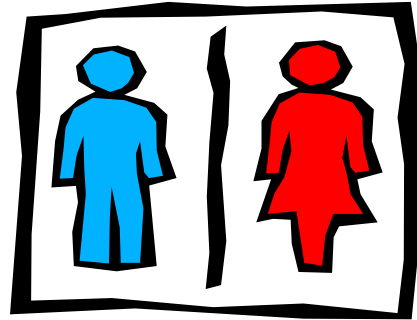
- Use water, soap and paper towels sparingly and appropriately
- Flush toilet after use
- Keep restrooms clean
- Return directly to class or designated area when finished

Respectful and responsible in the restroom:

- Observe personal space
- Lock stalls when entering and unlock when leaving
- Respect privacy
- Use a soft voice

In control-safe at all times in the restroom:

- Use restroom facility appropriately
- Keep water in the sink
- Walk in the restroom
- Tell an adult if restroom needs attention



Determined in the restroom:

- Respect privacy
- Return to class as soon as possible

Engaged in the restroom:

- Follow all procedures, all the time

## **Recess Expectations**

Problem solvers at recess:

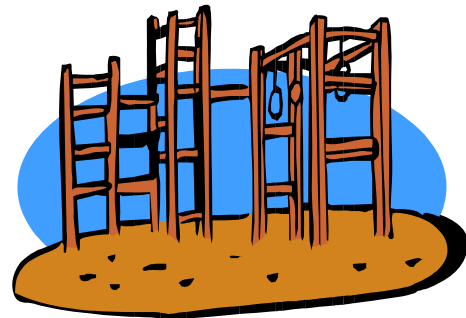
- Line up quickly when called
- Listen for instructions
- Be responsible for jackets, lunch boxes and other belongings

Respectful and responsible at recess:

- Respect school property
- Share equipment
- Use polite words and tone of voice
- Take turns
- Use good sportsmanship

In control-safe at all times at recess:

- Remain on school grounds
- Use the crosswalk when exiting the building to front playground area
- Follow game rules
- Inform adult of unsafe behavior or incidents
- Stay away from unfamiliar adults or animals
- Always play in a safe manner
- Be fair, not aggressive



Determined at recess:

- Put equipment away when finished

Engaged

- Follow all procedures
- Include everyone

## **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 a bus rider 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 and keep aisles clear.
4. Zero Tolerance on Violence; physical contact, harassment and intimidation are unacceptable.
5. Inappropriate language, loud talking or 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 over-crowding, 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 bus driver has the authority to assign seats.*

If a bus rider fails to live up to this agreement, his/her transportation privileges may be suspended. Certain behaviors will result in suspension from school. In the event of a bus suspension, the parent/guardian must arrange transportation.

### **Schedule of Disciplinary Actions**

We are concerned about safety and the well being of all Lakeland students. Riders who violate the School Bus Safety Rules may have their school bus privileges suspended. Because we seek to assure uniform treatment of our students, the following Schedule of Disciplinary Actions will be followed throughout the district.

<b><u>1st Offense</u></b>	Parent notified of violation
<b><u>2nd Offense</u></b>	Conference with parent, student, school administrator transportation office and bus driver. Student placed on probation.
<b><u>3rd Offense</u></b>	Parent notified; bus privileges suspended for five (5) school days.
<b><u>4th Offense</u></b>	Parent notified; bus privileges suspended for ten (10) school days.
<b><u>5th Offense</u></b>	Parent notified; bus privileges suspended for twenty (20) school days.
<b><u>6th Offense</u></b>	Parent notified; bus privileges revoked for the remainder of the school year.

**Note:** If an offense, even the first, constitutes a serious danger to any individual, then a conference shall be required as outlined under 2nd offense above, and bus privileges may be suspended immediately for a minimum of five (5) days. Any offense may be referred to the superintendent for a Superintendent's hearing.

## **Dismissal Expectations**

**Problem solvers during dismissal:**

- Be packed and ready to go
- Keep materials in backpack until arrival at home
- Dismissal schedule – Listen for dismissal announcement

**Respectful and responsible during dismissal:**

- Keep hands, feet, and objects to self
- Use soft voice
- Respect others' personal space
- Respond appropriately to adult directions

**In control-safe at all times during dismissal:**

- Walk to designated dismissal area
- Follow hallway expectations
- Enter and Exit the APR through designated doors

**Determined during dismissal:**

- Go directly to your dismissal destination.

**Engaged**

- Follow all procedures



## Use of Electronic Devices Policy # 5137

Students in grades Kindergarten through 8 may not use any personal electronic communication device (ECD) (including but not limited to cell phone, PDA, MP3 player) during the school day.

Students in grades 9 through 12 are permitted to bring personal electronic communication devices to school; however, they must be turned-off and put away during any instructional time, except when used with the teacher's prior permission or direction for purposes such as calendaring, calculating and noting assignments. ECDs may be used by students at other times and places as long as such use is not disruptive to the educational process or the operation of the school. It is never appropriate to make or receive telephone calls, text message or send e-mails during instructional time. The inappropriate use of ECDs (such as threatening, vulgar or sexual messages) and the use of an ECD as a weapon are also prohibited.

The Board of Education prohibits the use of recording functions and capabilities of ECDs by students on school property, except for the purpose of photographing or videotaping public events (e.g., athletic events, plays, concerts, awards ceremonies) or, with prior permission from a teacher or activity advisor, for taking photographs for the Yearbook or School District publications.

If a student uses an ECD in violation of this policy, the following actions will generally be taken:

1. For the first violation, the teacher or other staff member will confiscate the ECD and return it to the student at the end of the school day;
2. For a subsequent violation, the teacher or other staff member will confiscate the ECD and may notify the parent/guardian of the violation;
3. The ECD will be returned to the parent/guardian after a meeting with the student and the teacher or building administrator.

If a student continues to violate this policy, the student will be considered as insubordinate and subject to discipline in accordance with law and the District Code of Conduct.

In order to ensure examination security, students may not use a cell phone or other ECD or technology or wear headphones during Regents Examinations either in the room where the test is administered or while on a supervised break and until the examination has been completed, handed in and the student has left the examination room. If any such ECD or related technology is used for any reason and under any circumstances in violation of this Policy, the student's examination will be invalidated and no score will be calculated for the student.<sup>[1]</sup>

### Privacy

The Board of Education prohibits any form of photography, tape recording or video recording of any individual on school property or in school facilities without that individual's knowledge, as well as the dissemination of any photograph or recording without the individual's permission. In no event shall any individual take photographs or make a recording in a zone where an individual has a reasonable expectation of privacy, including but not limited to locker rooms, lavatories, nurse's office. In addition, the Board prohibits possessing, viewing, sending or sharing pictures or text having sexual content ("sexting") in school or at school activities, or from off-campus sites and which are received at school or school activities. A student who violates this policy shall be subject to discipline in accordance with law and the District Code of Conduct.

### Responsibility

The decision to bring ECDs to school or school sponsored events rests with the individual student and his/her parents/guardians, and therefore the responsibility for such devices rests solely with the individual student. The School District discourages bringing ECDs to school. The School District assumes no responsibility or liability whatsoever in the event that an ECD is damaged, misplaced or stolen during the school day, when on school property or when in attendance at a school sponsored event, whether on or off of school property. The School District further assumes no responsibility or liability for any communication bill associated with the authorized or unauthorized use of said devices.



## **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.

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);
- Extremely brief, revealing garments such as tube tops, halter-tops, one shoulder tops, blouses with spaghetti straps, mesh shirts or see through garments, cut-offs, and “muscle shirt” tank tops. Blouse or shoulder straps must be at least two inches or a minimum of “three fingers” wide;
- Short skirts or shorts which do not meet the student’s fingertips when arms are relaxed at his/her sides;
- Any dress or appearance which is vulgar, disrespectful, lewd, obscene, indecent, profane, which exposes to sight the private parts of the body (e.g., t-shirts with a phallic symbol and messages consisting of sexual metaphors; see-through garments, extremely plunging necklines or waistlines);
- Lounge and/or pajama pants;
- 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 other illegal or violent activities;
- Visible undergarments and midriffs;
- Hazardous footwear (this includes slippers, wheelies)
- Any dress or appearance which advocates discrimination or denigrates others based upon race, color, creed, religion, national origin, gender, sexual orientation or disability;
- The wearing of any headgear (hats/bandanas/sunglasses) as they are a sign of disrespect (unless worn for religious or medical reasons);
- Any dress or appearance which constitutes a disruption to the educational process.

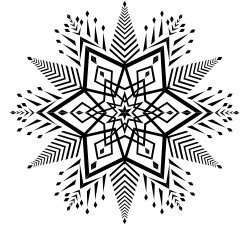
\*\*Please note that students not abiding by our clothing policy will be instructed to change into appropriate school attire. If the student does not have a change of clothing, parent(s) will be called to bring a change of clothing to school.



## CLOSINGS/EARLY DISMISSAL

When weather conditions or other circumstances cause delays or school closings, please listen for announcements made over these radio stations:

<b>WLNA-AM</b>	<b>1420</b>	<b>WFAS-AM</b>	<b>1230</b>
<b>WVIP-AM</b>	<b>1310</b>	<b>WHUD-FM</b>	<b>100.7</b>
<b>WBNR-AM</b>	<b>1260</b>	<b>WVIP-FM</b>	<b>106.3</b>
<b>WCBS-AM</b>	<b>880</b>	<b>WZFM-FM</b>	<b>107.1</b>



In an effort to keep parents/guardians of children in the Lakeland Central School District informed, the district has implemented a “School to Home Messaging System.” SchoolConnects allows the district to call and/or email parents/guardians in the event of an emergency (delayed opening, early dismissal and full day school closing) and any other event that requires timely school to parent/guardian communication. SchoolConnects allows for additional phone numbers, such as cell phone and direct business numbers, in the event you are not at home when the announcement is made. Any additional numbers must be direct-line numbers, numbers that don’t have extensions and/or other people who normally answer the phone.

## 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.
- ◆ **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.
  - ◆ **Director of Finance and Operations:** For business-based concerns,
  - ◆ **Director of Human Resources:** For personnel issues.
  - ◆ **Director of Pupil Personnel Services:** For special education issues and concerns.
- ◆ **Superintendent of Schools:** If an issue or concern remains unresolved after following the above procedures, the Superintendent of Schools should be contacted.
- ◆ **Board of Education:** 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.

## **IMPORTANT TRANSPORTATION MESSAGE**

Many Thomas Jefferson Elementary School students are being transported to school, from school, and from after school activities. We would like to review with you some basic procedures to ensure the safety of our children. Please take special note that Thomas Jefferson will reinforce the Lakeland Board of Education Policy on Changes in Schedules. As a reminder: day-to-day bus changes are not acceptable, bus changes are for emergencies ONLY. Day-to-day changes pose a serious security issue; by having children ride a bus along with children who are unassigned to that bus, can result in overcrowding. Any day-to-day changes should be for emergency purposes only. We understand that emergencies do occur and we will make every effort to assist our families. Below is an excerpt from the Lakeland Board of Education policy on transportation. Complete information can be found on the District's webpage under transportation at [www.lakelandschools.org](http://www.lakelandschools.org)

*Policy No. 3540*

### **Changes in Schedules**

*It is the policy of the Board that students shall be assigned to only one bus and only one bus stop for the trip to school and for the trip from school for the safety of students and the economy, efficiency and reliability of the transportation program, except as required by law. There will be no day-to-day changes in bus stops and bus routes except in emergencies, upon written request of the parent/guardian to the Building Principal and Supervisor of Transportation, and approval of the request. All requests for changes in bus stops, transportation routes and scheduling shall be submitted to the Supervisor of Transportation, in writing, stating the reason for the request. The Supervisor of Transportation shall investigate the matter and make a recommendation to the Superintendent based upon the circumstances pertaining to the specific request.*

### **Before and/or After School Child Care**

*In lieu of transportation between home and school, the District shall provide transportation between before and/or after school child care locations and school for children in grades kindergarten through 8 who attend public or nonpublic schools located within the District. Transportation shall not be provided between a child care provider and home. A child care location is defined as a place located within the District, other than the child's home, where care for less than 24 hours per day is provided on a regular basis. The District will only provide transportation to child care providers located within the attendance zone of the school the child attends unless the child care program is licensed or registered pursuant to Section 390 of the Social Services Law, in which case transportation will be provided anywhere within the District.*

*All requests for transportation to or from a child care location must be submitted in writing to the Superintendent of Schools or his/her designee by no later than the first day of April preceding the school year for which such transportation is requested or, if a new student, within 30 days of moving into the District.*

Please be mindful of these policies pertaining to transportation and remember that the safety of our children must always be a priority over convenience.



**THOMAS JEFFERSON ELEMENTARY SCHOOL  
ABSENCE NOTE**

**DATE** \_\_\_\_\_

**Student Name** \_\_\_\_\_

**Teacher Name** \_\_\_\_\_

**Grade** \_\_\_\_\_

Please excuse my child on \_\_\_\_\_  
Date(s)

*Reason:* \_\_\_\_\_

\_\_\_\_\_

**Parent Signature** \_\_\_\_\_

✂ \_\_\_\_\_

**THOMAS JEFFERSON ELEMENTARY SCHOOL  
ABSENCE NOTE**

**DATE** \_\_\_\_\_

**Student Name** \_\_\_\_\_

**Teacher Name** \_\_\_\_\_

**Grade** \_\_\_\_\_

Please excuse my child on \_\_\_\_\_  
Date(s)

*Reason:* \_\_\_\_\_

\_\_\_\_\_

**Parent Signature** \_\_\_\_\_



# Lakeland Central School District

## Policies



**Code of Conduct (Revised July 7, 2016)**

**Dignity for All Students**

**Sexual Harassment**

**Racial Harassment**

**Bias Harassment**

**Comprehensive Student Attendance**

## **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 21<sup>st</sup> 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 49), 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).

## Sexual Harassment (Board Policy #5148/4120)

The Board of Education is committed to safeguarding the right of all students within the school district to learn in an environment that is free from all forms of sexual harassment. Therefore, the Board, consistent with State and Federal law, condemns all unwelcome and/or unwarranted behavior of a sexual nature which may impose a requirement of sexual cooperation as a condition of academic advancement, or which has the purpose or effect of creating an intimidating, hostile or offensive learning environment. The Board specifically prohibits all student-employee relationships of a sexual or quasi-sexual nature, whether or not consensual.

Generally, sexual harassment is defined as unwelcome and/or unwarranted sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made, either explicitly or implicitly, a condition for evaluating the student's academic progress or the student's successful completion of any course of study, educational or extra-curricular activity, including the acceptance into or rejection from such course or activity;
2. Submission to or rejection of such conduct by a student is used as the basis for academic or extra-curricular decisions affecting such student, including the acceptance into or rejection from a course or activity;
3. Such conduct has the purpose or effect of unreasonably interfering with a student's academic performance, evaluation of a student's academic progress or participation in an educational or extra-curricular activity, or creating an intimidating, hostile or offensive learning environment.
4. Conditions exist within the school environment that allow or foster harassing activities of a sexual nature, including but not limited to obscene pictures, lewd jokes, sexual comments and innuendo, sexual advances.

The Board recognizes that sexual harassment of students can originate from a person of either sex against a person of the opposite or same sex; from peers, employees, officers, agents or any individual who might foreseeably come into contact with students on school grounds or at school-sponsored activities.

The Board acknowledges that in determining whether sexual harassment has occurred, the perspective of the complainant and/or victim shall be considered. While the accused's conduct and/or intention may be considered, sexual harassment may be found even where the accused had no intent to sexually harass another individual.

### Complaint Procedure:

Any student who believes that he or she has been subjected to sexual harassment or any person who believes that s/he has witnessed an incident(s) of sexual 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 or the District's designated Title IX Complaint Officer[s]). The staff member to whom the complaint is made shall promptly report the complaint to the Title IX Complaint Officer(s), 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, outside investigator) through informal and/or formal complaint procedures developed by the District. Any staff member who fails to report a sexual harassment complaint may be subject to disciplinary action in accordance with law and any applicable collectively negotiated agreements.

All complaints of sexual 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 sexual 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 sexual 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 sexual harassment shall be taken seriously and that an investigation shall be conducted to the extent possible. The investigator shall prepare a written report of the investigation. The report shall be filed with the Title IX Complaint Officer(s). The outcome of any investigation of a sexual 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 indicates that sexual 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 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 sexual harassment investigation. Follow-up inquiries by the Title IX Complaint Officer(s) shall be made to ensure that the complainant and/or witnesses have not suffered retaliation.

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

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

## **Sexual Harassment – Regulation (5148/4120-R)**

### **DISTRICT COMPLAINT PROCEDURES:**

#### **I. Complaint Officer(s)**

The Board of Education shall appoint Title IX Complaint Officer(s) at its annual reorganization meeting, or as needed during the year. Reasonable attempts shall be made to appoint at least one male and one female Complaint Officer.

#### **II. Reporting of Complaints**

All complaints of sexual harassment must be reported to one of the Title IX Complaint Officers appointed by the Board of Education.

1. A student (or his/her parent/guardian) who believes that s/he has been subjected to sexual 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 a Title IX Complaint Officer).
2. Any staff member who is consulted with in accordance with paragraph “1”, above, shall:
  - A. Provide a copy of the Student Sexual Harassment Policy and Regulations to the student or parent/guardian.
  - B. Promptly report the complaint or inquiry to one of the Title IX Complaint Officers.
  - 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 sexual harassment shall promptly report it to a Title IX Complaint Officer.
4. Any staff member who fails to report a possible incident or complaint of sexual 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 IX 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 Title IX 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 Title IX 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 Title IX 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 sexual 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 sexual 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 a Title IX Complaint Officer so designated by the Superintendent to maintain such files, 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 sex in the education programs or activities which it operates, as required by Title IX. 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 any and all Title IX Complaint Officers, and that such information is posted conspicuously and updated, as needed.
- D. The District Policies on sexual harassment of students/employees shall always be distributed with a copy of the applicable regulations.

## 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 (e.g., based upon race, color religion, ethnicity or national origin), including bias harassment.

**Bias** harassment of students consists of different treatment on the basis of race, color, religion, ethnicity or national origin 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 indicates 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.

# **Bias Harassment of Students - (Board Policy #5149-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 (including based on race, color, religion, ethnicity or national origin) 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

Upon receipt of any complaint of racial 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 racial 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 racial 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 racial 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 racial harassment investigation. Follow-up inquiries by the

The 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 racial harassment, including condemnation of such conduct, the sanctions for harassment and preventive measures to help reduce incidents of racial harassment.

## **Racial Harassment of Students - Regulations**

### **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 racial harassment or discrimination (including based on race, color, ethnic origin) 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 racial 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 Racial 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 racial harassment shall promptly report it to the Complaint Officer.
4. Any staff member who fails to report a possible incident or complaint of racial 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 racial 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 racial 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.

# 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 1<sup>st</sup> 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 affect 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.

### **Distribution of Policy**

The Superintendent of Schools, at the direction of the Board of Education, shall publish to the community information about the District's Comprehensive Student Attendance Policy.

The policy shall be available on the District website, explained at student assemblies and at assemblies on open school nights (if any), and a plain language summary of the policy shall be prepared for distribution to parents/guardians. Each teacher and new teacher(s), promptly upon hire, shall be provided with a copy of the policy and any amendments thereto. Copies of the policy shall also be maintained by the District's Records Access Officer for issuance upon request by any interested party.

## **Zero Tolerance for Violence (Board Policy #5144.4)**

It is the policy of the Board of Education that violence in any form will not be tolerated in the School District, including in 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 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, and may also result in notification to the police.

## **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., explosive, dangerous chemicals, ice pick, pellet gun, etc.)

## 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.