

Otselic Valley Central School District

NUMBER

SCHOOL COMMUNITY RELATIONS

1.0	Principles of Diversity.....	3000
1.1	School Sponsored Media	3110
1.3	Senior Citizens.....	3130
1.4	Flag Display.....	3140

PARTICIPATION BY THE PUBLIC

2.1	Visitors to the School.....	3210
2.2	Public Expression at Meetings.....	3220
2.3	Public Complaints.....	3230
2.4	Student Participation.....	3240
2.7	Solicitations	
2.7.2	Advertising in the Schools.....	3272
2.8	Public Use of School Facilities.....	3280
2.9	Operation of Motor-Driven Vehicles on District Property.....	3290

DISTRICT RECORDS

3.1	Public Access to Records.....	3310
3.2	Confidentiality of Computerized Information	3320

PUBLIC ORDER ON SCHOOL PROPERTY

4.1	Code of Conduct on School Property	3410
4.1.1	Unlawful Possession of a Weapon Upon School Grounds	3411
4.1.2	Threats of Violence in School.....	3412
4.2	Non-discrimination and Anti-Harassment in the School District	3420
4.2.1	Complaints Concerning School Personnel.....	3421
4.2.2	Emergency School Closings.....	3510

School Volunteers (Long Term)

(Please Note: This policy does not apply to chaperones for field trips or other short term volunteer activities.)

Community Relations

The Board of Education recognizes that the use of volunteers strengthens school/community relations through positive participation, builds an understanding of school programs among interested citizens, and can assist district employees in providing more individualized and enriched opportunities in instruction. The Board encourages volunteers from all backgrounds and age groups who are willing to share their time, training, experience or personal characteristics to benefit the students of the district.

SUBJECT: Principles of Diversity

The Otselic Valley Central School District commits to those we serve – students, staff, and communities—by understanding, anticipating, and responding to their needs.

We believe this service vision requires us to understand, anticipate, and respond to the needs of our increasingly diverse regional population. In order to achieve this goal, we commit to increasing the diversity of our organization because a diverse staff is essential to our success. Therefore, we will create an organization that:

- a.) Values the differences among people.
- b.) Fosters an environment of mutual trust and respect.
- c.) Strives to raise people's knowledge, skill, and opportunity.
- d.) Inspires teachers and students to pursue equity and excellence.
- e.) Leads by example.

Persons wishing to volunteer must contact the Superintendent or Building Principal or other individual designated by the Superintendent or Building Principal and must complete a volunteer application form. The application form shall require the volunteer applicant to disclose a list of references and authorize the Superintendent or Building Principal to contact the references and conduct a reference check. After the application is reviewed and references are checked by the Building Principal, the application will be then forward to the Superintendent for his/her final evaluation. Following approval from the Superintendent, volunteers will be placed on the list of approved volunteers. It should be noted that the Superintendent will retain the right to approve or reject any volunteer applications submitted for consideration.

The person to whom the volunteer is assigned shall make volunteers aware of their expected duties and obligation under school rules, relevant district policies and applicable laws. All volunteers are required to act in accordance with district policies, applicable laws and school rules.

First Reading: August 29, 2016
Second Reading: October 24, 2016
Adoption Date: November 14, 2016

2009 3110

Community Relations

SUBJECT: SCHOOL SPONSORED MEDIA

The Principal of each building is responsible for the preparation of news releases concerning the activities within that building, and for reviewing them with the Superintendent prior to release. Copies of all final news releases will be sent to the Superintendent's Office.

In addition, a periodic newsletter may be prepared and mailed to each resident of the School District. Included in the newsletter will be information regarding school activities, a monthly calendar and other items of interest to the community. The Board accepts the funding obligation for the necessary staff and production costs.

As the official spokesperson, the Superintendent or his/her designee shall issue all news releases concerning the District. All statements of the Board will be released through the Office of the Superintendent and/or the District Clerk.

Adopted: 6/10/09

Community Relations

SUBJECT: SENIOR CITIZENS

The Board of Education will consider school related programs for senior citizens in accordance with Education Law and/or regulations of the Commissioner of Education. Such programs include special use of school buildings or school buses, school lunches and partial tax exemptions.

Education Law Sections 1501-b(1)(a), 1501-b(1)(b), and
1709(22)
Real Property Tax Law Section 467

Adopted: 6/10/09

Community Relations

SUBJECT: FLAG DISPLAY

In keeping with State Education Law and Executive Law, the Board of Education accepts its duty to display the United States flag upon or near each public school building during school hours, weather permitting, and such other times as the statutes may require or the Board may direct.

When ordered by the President, Governor, or local official, to commemorate a tragic event or the death of an outstanding individual, the flag shall be flown at half-staff. The Superintendent's approval shall be required for the flag to be flown at half-staff upon any other occasion.

The flag shall be displayed in every assembly room (i.e., the auditorium) including the room where the Board of Education meetings are conducted, as well as displayed in all rooms used for instruction.

Education Law Sections 418 and 419
Executive Law Sections 402 and 403
8 New York Code of Rules and Regulations (NYCRR)
Sections 108.1-108.3

Adopted: 6/10/09

Community Relations

SUBJECT: VISITORS TO THE SCHOOL

All visitors shall be required to report to the Main Office upon arrival at school and state their business. Visitations to classrooms for any purpose require permission in advance from the Building Principal in order to allow teachers the opportunity to arrange their schedules to accommodate such requests.

When individual Board members visit the schools, they must abide by the regulations and procedures developed by the administration regarding school visits.

Education Law Section 2801
Penal Law Sections 140.10 and 240.35

Adopted: 6/10/09

Community Relations

SUBJECT: PUBLIC EXPRESSION AT MEETINGS

All meetings of the Board shall be conducted in public, and the public has the right to attend all such meetings. Public expression at such meetings shall be encouraged and a specific portion of the agenda shall provide for this privilege of the floor. At its discretion, the Board may invite visitors to its meetings to participate in the Board's discussion of matters on the agenda.

The Board of Education reserves the right to enter into executive session as specified in Policy #1730 -- Executive Sessions.

NOTE: Refer also to Policy #1730 -- Executive Sessions

Adopted: 6/10/09

Community Relations

SUBJECT: PUBLIC COMPLAINTS

Complaints by citizens regarding any facet of the school operation often can be handled more satisfactorily by the administrative officer in charge of the unit closest to the source of the complaint. In most instances, therefore, complaints will be made to the Building Principal and/or his/her assistant if the matter cannot be resolved by the teacher, coach, or other school employee.

If the complaint and related concerns are not resolved at this level to the satisfaction of the complainant, the complaint may be carried to the Superintendent and/or one of his/her assistants. Unresolved complaints at the building level must be reported to the Superintendent by the Building Principal. The Superintendent may require the statement of the complainant in writing.

If the complaint and related concerns are not resolved at the Superintendent level to the satisfaction of the complainant, the complaint may be carried to the Board of Education. Unresolved complaints at the Superintendent level must be reported to the Board of Education by the Superintendent. The Board of Education reserves the right to require prior written reports from appropriate parties.

NOTE: Refer also to Policies #8330 -- Objection to Instructional Materials
#8331 -- Controversial Issues

Community Relations

SUBJECT: STUDENT PARTICIPATION

Students provide an important channel of communication with parents and the entire community. Information concerning the schools may be properly disseminated through students. The School District's administrators shall review all messages and materials prior to authorizing their dispersal through the student body.

Community Relations

SUBJECT: ADVERTISING IN THE SCHOOLS

Neither the facilities, the staff, nor the students of the School District shall be employed in any manner for advertising or otherwise promoting the interests of any commercial, political, or other non-school agency, individual or organization, except that:

- a) Schools may cooperate in furthering the work of any non-profit, community-wide, social service agency, provided that such cooperation does not restrict or impair the educational program of the schools or conflict with Section 19.6 of the Rules of the Board of Regents;
- b) The schools may use films or other educational materials bearing only simple mention of the producing firm;
- c) The Superintendent of Schools may, at his/her discretion, announce or authorize to be announced, any lecture or other community activity of particular educational merit;
- d) The schools may, upon approval of the Superintendent of Schools, cooperate with any agency in promoting activities in the general public interest that are non-partisan and non-controversial, and that promote the education and other best interests of the students.

No materials of a commercial nature shall be distributed through the children in attendance in the Otselic Valley Central School District except as authorized by law or the Commissioner's Regulations.

New York State Constitution Article 8, Section 1
8 New York Code of Rules and Regulations (NYCRR)
Section 19.6

Adopted: 6/10/09

Community Relations

SUBJECT: PUBLIC USE OF SCHOOL FACILITIES

The Board of Education recognizes the investment the community has in school buildings and facilities and believes that such facilities should be used for approved community purposes. School buildings/grounds are not public places in the sense that any individual or organization may demand their use. Regulations have been approved that provide guidelines that the District will follow to assure that the community investment is protected and yet available for their use and enjoyment. All persons using school facilities will be subject to all applicable state laws and policies relative to public use of school facilities, public conduct on school property, tobacco use on school premises, and the Code of Conduct.

A Building Use Request Form and Fee Schedule are available at any Principal's Office or at the Athletic Director's Office. All non-school related groups or organizations (see below, **Group Priority** - c, d, e, f) must submit a Certificate of Insurance naming Otselic Valley Central School as an additional insured with a minimum coverage of \$1,000,000. The Superintendent of Schools has the right to negotiate special fee rates and agreements with organizations (see below, **Group Priority** - e, f) contingent upon the approval of the Board of Education. Each group or organization using the school facilities agrees to pay all fees and to assume the responsibilities outlined in the procedural guidelines. The Board of Education and/or Superintendent of Schools reserves the right to deny or revoke permission for building and facility use.

Group Priority for Building Use

- a) The school education program and extensions thereof such as academic support, interscholastic athletics, school sponsored clubs and activities, adult education programs, and after school sponsored clubs and activities that are cooperative ventures between the school and other non-profit organizations such as academic intervention and latch key programs.
- b) School related organizations such as PTA, PTO, Alumni Association, and Booster Club.
- c) Special youth groups sponsored by the Villages/Towns of Otselic, Georgetown, etc.
- d) Non-school related groups that have as their primary focus the children of the District, such as Boy Scouts, Girl Scouts, and 4-H.
- e) Non-school related groups that are certified not-for-profit organizations, or a for-profit organization that contributes **all** fees collected to an educational or charitable purpose; and located within the District boundaries; and has membership that is at least 51% (fifty-one percent) composed of District residents; and is consistent in their membership and programs with the public educational mission of the District.

(Continued)

SUBJECT: PUBLIC USE OF SCHOOL FACILITIES (Cont'd.)

- f) All other non-school related, certified not-for-profit organizations or for-profit organizations that contribute **all** fees collected to an educational or charitable purpose and who are not located within the District boundaries and who do not have a membership that is at least 51% (fifty-one percent) composed of District residents.

Building Availability

According to Section 414 of the State Education Law, facilities of the School District may be used for meetings, entertainment, and occasions where admission fees are charged, when the proceeds are spent for an educational or charitable purpose; but such use shall not be permitted if such activities are under exclusive control, and proceeds are applied for the benefit of a religious sect or denomination, or a fraternal, secret or exclusive society or organization other than organizations of veterans of the military, naval and marine service of the United States and organizations of volunteer firemen or volunteer ambulance services. Section 414 also states the District facilities may be used for polling places for holding primaries and elections and for the registration of voters and for holding political meetings; but no meetings sponsored by political organizations shall be permitted unless authorized by a vote at a District meeting, held as provided by law.

The use of the School District property for private commercial or personal purposes is expressly prohibited by Article 8, Section 1 of the New York State Constitution.

Community Relations

SUBJECT: OPERATION OF MOTOR-DRIVEN VEHICLES ON DISTRICT PROPERTY

The use of motor-driven vehicles, including cars, snowmobiles, mini-bikes, motorcycles, all-terrain vehicles (ATV's) and other such vehicles is prohibited on any school grounds or areas except for authorized school functions or purposes.

A school function shall mean a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

All student vehicles are to be registered with the High School Principal and parked in authorized areas only.

Education Law Section 2801(1)
Vehicle and Traffic Law Section 1670

Adopted: 6/10/09

Community Relations

SUBJECT: PUBLIC ACCESS TO RECORDS

Access to records of the District shall be consistent with the rules and regulations established by the State Committee on Open Government and shall comply with all the requirements of the New York State Public Officers Law Section 87.

A Records Access Officer shall be designated by the Superintendent, subject to the approval of the Board of Education, who shall have the duty of coordinating the School District's response to public request for access to records.

Regulations and procedures pertaining to accessing District records shall be as indicated in the School District Administrative Manual.

Education Law Section 2116
Public Officers Law Section 87
21 New York Code of Rules and Regulations (NYCRR)
Part 9760

Adopted: 6/10/09

Community Relations

SUBJECT: CONFIDENTIALITY OF COMPUTERIZED INFORMATION

The development of centralized computer banks of educational data gives rise to the question of the maintenance of confidentiality of such data while still conforming to the New York State Freedom of Information Law. The safeguarding of confidential data from inappropriate use is essential to the success of the District's operation. Access to confidential computerized data shall be limited only to authorized personnel of the School District.

It shall be a violation of the District's policy to release confidential computerized data to any unauthorized person or agency. Any employee who releases or otherwise makes improper use of such computerized data shall be subject to disciplinary action.

However, if the computerized information sought is available under the Freedom of Information Law and can be retrieved by means of existing computer programs, the District is required to disclose such information.

Family Educational Rights and Privacy Act of 1974
20 United States Code (USC) 1232(g)
34 Code of Federal Regulations (CFR) Part 99
Public Officers Law Section 84 et seq.

OTSELIC VALLEY CENTRAL SCHOOL

Code of Conduct

2014

Mission Statement

The Otselic Valley Central School community will encourage decisions that give all students the opportunity to achieve their highest level of learning in preparation for a challenging tomorrow.

Updated 7/2012

(July 11, 2012)

Table of Contents

- I. Introduction
- II. Definitions
- III. Dignity Act Coordinators
- IV. Dignity for All Training
- V. Student Rights and Responsibilities
- VI. Essential Partners
- VII. Compulsory Education
- VIII. Attendance
- IX. Student Dress Code
- X. Prohibited Student Conduct
- XI. Reporting Violations
- XII. Disciplinary Penalties, Procedures and Referrals
- XIII. Alternative Instruction
- XIV. Discipline of Students with Disabilities
- XV. Student Searches and Interrogations
- XVI. Visitors to the Schools
- XVII. Public Conduct on School Property
- XVIII. Dissemination and Review

Subject: Code of Conduct

I. Introduction

The Otselic Valley Central School District’s Board of Education (“board”) is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents and other visitors is essential to achieving this goal.

The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

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

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

II. Definitions

For purposes of this code, the following definitions apply.

“*Disruptive student*” means 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 or interferes with a bus driver’s ability to safely operate a school bus.

“*Parent*” means parent, guardian or person in parental relation to a student.

“*Employee*” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such persons involve direct student contact (Education Law §§11[4] and 1125[3]).

“*School property*” means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus (Education Law § 11[1]).

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

“*School function*” means any school-sponsored extra-curricular event or activity (Education §11[2]).

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

1. Commits an act of violence upon a school employee, or attempts to do so.
2. Commits, 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.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. 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.
7. Knowingly and intentionally damages or destroys school district property.

“*Weapon*” means a firearm as defined in 18 USC Section 921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, pocketknife, 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.

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

“Harassment” means the creation of a hostile environment by conduct, with or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; the harassing behavior may be based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation or gender (identity or expression) (Education Law §11[7]).

“Sexual orientation” means actual or perceived heterosexuality, homosexuality or bisexuality (Education Law §11[5]).

“Gender” means actual or perceived sex and shall include a person’s gender identity or expression (Education Law §11[6]).

“Hazing” is a form of harassment which involves committing an act against a student or coercing a student into committing an act that creates a risk of or causes emotional, physical, psychological harm to a person, in order for the student to be initiated or affiliated with a student or other organization, or for any other purpose. Consent or acquiescence is no defense to hazing: i.e., the implied or expressed consent of a person or persons to hazing shall not be a defense to discipline under this policy.

“Bullying” is a form of harassment that consists of inappropriate and often persistent behavior including threats or intimidation of others, treating others cruelly, terrorizing, coercing, or habitual put-downs and or badgering of others.

Bullying occurs when someone purposely says or does mean or hurtful things to another person who has a hard time defending oneself or is in an otherwise vulnerable position.

“Cyber-bullying” refers to any harassment/bullying, on or off school property, which occurs via the internet, cell phones or other electronic devices.

“Sexting” refers to an act of sending sexually explicit photos, images, text messages, or e-mails by using a cell phone or other electronic device.

III. Dignity Act Coordinators

At least one employee in every school shall be designated as a Dignity Act Coordinator and instructed in the provisions of this subdivision and thoroughly trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.

1. The designation of each Dignity Act Coordinator shall be approved by the Otselic Valley Central School District Board of Education.
2. The name(s) and contact information for the Dignity Act Coordinator(s) shall be shared with all school personnel, students, and persons in parental relation, which shall include, but is

not limited to, providing the name, designated school and contact information of each Dignity Act Coordinator by:

- a. Listing such information in the code of conduct and updates posted on the Internet web site of the Otselic Valley Central School District.
 - b. Including such information in the plain language summary of the code of conduct provided to all persons in parental relation to students before the beginning of each school year, pursuant to 8 NYCRR 100.2(I)(2)(iii)(b)(3);
 - c. Include such information in at least one district or school mailing per school year to parents and persons of parental relation and, if such information changes, in at least one subsequent district or school mailing as soon as practicable thereafter;
 - d. Posting such information in highly-visible areas of school buildings; and
 - e. Making such information available at the district and school-level administrative offices.
3. In the event a Dignity Act Coordinator vacates his or her position, another school employee shall be immediately designated for an interim appointment as Coordinator, pending approval of a successor Coordinator by the applicable governing body as set forth in subparagraph (i) of this paragraph within 30 days of the date the position was vacated. In the event a Coordinator is unable to perform the duties of his or her position for an extended period of time, another school employee shall be immediately designated for an interim appointment as Coordinator, pending return of the previous Coordinator to his or her duties as Coordinator.

IV. Dignity for All Training

Commencing in the 2012-13 school year and continuing in each school year thereafter, the following Dignity for All school employee training program regulations are to be implement in effort to promote a positive school environment that is free from discrimination and harassment and to discourage and respond to incidents of discrimination and/or harassment on school property or at a school function.

1. Training is to be conducted for all instructional and non-instructional employees of the Otselic Valley Central School District
2. Training is to raise awareness and sensitivity to potential acts of discrimination or harassment directed at students by students or school employees on school property or at school functions; including by not limited to, discrimination or harassment based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex.
3. Training is to raise awareness and sensitivity to potential acts of discrimination and harassment through cyberbullying/texting.
4. Training is to enable employees to prevent and respond to incidents of discrimination and harassment
5. Training is to include guidelines relating to the development of nondiscriminatory instructional and counseling methods.
6. Training is to be conducted as needed and may be implemented and conducted in conjunction with existing professional development.

V. Students Rights and Responsibilities

A. Student Bill of Rights

The district is committed to safeguarding the rights given to all students under state and federal law and to provide students with a safe school climate focused on positive behavior. In addition, to promote a safe, healthy, orderly and civil school environment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and receive an explanation of those rules in an age appropriate manner on at least an annual basis from school personnel.

B. Student Responsibilities

All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and property.
2. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
3. Attend school every day unless they are legally excused and be in class, on time, and prepared to learn.
4. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
5. React to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
6. Work to develop mechanisms to control their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress according to the Code of Conduct for school and school functions.
10. Accept responsibility for their actions.
11. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.
12. Conduct themselves as representatives of the district when participating in or attending school-sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor and sportsmanship.

VI. Essential Partners

A. Parents

All parents are expected to:

1. Recognize that the education of their children is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.

7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with all school personnel, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Provide a place for study and ensure homework assignments are completed.

B. Cafeteria Staff

1. Maintain 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 students' confidence and promote learning.
2. Create and maintain a kitchen/dining area that is clean and safe.
3. Provide a selection of food that will encourage the students to eat a healthy and nutritious meal.
4. Encourage students to conduct themselves in such a manner that will produce an atmosphere that is appropriate for dining.
5. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
7. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

C. Transportation/Custodial Staff

1. Maintain 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 students' confidence and promote learning.
2. Provide a clean and healthy environment for the entire school community in all buildings, buses and on school property.
3. Maintain and promote safety in all areas of their jurisdiction.
4. Inform supervisors and/or administrators of any area of concern that might jeopardize the health and safety of any student or staff member.
5. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

7. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

D. Support Staff

1. Maintain 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 students' confidence and promote learning.
2. Assist in maintaining a climate that is conducive to teaching and learning.
3. Provide support and assistance to the staff that will enable them to do their job more efficiently and effectively.
4. Provide support and assistance to the students that will enable them to obtain the maximum benefits from their educational program.
5. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
7. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

E. Teachers

All district teachers are expected to:

1. Maintain 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 students' confidence and promote learning.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
 - a. Course objectives and requirements
 - b. Marking/grading procedures
 - c. Assignment deadlines
 - d. Expectations for students
 - e. Classroom discipline plan
6. Communicate regularly with students, parents and other teachers concerning growth and achievement.
7. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

9. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

F. School Counselors/Social Workers/Psychologists

1. Maintain 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 students' confidence and promote learning.
2. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
3. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
4. Regularly review with students their educational progress and career plans.
5. Provide information to assist students with career planning.
6. Encourage students to benefit from the curriculum and extracurricular programs.
7. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Report infractions of the Code of Conduct, including but not limited to instances of discrimination or harassment.

G. Building Level Administrators

1. Maintain 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 students' confidence and promote learning.
2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
3. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
4. Evaluate on a regular basis all instructional programs.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
8. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

H. District Level Administrators

1. Maintain 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 students' confidence and promote learning.
2. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
3. Review with other administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
4. Inform the board about educational trends relating to student discipline.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Confront issues of discrimination and harassment committed against students by employees or students or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
8. Work with other administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

I. Board of Education

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

VII. Compulsory Education

A student over five and under twenty one years of age is entitled to attend public school pursuant to section 3202 of the New York Education Law. A student over the compulsory attendance age (16 years old) can only be dropped from enrollment pursuant to the procedures set forward in section 3202(1)(a) of the New York Education Law.

Section 3202 (1-a) provides that the principal or Superintendent shall schedule and notify in writing and at the last known address, both the student and person in parental relation to the student of an informal conference. At the conference, both the reasons for the pupil's absence and whether reasonable changes in the pupil's educational program would encourage and facilitate the pupil's re-entry or continuation of study must be discussed. Following the conference the pupil and person in parental relation shall be informed orally and in writing of the pupil's right to re-enter at any time.

Note that the dropping of a student from an enrollment of a school is not considered to be a disciplinary action inasmuch as a student has a statutory right to attend school between the ages of 5 and 21. The entitlement to attend school may only be terminated by graduation or permanent suspension from attendance at school after a hearing.

A student six to sixteen years of age (compulsory attendance age) must attend public school pursuant to section 3205 of the New York Education Law.

The right to an education cannot be abridged without due Process.

VIII. Attendance

The Education Law requires that the students enrolled in the schools of this District attend school on every school day unless legally excused. The educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. The regular contact of students with one another in the classroom and their participation in a well planned instructional activity under the tutelage of a competent teacher are vital to this purpose. Unwarranted absences (those which are not congruent with state regulations for acceptable absences) which especially occur at or near vacation periods have a highly adverse effect on the student as well as the entire educational program. Therefore, the Board of Education urges all parents to make every effort for their children to be in attendance.

The board recognizes the importance of consistent attendance of a pupil for maximum benefit from classroom instruction. Its members also understand that a student's critical thinking skills are enhanced by interaction with other students and adults in an appropriate classroom setting. They further acknowledge the value of fostering habits of good attendance and accountability in our students for them to carry into the workplace upon graduation.

The board recognizes that regular school attendance is a major component of academic success. Through implementation of this policy, the board expects to reduce the current level of unexcused absences, tardiness, and early departures (referred to in this policy as "ATED" encourage full attendance by all students, maintain an adequate attendance record keeping system, identify patterns of student ATED's and develop effective intervention strategies to improve school attendance.

Notice

To be successful in this endeavor, it is imperative that all members of the school community are aware of this policy, its purpose, procedures and the consequences of non compliance. To ensure that students, parents, teachers, and administrators are notified of and understand this policy, the following policy shall be implemented.

The attendance policy will be included in student handbooks and will be reviewed with students at the start of the school year.

Parents will receive a plain language summary of this policy included in the calendar mailed to each district resident at the start of the school year.

A copy of the attendance policy will be included in faculty and staff handbooks. Copies of this policy will also be made available to any district resident upon request.

Excused and Unexcused Absences

Excused absences, tardiness, and early departures from class or school are defined as those due to personal illness, family crisis, department of motor vehicle licensing tests, illness or death in the family, impassable roads or weather making travel unsafe, religious observance, quarantine, required court appearances, attendance at health clinics, college visits, armed service recruiting obligations, job interviews, approved school-sponsored trips, remedial health treatment, or we-approved career educational experience.

All other absences, tardiness, and early departures are considered unexcused absences including family vacations.

All absences, tardiness, and early departures must be accounted for. It is the parent's responsibility to provide a written excuse upon the student's return to school. Parents may relinquish responsibility to students 18 years or older.

General Procedures/Data Collection

- In the junior-senior high school attendance will be taken during each class period. In the elementary, attendance will be taken at the beginning of the school day.
- The nature of an ATED shall be coded on a student's record according to the coding system included in the software system currently in use.
- Student attendance data shall be available to and should be reviewed by each building principal in an expeditious manner.

Attendance Incentives

The district will continue to acknowledge a student's efforts to maintain or improve school attendance with the attendance awards and with special events for those students maintaining good attendance records.

Attendance/Grade

The Board of Education recognizes an important relationship between class attendance and student performance. Consequently, in the junior—senior high school each marking period a student's final grade may include a classroom participation component in addition to a student's performance on homework, tests, papers, projects, etc. Students are expected to attend all scheduled classes.

Annual Review

The Board shall annually review building—level student attendance records and, if such records show a decline in student's attendance, the Board shall devise this comprehensive attendance policy and make any revisions to the plan it deems necessary to improve student attendance.

Truancy is the willful violation by a student of compulsory attendance provisions in Article 65 of the Education Law, which requires minors from six to 16 or 17 years of age to attend school fulltime.

- Any school age child who is not legally excused and who is not in school during regular session will be considered truant.
- Students who are truant will be subject to disciplinary action. First Offense: Student will be given 1 day of in-school suspension and the parents will be notified.

Second Offense: Student will be given 2 days of in-school suspension and a parent conference will be scheduled. This procedure will be followed for all other offenses.

Tardiness to School

- Students are expected to be punctual to school and class at all times. Students who arrive at school must sign in at the main office and report immediately to the nurse with a note signed by the parent explaining the reason. The nurse will record the tardy and the reason and issue a pass to class. Students who are tardy will be subject to disciplinary action.
- A student who arrives at school after 11:00A.M. is considered absent for half day, as well as being tardy.
- Students will be allowed four tardies per semester, inclusive of appointments, etc. When unusual circumstances warrant special consideration, parents should notify the administration in writing.
- When a student is tardy for the fifth time and every time thereafter he/she will be placed on social probation for 5 day. A phone call will be made to his/her parent, a letter sent home and a parent conference will be scheduled with the administrator and counselor to establish intervention strategies.

IX. Student Dress Code

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

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

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments including but not limited to short shorts, tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments will not be tolerated.
3. Ensure that under-garments are completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not include headwear in the building except for a medical or religious purpose.
6. Not include "dog" neck and wrist collars.
7. Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.
8. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.
9. Not include the wearing of long leather or trench coats of any color.

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

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

X. Prohibited Student Conduct

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

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

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

A. Prohibited Conduct

A student may be subject to disciplinary action when he/she behaves in a manner which is:

1. disorderly, that is:
 - a. fighting, assaulting or behaving violently,
 - b. threatening another with bodily harm,
 - c. harassment, bullying, or intimidating students or school personnel (see also Anti-Bullying/Harassment, Hazing and Sexual Harassment policies),
 - d. making unreasonable noise,
 - e. being untruthful with school personnel or making false reports,
 - f. possessing electronic devices such as, but not limited to: video/audio players & recorders, remote controls, electronic games, beepers, pagers, cellular phones,
 - g. obstructing vehicular or pedestrian traffic,
 - h. driving recklessly,
 - i. creating a hazardous or physically offensive condition by an act which serves no legitimate purpose,
 - j. loitering or trespassing
 - k. being present on or entering into any school property, function or vehicle without authorization,
 - l. disrupts or is reasonably likely to disrupt the educational process or school operations; or is
2. insubordinate, that is, failing to comply with the lawful directions of teachers, school administrators or other school employees in charge of the student; bus drivers, bus monitors and bus aides, law enforcement officers or
3. engages in any of the following forms of academic misconduct:
 - a. tardiness,
 - b. missing or leaving school or class without permission or excuse,
 - c. cheating, plagiarism, copyright/trademark violations or assisting another in such conduct
 - d. violation of the Board of Education policy on Student Publications, #7230, Use of Computer and Information Technology Policy #7151
 - e. improperly altering documents or records.
4. endangers the safety, health, morals, or welfare of themselves or others by any act, including but not limited to:
 - a. fighting, assaulting or behaving violently, threatening another with bodily harm,
 - b. harassment or illegal discrimination, which includes the use of race, color, weight, creed, national origin, ethnic group, religion, religious practice, sex, gender, sexual orientation or disability as a basis for treating another in a negative manner. (Reference policies on Sexual Harassment, Anti-Bullying, Hazing)
 - c. bullying
 - d. cyber-bullying
 - e. sexting
 - f. making unreasonable noise,
 - g. possession, use, distribution, transfer or sale of tobacco or tobacco products, alcohol, drugs or other controlled substances, drug paraphernalia or synthetic cannabinoid

- products including but not limited to incense herbal mixture potpourri (see #8096, “Substance Abuse” policy),
- h. possession, use, or sale of weapons, fireworks, or other dangerous or prohibited objects or contraband. Dangerous objects include, but are not limited to: guns, starter pistols, knives of any kind (including all types of pocket knives), razors, box cutters, clubs, metal knuckles, nunchucks, Kung Fu stars, explosives, and any instrument, article or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or other serious physical injury. Any object that resembles a dangerous object (such as a fake gun) will be considered a prohibited object.,
 - i. using obscene, profane, lewd, vulgar or abusive language or behavior,
 - j. possession, sale, distribution, transfer or use of lewd or obscene materials,
 - k. gambling,
 - l. hazing,
 - m. extortion,
 - n. theft,
 - o. vandalism, willfully defacing, damaging or destroying school property or vehicles used by entities under contract with the district to provide services for the district. Willfully defacing, vandalizing, damaging or destroying the property of others on school premises, at school functions or on school buses under contract to the district, or
 - p. misuse of school information technology (see Use of Computer and Information Technology-7151policy) or other school property.
5. engages in conduct that violates Board’s rules and regulations for the maintenance of public order on school property in Section XV below or Federal, State or local laws.

Off campus & non-school day misconduct- Students may be disciplined for violations of school district policies and the Code of Conduct when there is a connection to or impact, effect on school students, personnel, activities, functions or property.

Examples of misconduct include but are not limited to: cyber-bullying, sexting, threatening or harassing students or school personnel through the use of electronic devices.

XI. Reporting Violations

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, bus driver, the building principal or his or her designee. Any student aware of a potentially dangerous activity, including but not limited to, a student possessing a weapon, explosive, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal’s designee or the superintendent.

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

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

All students are expected to promptly report instances of bullying (verbal, physical, cyber-bullying), harassment, discrimination or hazing on school property or at a school function immediately to proper school personnel.

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

XII. Disciplinary Penalties, Procedures and Referrals

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

Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

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

Depending on the nature of the violation, it is the Board's desire that student discipline be progressive, i.e., a student's first violation may merit a lighter penalty than subsequent violations. It is also the Board's desire that staff take into account all other relevant factors in determining an appropriate penalty. The following penalties may be imposed either alone or in combination. Based upon the circumstances, it is at the discretion of school staff to determine the penalty warranted by a particular violation.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior caused by or had a direct and substantial relationship to the disability or if the conduct was a direct result of the district's failure to implement the IEP.

A. Penalties

Students who are found to have violated the district's code of conduct may be subject to the following penalties, either alone or in combination.

1. Oral warning
2. Written warning
3. Oral and written notification to parent
4. Detention
5. Suspension from transportation
6. Suspension from athletic participation
7. Suspension from social or extracurricular activities
8. Suspension of other privileges
9. In-school suspension or exclusion from a particular class

10. Removal from classroom by teacher or principal
11. Short-term (five days or less) suspension from school
12. Long-term (more than five days) suspension from school
13. Permanent suspension from school

B. Disciplinary and Remedial Consequences

The district emphasizes the creation and maintenance of a positive learning environment for all students. Measured, balanced, and age-appropriate responses to the discrimination and harassment of students by students and/or employees on school property, including school functions, with remedies and procedures focusing on intervention and education is needed to maintain the desired learning climate. Remedial responses which may be utilized include:

1. Peer support groups; corrective instruction or other relevant learning or service experience;
2. Supportive intervention;
3. Behavioral assessment or evaluation;
4. Behavioral management plans, with benchmarks that are closely monitored;
5. Student counseling and parent conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation can be an important tool to prevent discrimination and harassment. Environmental remediation strategies may include:

1. Supervisory systems which empower school staff with prevention and intervention tools to address incidents of bullying and harassment;
2. School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
3. Adoption of research-based, systemic harassment prevention programs;
4. Modification of schedules;
5. Adjustment in hallway traffic and other student routes of travel;
6. Targeted use of monitors;
7. Staff professional development;
8. Parent conferences;
9. Involvement of parent-teacher organizations; and
10. Peer support groups.

C. Procedures

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty.

Students who are to be given penalties other than an oral warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

1. Detention

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

that there is no parental objection to the penalty and the student has appropriate transportation home following detention.

2. Suspension from transportation

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

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law Section 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

3. Suspension from athletic participation, extracurricular activities and other privileges

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

4. In-school suspension

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

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law Section 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

5. Teacher disciplinary removal of disruptive students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. Such practices may include, but are not limited to:

1. short-term "time out" in an elementary classroom or in an administrator's office;
2. sending a student into the hallway briefly;
3. sending a student to the principal's office for the remainder of the class time only; or
4. sending a student to a counselor or other district staff member for counseling.

Time-honored classroom management techniques do not constitute disciplinary removals for purposes of this code.

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

A classroom teacher may remove a disruptive student from class for up to five days. The removal from class applies to the class of the removing teacher only. The student should be remanded to the principal's office, unless otherwise directed.

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

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24 hours.

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

Within 24 hours after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents by telephone, followed by a letter stating that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The notification must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to insure receipt of the notice within 24 hours of the student's removal.

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

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

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

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

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

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

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

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

6. Suspension from school

Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, violent or disruptive, or whose conduct otherwise endangers the safety, morals, health or welfare of others.

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

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

The superintendent or principal, upon receiving a referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

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

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law Section 3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents by calling them on the telephone, followed by a written notice within 24 hours of the decision to propose suspension.

The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish.

The notice and opportunity for an informal conference shall take place before the student is suspended unless the student's presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student's presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the Board of Education with the district clerk within 3 business days of the date of the superintendents' decision, unless they

can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

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

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

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

An appeal of the decision of the superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 20 business days of the date of the superintendent's decision, unless the parents can show extraordinary circumstances precluding them from doing so. The board may adopt in whole or in part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

c. Permanent suspension

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

D. Minimum Periods of Suspension

1. Students who bring a weapon to school

Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for a least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education law Section 3214. The superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:

- a. The student's age
- b. The student's grade in school.
- c. The student's prior disciplinary record.
- d. The superintendent's belief that other forms of discipline may be more effective
- e. Input from parents, teachers and /or others.
- f. Other extenuating circumstances.

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

2. Students who commit violent acts other than bringing a weapon to school

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed

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

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

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, will be suspended from school for at least five days. For purposes of this code of conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education law Section 3214(3-a) and this code on four or more occasions during a semester. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

E. Referrals

1. Counseling

The Guidance Office shall handle all referrals of students to counseling.

2. PINS Petitions

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

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

3. Juvenile Delinquents and Juvenile Offenders

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

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

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

XIII. Alternative Instruction

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law Section 3214, the district will take immediate steps to provide alternative means of instruction for the student.

XIV. Discipline of Students with Disabilities

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

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

A. Authorized Suspensions or Removal of Students with Disabilities

1. For purposes of this section of the code of conduct, the following definitions apply.

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

A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

An “IAES” means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student’s current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
- a. The board, the district (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - d. The superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if

the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.

- 1) “Weapon” means the same definition as “Weapon” was previously defined in this Code of Conduct
 - 2) “Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy
 - 3) “Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

B. Change of Placement Rule

1. A disciplinary change in placement means a suspension or removal from a student’s current educational placement that is either:
 - a. for more than 10 consecutive school days; or
 - b. for a period of 10 consecutive school days, or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal.

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

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

1. The district’s Committee on Special Education shall:
 - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances.

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10

4. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
 - a. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
 - b. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
 - i) During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
 - ii) If school personnel propose to change the student's placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
2. An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extensions.

E. Referral to law enforcement and judicial authorities

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

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

XV. Student Searches and Interrogations

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

Lockers (even if the student owns the lock), desks, cubbyholes, etc., are the property of the school and subject to inspection *without cause*, at any time, *without notice or the student's or parent's permission or presence*. Students should take this policy into account when deciding whether to store personal belongings in such places.

In addition, the board authorizes the superintendent, building principals, the school nurse and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search.

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

Searches of student's person includes any search that involves physical contact with the student's body, including clothing worn by the student, or the requirement that the student remove clothing, with the exception of outer garments such as coats, jackets, sweatshirts, sweaters, vests, etc. Removal of clothing shall be limited to removal of socks and shoes and articles of clothing that will not expose the student's undergarments and private areas. These searches also include, but are not limited to pat-down searches, hand held metal detectors, alcohol sensing equipment, and the sniffing of a student by police search dogs.

Searches of the student's person should be performed or witnessed by at least one school employee who is the same gender as the student searched.

These searches will only be undertaken if the school superintendent, building principal, assistant/associate principal or other administrator is present and if the administrator has reasonable grounds for

suspecting that the search will uncover evidence that the student has violated or is violating the law or the rules of the school.

Before searching a student or the student's belongings, the authorized school official should request the student to admit that he or she possesses physical evidence that they violated the law or the district code, or request the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought.

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

XVI. Visitors to the Schools

Parents and other citizens of the District are encouraged to visit the schools to better understand the process of education.

In order to avoid disruption of the educational process, visitors are expected to comply with this policy, and other applicable District policies.

All visitors must report to the school office or other designated individual to request a visitor's pass to be allowed further access to the building unless previously invited to a classroom or assembly program.

Members of the School District staff will treat parents and other members of the public with respect and expect the same in return. The District must keep schools and administrative offices free from disruptions and prevent unauthorized persons from entering school/district grounds.

Accordingly, this policy promotes mutual respect, civility, and orderly conduct among the District employees, parents, and the public. We do not intend this policy to deprive any persons of his or her right to freedom of expression. Rather, we seek to maintain, to the extent possible and reasonable, a safe, productive and harassment-free environment for our students and staff. In the interest of presenting teachers and other employees as positive role models, we encourage positive communication and discourage volatile, hostile, or aggressive actions. This District seeks public cooperation with this endeavor.

- 1. Disruptive Individual Must Leave School Grounds.** Any individual who disrupts or threatens to disrupt school/office operations/events, threatens the health and safety of students or staff, willfully causes property damage, uses loud and/or offensive language that could provoke a violent reaction, or who has otherwise established a continued pattern of unauthorized entry on School District property, will be directed by the school's principal or other person in charge to leave school, School District property, or event promptly. If the person does not comply it will be considered a trespass and law enforcement authorities will be called. Future access to school property or events may be restricted.
- 2. Directions to Staff in Dealing with Abusive Individual.** If any member of the public uses obscenities or speaks in a demanding, loud, insulting, and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely warn the speaker to communicate civilly and that a failure to do so could result in a request to leave or end the contact. If the individual does not stop the abusive behavior, the District employee will verbally notify the individual that the meeting, conference, or telephone conversation is terminated. If the individual is on District premises or at a District event, the administrator, custodian or other person in charge, may request the abusive individual to leave promptly or law enforcement authorities will be called.

3. **Provide Policy and Report Incident.** When a staff member determines that a member of the public is in the process of violating the provisions of this policy, the staff member should direct the person to the building administrator, or other school official in charge, who should provide a written copy of this policy at the time of occurrence.

The staff member will provide a written report of the incident to his or her supervisor.

This policy should be posted in each school building main entrance area, main office and other conspicuous places.

XVII. Public Conduct on School Property

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, "public" shall mean all persons when on school property or attending a school function including students, teachers and district personnel.

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others.

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

A. Prohibited Conduct

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

1. Willfully cause physical injury to any other person, or threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which he has a lawful right to do, or do any act which he has a lawful right not to do.
2. Physically restrain or detain any other person, or remove such person from any place where he is authorized to remain.
3. Willfully damage or destroy property of the district or of the school personnel or students, or remove or use such property without authorization.
4. Without permission, express or implied, enter into any private office of an administrative officer, faculty member or staff member.
5. Other than student, employee or Board member, enter a classroom or the building beyond the administrative office without written permission of the superintendent or his designee.
6. Enter upon and remain in any building or facility for any purpose other than for authorized uses, or in such manner as to obstruct its authorized use by others.
7. Without authorization, remain in any building or facility after it is normally closed.
8. Refuse to leave any building or facility after being requested to do so by an authorized administrator.
9. Deliberately disrupt or prevent the peaceful and orderly conduct of classes, school programs, school activities, lectures and meetings, or deliberately interfere with any person who desires to express his views, including invited speakers.

10. Have in his possession upon any premises to which these rules apply, any knife, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the superintendent, whether or not a license to possess the same has been issued to such person.
11. Smoke tobacco, possess, consume or exchange or be under the influence of alcoholic beverages, drugs or narcotics on school properties.
12. Distribute or post any written material, pamphlet or poster without the prior written approval of the superintendent.
13. Urge or incite others to commit any of the acts herein prohibited.
14. Violate the traffic laws, regulations or other restrictions on vehicles.
15. Intimidate, harass or discriminate against any person on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

B. Penalties

A person who shall violate any of the provisions of these rules shall:

1. If he is a licensee or invitee, have his authorization to remain upon the district property withdrawn, and shall be directed to leave the premises. In the event of his failure or refusal to do so, he shall be subject to ejection and arrest.
2. If he is a trespasser or visitor without specific license or invitation, be subject to ejection and arrest.
3. If he is a student, be subject to suspension or such lesser disciplinary action as the facts of the case may warrant.
4. If he is a faculty member, be guilty of misconduct and be subject to dismissal or termination of his employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.
5. If he is a staff member entitled to the benefits of Civil Service Law Section 75, be guilty of misconduct and subject to the penalties prescribed in said section.
6. If he is a staff member, not entitled to the benefits of Civil Service Law Section 75, be guilty of misconduct and be subject to dismissal or termination of his employment or such lesser disciplinary action as the facts may warrant, including suspension without pay or censure.

C. Procedure

In case of a violation of this section:

1. The superintendent, building principal or designee shall inform any licensee or invitee, who shall violate any provision of these rules, that his license or invitation is withdrawn and shall direct him to leave the district grounds. In the event of his failure or refusal to do so, the superintendent or designee shall cause his ejection from such property.
2. In the case of any other violator who is neither a student nor faculty nor other staff member, the superintendent or designee shall inform the violator that he is not authorized to remain on the property of the district, and direct him to leave such premises. In the event of his failure or refusal to do so, the superintendent or designee shall cause his ejection from such property. Nothing in this subdivision shall be construed to authorize the presence of any such person at any time prior to such violation, or to affect his liability to prosecution for trespassing or loitering as prescribed in the Penal Law.

3. In the case of a student, charges for violation of any of these rules shall be presented and shall be heard and determined in the manner provided in Section 3214(3) of the Education Law.
4. In the case of a faculty member having tenure, charges for misconduct and violation of these rules shall be made, heard and determined in accordance with Section 3020-a of the Education Law.
5. In the case of a faculty member not having tenure, the superintendent will attend to the violation as agreed upon within the terms of the collective bargaining agreement.
6. In the case of any staff member who holds a position in the classified Civil Service as described in Section 75 of the Civil Service Law or is covered by Section 75 of the Civil Service Law, charges of misconduct for violation of any of these rules shall be made, heard and determined as prescribed in that section.
7. In the case of any staff member who does not hold a position in the classified Civil Service and is not covered by the provisions of Section 75 of the Civil Service Law, the superintendent attend to the violation as agreed upon within the terms of the collective bargaining agreement.

D. Enforcement Program

The responsibility for enforcement is as follows:

1. The superintendent shall be responsible for the enforcement of these rules, and he shall designate other administrative officers who are authorized, including but not limited to building principals, to take action in accordance with such rules when required or appropriate.
2. The superintendent or designee may apply to the public authorities for any aid which he deems necessary in causing the ejection of any violator of these rules, and he may request the school attorney to apply to any court of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of these rules.
3. The superintendent or his designee shall be promptly notified each time civil authorities are called on for this purpose by the person requesting assistance.

E. Application of Rules

These rules shall apply to all school property and school functions of the district and shall govern the conduct of students, teachers, staff members, as well as visitors and other licensees and invitees.

XVIII. Dissemination and Review

A. Dissemination of Code of Conduct

The board will work to ensure that the community is aware of this code of conduct by:

1. Providing copies of a summary of the code to all students at a general assembly held at the beginning of each school year.
2. Making copies of summary of the code of conduct written in plain language available to all parents at the beginning of the school year and making such available thereafter upon request.
3. Placing a copy of the code of conduct and a summary of the code of conduct written in plain language on the school district website.

4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Providing all new employees with a copy of the current code of conduct when they are first hired.
6. Making copies of the code available for review by students, parents and other community members via website and at each school office.

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

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

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

Before adopting any revisions to the code, the board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

The code of conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

2009 3410
1 of 3

Community Relations

SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY

The District has developed and will amend, as appropriate, a written Code of Conduct for the Maintenance of Order on School Property, including school functions, which shall govern the conduct of students, teachers and other school personnel, as well as visitors. The Board of Education shall further provide for the enforcement of such Code of Conduct.

For purposes of this policy, and the implemented Code of Conduct, school property means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the District's elementary or secondary schools, or in or on a school bus; and a school function shall mean a school-sponsored extracurricular event or activity regardless of where such event or activity takes place, including those that take place in another state.

The District Code of Conduct has been developed in collaboration with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel.

The Code of Conduct shall include, at a minimum, the following:

- a) Provisions regarding conduct, dress and language deemed appropriate and acceptable on school property and at school functions, and conduct, dress and language deemed unacceptable and inappropriate on school property; provisions regarding acceptable civil and respectful treatment of teachers, school administrators, other school personnel, students and visitors on school property and at school functions; the appropriate range of disciplinary measures which may be imposed for violation of such Code; and the roles of teachers, administrators, other school personnel, the Board of Education and parents/ persons in parental relation to the student;
- b) Standards and procedures to assure security and safety of students and school personnel;
- c) Provisions for the removal from the classroom and from school property, including a school function, of students and other persons who violate the Code;
- d) Provisions prescribing the period for which a disruptive student may be removed from the classroom for each incident, provided that no such student shall return to the classroom until the Principal (or his/her designated School District administrator) makes a final determination pursuant to Education Law Section 3214(3-a)(c) or the period of removal expires, whichever is less;
- e) Disciplinary measures to be taken for incidents involving the possession or use of illegal substances or weapons, the use of physical force, vandalism, violation of another student's civil rights, harassment and threats of violence;

(Continued)

Community Relations

SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)

- f) Provisions for detention, suspension and removal from the classroom of students, consistent with Education Law Section 3214 and other applicable federal, state and local laws, including provisions for school authorities to establish procedures to ensure the provision of continued educational programming and activities for students removed from the classroom, placed in detention, or suspended from school, which shall include alternative educational programs appropriate to individual student needs;
- g) Procedures by which violations are reported and determined, and the disciplinary measures imposed and carried out;
- h) Provisions ensuring the Code of Conduct and its enforcement are in compliance with state and federal laws relating to students with disabilities;
- i) Provisions setting forth the procedures by which local law enforcement agencies shall be notified of Code violations which constitute a crime;
- j) Provisions setting forth the circumstances under and procedures by which parents/persons in parental relation to the student shall be notified of Code violations;
- k) Provisions setting forth the circumstances under and procedures by which a complaint in criminal court, a juvenile delinquency petition or person in need of supervision ("PINS") petition will be filed;
- l) Circumstances under and procedures by which referral to appropriate human service agencies shall be made;
- m) A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, provided that the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law. For purposes of this requirement, as defined in Commissioner's Regulations, "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom" shall mean engaging in conduct which results in the removal of the student from the classroom by teacher(s) pursuant to the provisions of Education Law Section 3214(3-a) and the provisions set forth in the Code of Conduct on four (4) or more occasions during a semester, or three or more occasions during a trimester, as applicable;
- n) A minimum suspension period for acts that would qualify the student to be defined as a violent student pursuant to Education Law Section 3214(2-a)(a). However, the suspending authority may reduce the suspension period on a case-by-case basis consistent with any other state and federal law;

(Continued)

SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY (Cont'd.)

- o) A Bill of Rights and Responsibilities of Students which focuses upon positive student behavior, and which shall be publicized and explained to all students on an annual basis; and
- p) Guidelines and programs for in-service education programs for all District staff members to ensure effective implementation of school policy on school conduct and discipline.

The Code of Conduct has been adopted by the Board of Education only after at least one public hearing that provided for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties. Copies of the Code of Conduct shall be disseminated pursuant to law and Commissioner's Regulations.

The District's Code of Conduct shall be reviewed on an annual basis, and updated as necessary in accordance with law. The School Board shall reapprove any updated Code of Conduct or adopt revisions only after at least one (1) public hearing that provides for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties.

- 1) The District shall file a copy of its Code of Conduct and all amendments to the Code with the Commissioner of Education no later than thirty (30) days after their respective adoptions.

Privacy Rights

As part of any investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Education Law Sections 2801 and 3214
Family Court Act Articles 3 and 7
Vehicle and Traffic Law Section 142
8 New York Code of Rules and Regulations (NYCRR)
Section 100.2(l)(2)

- 2)

NOTE: Refer also to Policy #7310 -- School Conduct and Discipline
District Code of Conduct on School Property

Adopted: 6/10/09

Community Relations

SUBJECT: UNLAWFUL POSSESSION OF A WEAPON UPON SCHOOL GROUNDS

It shall be unlawful for any person to knowingly possess any air-gun, spring-gun or other instrument or weapon in which the propelling force is a spring, air, piston or CO2 cartridge upon school grounds or in any District building without the express written authorization of the Superintendent or his/her designee.

Additionally, the possession of any weapon, as defined in the New York State Penal Code, on school property or in school buildings is prohibited, except by law enforcement personnel or upon written authorization of the Superintendent/designee.

Unlawful possession of a weapon upon school grounds may be a violation of the New York State Penal Law, and is a violation of School District policy and the Code of Conduct.

Penal Law Sections 265.01-265.06

NOTE: Refer also to Policy #7360 -- Weapons in School and the Gun-Free Schools Act

Adopted: 6/10/09

Community Relations

SUBJECT: THREATS OF VIOLENCE IN SCHOOL

The School District is committed to the prevention of violence against any individual or property in the schools or at school activities whether such acts and/or threats of violence are made by students, staff, or others. Threats of violence against students, school personnel and/or school property will not be tolerated whether or not such threats occur on school grounds or during the school day.

Any acts and/or threats of violence, including bomb threats, whether made orally, in writing, or by e-mail, shall be subject to appropriate discipline in accordance with applicable law, District policies and regulations, as well as the *Code of Conduct for the Maintenance of Order on School Property* and collective bargaining agreements, as may be necessary.

While acknowledging an individual's constitutional rights, including applicable due process rights, the District refuses to condone acts and/or threats of violence which threaten the safety and well being of staff, students and the school environment. Employees and students shall refrain from engaging threats or physical actions which create a safety hazard for others.

All staff who are made aware of physical acts and/or threats of violence directed to students or staff are to report such incidents to the Building Principal/designee, who shall report such occurrences to the Superintendent. Additionally, the Building Principal/designee will also report occurrences of violence, whether involving an actual confrontation or threat of potential violence, to the school psychologist and/or Director of Special Education if applicable. Local law enforcement agencies may be called as necessary upon the determination of the Superintendent/designee.

Students are to report all acts and/or threats of violence, including threats of suicide, of which they are aware by reporting such incidents to the school hotline, a faculty member, or the Building Principal.

The District reserves the right to seek restitution, in accordance with law, from the parent/guardian and/or student for any costs or damages which had been incurred by the District as a result of the threats or acts of violence in the schools.

This policy will be enforced in accordance with applicable laws and regulations, as well as collective bargaining agreements and the *Code of Conduct* as may be necessary. Additionally, this policy will be disseminated, as appropriate, to students, staff, and parents and will be available to the general public upon request.

- 3) Appropriate sanctions for violations of this policy by students will be addressed in the *Code of Conduct*.

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT

The Board of Education affirms its commitment to nondiscrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation. Harassment is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of harassment, actual or perceived, on the basis of race, color, national origin, religion, marital status, military status, sex, age, sexual orientation, gender (identity, expression), disability, ethnic group, religious practice, or weight by employees, school volunteers, students, and non-employees such as contractors and vendors as well as any third parties who are participating in, observing, or otherwise engaging in activities subject to the supervision and control of the District.

Sexual orientation is defined as heterosexuality, homosexuality, bisexuality, or asexuality, whether actual or perceived.

The Board also prohibits harassment based on an individual's opposition to discrimination or participation in a related investigation or complaint proceeding under the anti-discrimination statutes. This policy of nondiscrimination and anti-harassment will be enforced on School District premises and in school buildings; and at all school-sponsored events, programs and activities, including those that take place at locations off school premises and in another state.

It is intended that this policy apply to the dealings between or among employees with employees; employees with students; students with students; employees/students with vendors/contractors and others who do business with the School District, as well as school volunteers, visitors, guests and other third parties. All of these persons are hereinafter referred to collectively as "the named group."

For purposes of this policy, harassment shall mean communication (verbal, written or graphic) and/or physical conduct based on an individual's actual or perceived race, color, national origin, religion, marital status, military status, sex, age, sexual orientation, gender (identity, expression), disability, ethnic group, religious practice, or weight that:

- a) Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual; and/or creates an intimidating, hostile or offensive work environment;
- b) Has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creates an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit;
- c) Otherwise adversely affects the employment and/or educational opportunities and benefits provided by the District.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

The School District will act to promptly investigate all complaints, either verbal or written, formal or informal, of allegations of harassment based on any of the characteristics described above; and will promptly take appropriate action to protect individuals from further harassment. The District will designate, at a minimum, two (2) Complaint Officers, one of each gender.

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee, student, or other member of the above named group who believes he/she has been a victim of harassment in the school environment and/or at programs, activities and events under the control and supervision of the District, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence of harassment, immediately report such alleged harassment; such report shall be directed to or forwarded to the District's designated Complaint Officer(s) through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged harassment will also be promptly investigated in accordance with the terms of this policy. In the event that the Complaint Officer is the alleged offender, the report will be directed to the next level of supervisory authority.

Upon receipt of an informal/formal complaint, the District will conduct a thorough investigation of the charges. However, even in the absence of an informal/formal complaint, if the District has knowledge of any occurrence of harassment, the District will investigate such conduct promptly and thoroughly. To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a "need to know" basis.

Based upon the results of this investigation, if the District determines that an employee and/or student has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with applicable laws and/or regulations, District policy and regulation, and the District Code of Conduct. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations and/or the Code of Conduct, will be subject to appropriate sanctions as warranted and in compliance with law. The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted.

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of harassment. Follow-up inquiries shall be made to ensure that harassment has not resumed and that all those involved in the investigation of the harassment complaint have not suffered retaliation.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

Finding That Harassment Did Not Occur

At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the Complaint Officer will so notify the complainant, the alleged offender and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation and/or pursuing other legal avenues of recourse.

However, even if a determination is made that harassment did not occur, the Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the school community is not conducive to fostering harassment in the workplace.

In all cases, the Superintendent will inform the Board of Education of the results of each investigation involving a finding that harassment did not occur.

Knowingly Makes False Accusations

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of harassment may also face appropriate disciplinary action.

Privacy Rights

As part of any investigation, the District has the right to search all school property and equipment including District computers. Rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, but the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

Development and Dissemination of Administrative Regulations

Regulations will be developed for reporting, investigating, and remedying allegations of harassment based on the characteristics described above. An appeal procedure will also be provided to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable Complaint Officer(s). Such regulations will be developed in accordance with federal and state law as well as any applicable collective bargaining agreement(s).

The Superintendent/designee(s) will affirmatively discuss the topic of harassment with all employees and students, express the District's condemnation of such conduct, and explain the sanctions for such harassment. Appropriate training and/or "awareness" programs will be established for staff and students to help ensure knowledge of and familiarity with the issues pertaining to harassment in the schools, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for the investigation of harassment complaints.

(Continued)

SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL DISTRICT (Cont'd.)

A copy of this policy and its accompanying regulations will be available upon request and may be posted at various locations in each school building. The District's policy and regulations on anti-harassment will be published in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

This policy should not be read to abrogate other District policies and/or regulations or the District Code of Conduct prohibiting other forms of unlawful discrimination, inappropriate behavior, and/or hate crimes within this District. It is the intent of the District that all such policies and/or regulations be read consistently to provide the highest level of protection from unlawful discrimination in the provision of employment/educational services and opportunities. However, different treatment of any member of the above named group which has a legitimate, legal and nondiscriminatory reason shall not be considered a violation of District policy.

Age Discrimination in Employment Act,
29 United States Code (USC) Section 621

Americans With Disabilities Act,
42 United States Code (USC) Section 12101 et seq.
Prohibits discrimination on the basis of disability.

Section 504 of the Rehabilitation Act of 1973,
29 United States Code (USC) Section 794 et seq.
Prohibits discrimination on the basis of disability.

Title VI of the Civil Rights Act of 1964,
42 United States Code (USC) Section 2000d et seq.
Prohibits discrimination on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964,
42 United States Code (USC) Section 2000e et seq.
Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title IX of the Education Amendments of 1972,
20 United States Code (USC) Section 1681 et seq.
Prohibits discrimination on the basis of sex.

Civil Rights Law Section 40-c
Prohibits discrimination on the basis of race, creed, color, national origin, sex, sexual orientation, marital status or disability.

Education Law Section 2801(1)

(Continued)

Community Relations

**SUBJECT: NON-DISCRIMINATION AND ANTI-HARASSMENT IN THE SCHOOL
DISTRICT (Cont'd.)**

Executive Law Section 290 et seq.

Prohibits discrimination on the basis of age, race, creed,
color, national origin, sex, sexual orientation, disability,
military status, or marital status.

Military Law Sections 242 and 243

NOTE: Refer also to Policies #6121 -- Sexual Harassment of District Personnel
#6122 -- Complaints and Grievances by Employees
#7550 -- Complaints and Grievances by Students
#7551 -- Sexual Harassment of Students
#7552 -- Bullying/Harassment Prevention and Intervention

Adopted June 23, 2012

REPORT FORM FOR REPORTS OR COMPLAINTS OF SEXUAL HARASSMENT, AND HARASSMENT BECAUSE OF RACE, NATIONAL ORIGIN, RELIGION AND DISABILITY

Complainant: _____

Home Address: _____

Work Address: _____

Home Phone: _____

Work Phone: _____

Date of alleged incident(s): _____

Did the incidents involve:
sexual _____ racial _____ national origin _____ disability _____ religion _____

Name of person(s) you believe harassed you or another person:

If the alleged harassment was toward another person, identify that other person

Describe the incident as clearly as possible, including such things as what force, if any, was used, any verbal statements (i.e. threats, requests, demands, etc.), what, if any physical contact was involved. Attach additional pages as necessary.

When and where did the incident occur?

List any witnesses who were present:

This complaint is based upon my honest belief that _____ has harassed me or another person. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant's signature

Date

Received by

Date

SUBJECT: COMPLAINTS CONCERNING SCHOOL PERSONNEL

General complaints or inquiries concerning school personnel shall be referred to the department or school to which the matter pertains.

Normally, such complaints or inquiries shall be referred to the immediate supervisor who will make initial inquiries and investigations, and if unable to resolve the matter satisfactorily shall refer the matter to the next appropriate level. If necessary the matter will be referred through successive levels of authority to the Superintendent of Schools.

All administrators will process such complaints in a thorough and expeditious manner.

Complaints against personnel will be discussed by supervisors only with superiors or with those persons directly involved in the matter.

Applicable provisions of all contracts with negotiating units, in addition to federal and state laws and Board of Education policies pertaining to Rights of Privacy, will be strictly observed in the processing of complaints and inquiries about Otselic Valley School District employees.

Discrimination or Harassment Complaints

Any type of discrimination or harassment allegedly occurring within the District shall be investigated promptly, equitably and thoroughly by the appropriate official in accordance with District policy, regulations and procedures as outlined in Policy #3420. All reports of alleged discrimination or harassment will be held confidential to the extent possible consistent with the District's legal obligations in conducting a thorough investigation and/or taking appropriate disciplinary measures.

Refer to appropriate regulations and sample complaint form as noted in Policy #3420 for specific guidelines to be utilized in the reporting, investigation and resolution of discrimination, general harassment or sexual harassment complaints.

Civil Rights Compliance Officer

The Civil Rights Compliance Officer is the Superintendent of Schools. The Civil Rights Compliance Officer shall be appointed by the Board and shall be responsible for providing information, including complaint procedures, and for handling complaints relative to civil rights (e.g., Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, etc.) for any student, parent, employee or employment applicant.

(Continued)

SUBJECT: COMPLAINTS CONCERNING SCHOOL PERSONNEL (Cont'd.)

NOTE: Refer also to Policies #3420 -- Nondiscrimination and Anti-Harassment in the School District

#6121 -- Sexual Harassment of District Personnel

#6122 -- Complaints and Grievances by Employees

#7550 -- Complaints and Grievances by Students

#7551 -- Sexual Harassment of Students

#7552 -- Bullying/Harassment Prevention and Intervention

First Reading: 2/19/2014

Second Reading: 3/19/2014

Name of complainant: _____ Date submitted: _____

Address: _____

Home phone: _____ Cell: _____ Work: _____
(please circle the number you'd prefer us to call)

The complainant is: (check all that apply):

- _____ an employee, holding the position of _____ at _____ (location)
- _____ a student, grade _____ at _____ (school or location)
- _____ a parent or community member
- _____ other (please specify your relationship with or association to the District) _____

Basis of this complaint/grievance (Please explain):

Name and/or description of accused person(s): _____

Description of Incident: _____

Date, Time and Place of Violation(s): _____

Witnesses, if any, or others who should be contacted with knowledge important to this investigation, including contact information for each: _____

Others you may have discussed this complaint/grievance/incident with, including contact information for each: _____

Has this incident/discrimination been previously reported? []Y []N If yes, when and to whom?

Describe remedy sought by Complainant: _____

Date

Signature of Complainant

(This form is to be used for all complaints within the Otselic Valley School District, except incidents of alleged discrimination or harassment)

**OTSELIC VALLEY SCHOOL DISTRICT
DISTRICT RESPONSE TO COMPLAINT FORM**
(To Be Completed by Various District Personnel)

Decision of Principal or Supervisor and Action Taken

Action Taken by Superintendent

Action by the Board

Other Comments

Date

Signature of Principal or Supervisor

Date

Signature of Superintendent

**OTSELIC VALLEY SCHOOL DISTRICT
APPEAL FORM (if applicable)**

Name and Position of Complainant:

Date Appeal Filed:

Date Original Complaint Filed:

Have There Been Any Prior Appeals Filed Related to this Complaint?

If Yes, When and to Whom?

Describe the Decision Being Appealed and Why:

_____ Date

_____ Signature of Complainant

SUBJECT: EMERGENCY SCHOOL CLOSINGS

In the event it is necessary to close school for the day, activate a delayed starting time or early dismissal (as well as information relating to cancellation of after-school activities/late bus runs) due to inclement weather, impassable roads, or other emergency reasons, announcement thereof shall be made over local radio and television stations and the Internet/District Website as designated by the Board of Education.

When school is closed due to inclement weather, the decision to continue with or to cancel scheduled co-curricular activities, extracurricular activities, or sporting events shall rest with the Superintendent of Schools or his/her designee.

The attendance of personnel shall be governed by their respective contracts.

Education Law Section 3604(7)

Adoption Date: March 21, 2012