

# **PUTNAM VALLEY MIDDLE SCHOOL**

## **Student Handbook 2014-2015**

142 Peekskill Hollow Road  
Putnam Valley, New York 10579

MS Telephone: 845-528-8101

MS Fax: 845-528-8145

<http://pvcsd.org/ms>

Edward J. Hallisey, Principal

Michael R. Hanna, Assistant Principal

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

# **Welcome!**

You are about to embark on a new adventure. If you are experiencing your first year at Putnam Valley or are a returning student, you are part of a family of exceptional people all learning and growing together.

As you learn about others and gain knowledge and skills, you will receive the full support of every staff member who will assist you in your preparation for the future. In turn, you will be expected to value your learning experience, respect others and contribute to your own success to enable you to fulfill your dreams.

Welcome to the Putnam Valley Middle School family.

Edward J. Hallisey  
Principal

Michael R. Hanna  
Assistant Principal

# Putnam Valley Middle School Student Handbook

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PUTNAM VALLEY CENTRAL SCHOOL DISTRICT  
MISSION STATEMENT:

The Putnam Valley Central School District, in partnership with our families and community, will ensure that all students are engaged in a challenging, student-focused, educational program, understand and assume their responsibility for life-long learning, work to achieve their personal best and become productive citizens in a diverse global society.

## **CLASS Schedule**

**Period 1                      7:50 - 8:42**

**Period 2                      8:46 - 9:26**

**Period 3                      9:30 - 10:10**

**Period 4                      10:14 - 10:54**

**Period 5                      10:58 - 11:38**

**Period 6                      11:42 - 12:22**

**Period 7                      12:26 - 1:06**

**Period 8                      1:10 - 1:50**

**Period 9                      1:54 - 2:34**

## **GENERAL STUDENT INFORMATION**

### **BUILDING ACCESS**

For security purposes there will be no entry or departure to the Middle School other than through the front doors of the main lobby. Students should not open doors for anyone seeking entrance at any other location.

Putnam Valley Central School District has a “closed campus” that limits the movement of students during the day to school buildings and grounds while under the supervision of district employees. This policy is in accordance with several laws applied together, including the Pro-Children Act of 2001, No Child Left Behind Legislation (NCLB), Section 4301 (Non-Smoking Policy for Children's Services), and the NYS Public Health Law, Section 1399-0.

### **DINING HALL**

Students will be permitted to use the Dining Hall during breakfast (before 1<sup>st</sup> period) and assigned lunch periods only. Buying food at other times is not permitted. Food and beverages are not allowed outside the Dining Hall.

Please remember that eating in the Dining Hall is a privilege. While it is understandable that the lunch period is your break from class time, you are always expected to exhibit courteous and appropriate behavior while considering the needs of other students and staff. The Dining Hall is part of your environment. It will be as clean as you make it. Students will abide by the Dining Hall expectations at all times, which are posted in the Dining Hall.

### **CARE OF SCHOOL PROPERTY**

The books, classroom furniture, technology tools, and other supplies that have been loaned to you require your reasonable attention and care. School is a time to learn and learning responsibility for one's actions is a requirement of the adult world that you are beginning to enter. Therefore, you will be expected to pay for damages or loss for any item such as library books, textbooks, laptops, iPads, or other equipment that is not returned in the condition received.

### **COMMUNICATIONS DEVICES/ELECTRONIC EQUIPMENT**

Radios, miniature TV's, CD players, iPods, beepers, lasers, and cellular phones (all electronic communication devices) are not allowed during the school day. At the Middle School, students who use these on the bus to and from school are required to leave them in their lockers during school hours unless approved by administration. Cell phones used during the school day will be returned only to parents.

## **FIRE DRILLS**

Fire drills are required under New York State Education Law and provide preparation for the safe and orderly evacuation of students from the building in the event of a real emergency. You should always assume that a fire drill is the “real thing” and not just a practice. Always follow procedures as quickly and quietly as possible, no matter when a fire drill occurs. Every precaution is made to prevent fires, and students are expected to do what is necessary and prudent to cooperate. This includes no smoking in the building or on school grounds and reporting any unsafe conditions that may lead to fire.

Persons falsely reporting a fire will be subject to arrest, prosecution, and school administrative disciplinary action.

## **HALL PASSES**

For safety reasons, we will always want to know where you are. If you are out of your regular classroom for any reason, you must have a pass.

- Obtain a signed pass from an authorized staff member before leaving a class or returning to a class
- If you need to see a teacher, obtain a pass in advance.

## **HONOR ROLL**

There is a two-tiered academic honor roll at the Middle School:

**High Honor Roll:** 95.0% and above

**Honor Roll:** 90.0% - 94.9%

## **ILLNESS**

If you feel ill during the school day, you should ask for a pass and go to the nurse’s office. Students who need to leave early because of illness must have a parent or a person the parent has designated in writing, sign them out in person and accompany them home.

## **LOCKERS**

- It is expected that you will keep your hall and gym lockers locked at all times.
- PLEASE DO NOT LEAVE VALUABLES IN HALL OR GYM LOCKERS.
- The school is not responsible for valuables and personal articles left in lockers.
- Lockers are school property and are not to be defaced or decorated inappropriately.
- School staff and/or administration can check student lockers when deemed necessary or appropriate.
- Inappropriate objects found in a locker will be presumed to be the property of the student to whom the locker was assigned.



## **MEDICATION**

The following written information must be presented to the Health Office in order for the school nurse to dispense medication: WRITTEN request signed by the physician with the following information: Name of student, diagnosis, name of medication, prescribed dosage, frequency and route of administration, time to be taken during school hours, duration of treatment, possible side effects (if any), other recommendations (such as take with food, without food, etc.) All medication must be delivered directly to the school nurse by the parent in the properly labeled original container from the pharmacy. No medications are to be given to students to bring to school on the school bus. A verbal or telephone request from the parent or physician is NOT acceptable.

## **NATIONAL JUNIOR HONOR SOCIETY**

The National Junior Honor Society was founded in 1929. The same qualities of scholarship, leadership, citizenship and service apply to the selection process for this prestigious organization. To be considered for induction, Middle School students need to have a 92.5 weighted average in all subject areas for grade 7 and the first two quarters of grade 8. There can be no report card grades under an 85. Student applications will be judged by a faculty committee. Essays will be scored by a Rubric. An evening induction ceremony is also scheduled to celebrate student success.

Inappropriate behavior (whether in school or out in the community) can affect a student's application to or continued membership in the National Junior Honor Society.

## **RESPECT FOR AUTHORITY**

In school, it is expected that you will respond to reasonable requests from adult supervisors. If you fail to do so, you will be subject to disciplinary action. It is important that lines of authority be maintained in any organization for the safety and well being of the entire student population.

## **SCHOOL CLOSING**

In the event of emergencies such as inclement weather or the mechanical breakdowns, school may be delayed or closed. These same conditions may also necessitate early dismissal. School closings, delayed starting times, or early dismissals will be announced via our automated Connect-ED phone notification system. All middle school students go home on the bus during an early dismissal unless other arrangements have been made. Please have a family plan in place so your child has access to your house in case of an emergency.

## **STUDENT GOVERNMENT**

Students in grades 5-8 may participate in student government. Through elected representatives, students will have a chance to participate in their own government. The classroom representatives and/or class officers bring to and from each meeting ideas and suggestions. It is the goal of the student government to stimulate a strong feeling of school spirit, unity and deep pride in our schools.

## **TRANSPORTATION/AFTER SCHOOL BUSES**

The behavior you exhibit on the school bus coming to and from school or while traveling on school business should be the same behavior you are expected to exhibit in the school building. Use of the school bus is a privilege. This privilege can be suspended if a student misbehaves or disobeys rules established by the driver.

## **ATTENDANCE POLICY**

The Putnam Valley Central School District's Board of Education recognizes that regular school attendance is a major component of academic success, and that school attendance is both a right and a responsibility. The Putnam Valley School District is an active partner with students and parents in the task of ensuring that all students meet or exceed the New York State Learning Standards. Because the school district recognizes that consistent school attendance, academic success and school completion have a positive correlation; the school district has developed a Comprehensive Student Attendance Policy. Putnam Valley Middle and High School have implemented an attendance policy that aligns with and supports the district's attendance philosophy and policy. In particular, the attendance policy aims to:

- a) To increase school completion for all students;
- b) To raise student achievement and close gaps in student performance;
- c) To know the whereabouts of every student for safety and other reasons;
- d) To verify that individual students are complying with education laws relating to compulsory attendance.

The School District has determined that absences, tardiness and early departures will be considered excused or unexcused according to the following standards:

- a) **EXCUSED:** An absence, tardiness or early departure may be excused if due to personal illness, illness or death in the family, impassable roads due to inclement weather, religious observance, quarantine, required court appearances, attendance at health clinics, approved college visits, approved cooperative work programs, military obligations or other such reasons as may be approved by the Board of Education.

**UNEXCUSED:** An absence, tardiness or early departure is considered unexcused if the reason for the lack of attendance does not fall into the above categories (e.g., family vacation, hunting, babysitting, hair cut, obtaining learner's permit, road test, oversleeping).

**PERIOD-BY-PERIOD ATTENDANCE:** Each student's presence or absence shall be recorded after the taking of attendance in **each period of scheduled instruction**. Any absence for a school day or portion of a school day shall be recorded as excused or unexcused in accordance with the standards articulated in this policy. In the event that a student arrives late for or departs early from a period of scheduled instruction, such tardiness or early departure shall be recorded as excused or unexcused by the classroom teacher and reported in accordance with the standards articulated in this policy.

Upon return to school (or within five school days), a student must present to the Attendance Officer a note from a parent/guardian explaining the absence as excused.

Unexcused absences, tardiness and early departures will result in disciplinary sanctions as described in the District's Code of Conduct. Consequences may include, but are not limited to, detention, in-school suspension, and denial of participation in interscholastic and extracurricular activities.

The District believes that classroom participation is related to and affects a student's performance and grasp of the subject matter, and, therefore, is properly reflected in a student's final grade. For purposes of this policy, classroom participation means that a student is in class and prepared to work. Consequently,

for each marking period a predetermined percentage of a student's final grade will be based on classroom participation as well as the student's performance on homework, tests, papers, projects, etc. as determined by the building administrator and/or classroom teacher. Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, unexcused student absences, tardiness, and early departures will affect a student's grade, including credit for classroom participation, for the marking period.

Students who are absent from class due to their participation in a school-sponsored activity are to arrange with their teachers to make up any work missed in a timely manner as determined by the student's teacher. Attendance at school-sponsored events where instruction is substantially equivalent to the instruction that was missed shall be counted as the equivalent to regular attendance in class.

Upon returning to school following a properly excused absence, tardiness or early departure, it shall be the responsibility of the student to consult with his/her teacher(s) regarding arrangements to make up missed work, assignments and/or tests in accordance with the time schedule specified by the teacher.

ALL ABSENCES, TARDINESS, AND EARLY DEPARTURES MUST BE ACCOUNTED FOR. It is the parent/guardian's responsibility to (1) **call or email** the school attendance office within 24 hours of the absence, tardiness or early departure and to (2) **provide a written explanation** within 5 days of the student's return to school. **Any absence that remains undocumented after the 5 day time period will be recorded as unexcused.**

### **CUTTING AN ASSIGNED PERIOD**

A cut is an absence from class or lunch without the teacher's knowledge AND permission. For a class absence to be legal, the teacher must not only know about it, but must give permission. If you cut a class, you are subject to administrative disciplinary action.

### **EARLY LEAVES**

In order to leave early, you must bring a note signed by your parent or guardian and give it to the Main Office. The note should include (1) the date of the early leave, (2) the time you will be leaving, (3) the reason for the early leave, (4) parent phone number to verify the early leave and (5) whether or not the student will be returning to school that day. For safety reasons, early leave requests may not be granted over the phone. In the case of an emergency, the parent or guardian or a person the parent designates in writing must come to the main office in person to sign the student out.

Before leaving the school for an approved early leave appointment, you must report to the Main Office and formally sign out. If you return to school after an appointment, you must also report to the Main Office to be officially admitted to school. **No student, under any circumstances, is to leave school without being officially excused or return without being officially admitted. Leaving the school without permission is strictly forbidden and will result in administrative disciplinary action.**

## **LATE TO CLASS**

A student is late to class if he/she arrives after designated time that signals the beginning of class. A little late is too late. Students who are continually late to class will be subject to disciplinary action.

## **LATE TO SCHOOL**

Putnam Valley Schools try to teach good work habits and responsibility by stressing the importance of being on time for school. If you are not in your assigned class by the time the designated time at the Middle School, you will be considered late. You must report to the attendance office to sign in for the day. If a student has a legitimate reason for lateness, a note from the parent or guardian must be brought in on the date of the lateness. Chronic lateness, even with a parent note, is subject to administrative review.

## **TRUANCY**

Truancy is an unauthorized absence from school without your parent or guardian knowing about it. Truancy is a violation of New York State Law, and is subject to disciplinary measures imposed by the school and Family Court. Any student can be considered truant regardless of his or her age.

## **STUDENT RESPONSIBILITIES**

### **MAJOR EXPECTATIONS**

As a student of Putnam Valley Central School District, whether in school, on school grounds, or at school activities, you are expected to conduct yourself in a manner, which reflects respect for yourself and others. The main purpose of PVCSD is to provide a quality education in a safe and orderly environment. If you interfere with or hinder this process, you will be subject to disciplinary action. The rules and regulations in this section are in effect during the school day and at all school-sponsored activities, on or off campus. This includes field trips, athletic contests, dances, etc.

### **SCHOOL TRIPS**

As a student of PVCSD, you are expected to act appropriately during any off-campus activity. All school rules apply and must be respected. If any school rules are violated, disciplinary action will be taken during the trip and/or upon return to school. All students' academic, attendance, and citizenship records will be reviewed prior to any school trip with regard to their eligibility. A student may be denied if he/she does not meet the appropriate criteria. Prior to all school trips/off-campus activities, students are subject to being searched. This includes but is not limited to personal bags, possessions, and/or carry-on items.

### **OFF CAMPUS MISCONDUCT**

A student may be subject to discipline for conduct constituting a crime which is committed off of school premises or at non-school sponsored activities to the extent that the Superintendent of Schools and/or Board of Education believes that the continued attendance upon instruction of the student would constitute an endangerment to the health, safety, welfare or morals of the student and/or others in our schools.

# Code of Conduct

The Board of Education 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, 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.

## **5300.10 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.

"Gender" means actual or perceived sex and shall include a person's gender identify or expression.

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

"Gender identity" is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned from birth.

"Parent" means parent, guardian or person in parental relation to a student.

"School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law §142.

"School function" means any school-sponsored extra-curricular event or activity.

"Violent student" means a student under the age of 21 who:

1. Commits an act of violence upon a school employee, or attempts to do so.
2. Commits, 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. Possess, 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 §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, 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.

### **5300.15 STUDENT RIGHTS AND RESPONSIBILITIES**

#### **A. Student Bill of Rights**

The District is committed to safeguarding the rights given to all students under federal and state law and District policy. In addition, to promote a safe, healthy, orderly and supportive school environment, all district students have the right to:

1. All children have the right to a healthy, secure, nurturing infancy and early childhood.
2. All children have the right to live in circumstances, which permit healthy intellectual, emotional, physical, and moral development.
3. All children have the right to a free, sound, basic education.
4. Each child has the right to an education appropriate for his or her individual needs.
5. All children have the right to an education, which respects their culture, race, socioeconomic background and the language of their home.
6. All children have the right to schools and educational programs which are effective.
7. All children have the right to educational programs, which prepare them for jobs, for college, for responsible family life and for citizenship in a self-governing society.
8. All children have the right to pursue their education without fear.
9. All children have the right to the resources needed to secure their educational rights.
10. All children are entitled to an education, which involves responsibilities as well as rights.
11. Take part in all district activities on an equal basis regardless of race, weight, color, creed, national origin, ethnic group, religion, religious practice, gender or sexual orientation or disability.
12. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
13. Access school policies, regulations and rules and, when necessary, receive an explanation of those rules from school personnel.

#### **B. Student Responsibilities**

All district students have the responsibility to:

1. Contribute to maintaining a safe, supportive and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by 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 manage their anger.
7. Ask questions when they do not understand.
8. Seek help in solving problems.
9. Dress appropriately for school and school functions.
10. Accept responsibility for their actions.
11. 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.

**5300.20**

### **ESSENTIAL PARTNERS**

#### **A. Parents-All parents are expected to:**

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community and collaborate with the District to optimize their child's educational opportunities.
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 so that their children can help create a safe, supportive school environment.
8. Convey to their children a supportive attitude toward education and the district.
9. Build positive, constructive relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.

#### **B. Teachers**

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity 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' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Maintain confidentiality in conformity with federal and state law.
6. 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.
7. Communicate regularly with students, parents and other teachers concerning growth and achievement.



8. Participate in school-wide efforts to provide adequate supervision in all school spaces, in conformity with the Taylor Law.
9. Address issues of harassment 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.
10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.

#### C. Guidance Counselors

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.
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. Maintain confidentiality in accordance with federal and state law.
6. Provide information to assist students with career planning.
7. Encourage students to benefit from the curriculum and extracurricular programs.
8. Make known to students and families the resources in the community that are available to meet their needs.
9. Participate in school-wide efforts to provide adequate supervision in all school spaces.
10. Address issues of harassment 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.
11. Address personal biases that may prevent equal treatment of all students.

#### D. Other School Personnel

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.
2. Maintain confidentiality in accordance with federal and state law.
3. Be familiar with the code of conduct.
4. Help children understand the district's expectations for maintaining a safe, orderly environment.
5. Participate in school-wide efforts to provide adequate supervision in all school spaces.
6. Address issues of harassment 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.

#### E. Principals/Administrators

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Ensure that students and staff have the opportunity to communicate regularly with the Principal and approach the Principal for redress of grievances.
3. Maintain confidentiality in accordance with federal and state law.
4. Evaluate on a regular basis all instructional programs.
5. Support the development of and student participation in appropriate extracurricular activities.
6. Provide support in the development of the Code of Conduct, when called upon. Disseminate the

Code of Conduct and anti-harassment policies.

7. Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
8. Participate in school-wide efforts to provide adequate supervision in all school spaces.
9. Address issues of harassment 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.
10. Address personal biases that may prevent equal treatment of all students and staff.

F. The Dignity Act Coordinators

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Oversee and coordinate the work of the district-wide and building-level bullying prevention committees.
3. Identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources.
4. Coordinate, with the Professional Development Committee, training in support of the bullying prevention committee.
5. Be responsible for monitoring and reporting on the effectiveness of the district's bullying prevention policy.
6. Address issues of harassment 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 and staff.

G. Superintendent

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Inform the Board about educational trends relating to student discipline.
3. Review with district administrators the policies of the Board of education and state and federal laws relating to school operations and management.
4. Maintain confidentiality in accordance with federal and state law.
5. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
6. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
7. Participate in school-wide efforts to provide adequate supervision in all school spaces.
8. Address issues of harassment 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.
9. Address personal biases that may prevent equal treatment of all students and staff.

H. Board of Education

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.
2. Maintain confidentiality in accordance with federal and state law.
3. Develop and recommend a budget that provides programs and activities that support achievement of the goals of the code of conduct.
4. 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.

5. 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.
6. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.
7. Address issues of harassment 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 and staff.

**5300.25**

### **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. Some examples include but are not limited to: chains, metal studs, sharp objects/studs, costumes, masks, articles of clothing/materials that cover face (i.e., hoods), head, and/or body. All articles of clothing are under the discretion of the administration and must be adhered to. Failure to do so will result in disciplinary action. This includes, but is not limited to having him/her change into something that is approved by administration, placing him/her into SAP (Student Alternative Placement) or sending the student home.
2. Recognize that extremely brief garments such as tube tops, net tops, halter-tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate.
3. Ensure that underwear is completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. No hats are worn during the school day unless special permission is granted.
6. Not include items that are vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
7. Not promote and/or endorse youth gangs, the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities. 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. 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.

## 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 educating students so they may 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 consequences for their conduct.

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

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include, but are not limited to:
  - 1. Running in hallways.
  - 2. Making unreasonable noise.
  - 3. Using language or gestures that are profane, lewd, vulgar or abusive.
  - 4. Obstructing vehicular or pedestrian traffic.
  - 5. Engaging in any willful act, which disrupts the normal operation of the school community.
  - 6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
  - 7. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet /intranet account; accessing inappropriate websites; or any other violation of the district's acceptable use policy.
- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include, but are not limited to:
  - 1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees in charge of students or otherwise demonstrating disrespect.
  - 2. Lateness for, missing or leaving school without permission.
  - 3. Skipping detention.
- C. Engage in conduct that is disruptive. Examples of disruptive conduct include, but are not limited to:
  - 1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
  - 2. Inappropriate public sexual contact.
  - 3. Display or use of personal electronic devices, such as, but not limited to, cell phones, I-pods, digital cameras, in a manner that is in violation of district policy.
- D. Engage in conduct that is violent. Examples of violent conduct include, but are not limited to:

1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon another student or any other person lawfully on school property or attempting to do so.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
4. Displaying what appears to be a weapon.
5. Threatening to use any weapon.
6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
7. Vandalism: Intentionally damaging or destroying school district property.

E. Engage in any conduct that endangers the safety, physical or mental health or welfare of others.

Examples of such conduct include:

1. Lying to school personnel.
2. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
4. Throwing food in the cafeteria is strictly forbidden. It is rude and unsafe. You are expected to exhibit the same courteous, appropriate behavior in the cafeteria as you would anywhere else in the building.
5. Discrimination, which includes the use of race, color, creed, national origin, ethnic group, religion, religious practice, sex, gender (identity and expression), sexual orientation, weight or disability to deny rights, equitable treatment or access to facilities available to others.
6. Harassment, which includes a sufficiently severe action or persistent pervasive pattern of actions or statements directed at an identifiable individual or group which are intended to be, or which a reasonable person would perceive as ridiculing or demeaning. Harassment is also the creation of a hostile environment. (See policy, 0115, Student Harassment and Bullying Prevention and Intervention for a more complete definition.)
7. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm.
8. Bullying, which may be a hostile activity, which harms or induces fear through the threat of further aggression and/or creates terror. (See policy 0115 for a more complete definition.)
9. Inappropriate displays of affection including, but not limited to, necking, kissing, sexual advances, etc. are in poor taste in a school setting. Therefore, this behavior is not allowed and students who disregard this face disciplinary action.
10. Hazing, which includes an induction, initiation or membership process involving harassment. (See policy, 0115, Student Harassment and Bullying Prevention and Intervention for a more complete definition.)
11. Selling, using or possessing obscene material.
12. Using vulgar or abusive language, cursing or swearing.
13. Smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco. New York's Clean Air Act of 1990 prohibits or limits smoking in most public places. Putnam Valley Central School prohibits smoking at all school events and anywhere in the school buildings or on school grounds at any time. A violation will result in administrative disciplinary action. Increasing penalties are in place for repeat offenders including referral to the Putnam County Health Department. **Tobacco Definition:** For the purposes of this policy, tobacco is defined to include any lighted or unlighted cigarette, cigar, cigarillo, pipe, clove cigarette, spit tobacco, e-cigarettes, (smokeless, dip, chew and/or snuff), rolling papers and any other tobacco paraphernalia, i.e., lighters, matches, pipes, and any other tobacco product in any form. **Students:** Possession

and/or use of tobacco by students at any time on school property or at school- sponsored events at off-site facilities are prohibited. This includes, but is not limited to, inside all school buildings, surrounding outdoor grounds within school property boundaries and any standing structure on or around school boundaries, school-owned or leased vehicles, in vehicles on school property and all school- sponsored events that occur off school property.

14. Possessing, consuming, selling, distributing or exchanging alcoholic beverages or illegal substances, or being under the influence of either. “Illegal substances” include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as “designer drugs.” Drugs – any substance that alters perception or behavior reducing that individual’s ability to function appropriately.
  15. Inappropriately using or sharing prescription and over-the-counter drugs.
  16. Gambling. This may include throwing dice, card playing or any other form of wagering on game-like activities. May include but not limited to the exchange of money, personal possessions, and/or tokens. No throwing/playing dice of any kind on school grounds. This activity is prohibited any persons violating this rule will face administrative disciplinary action.
  17. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
  18. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- F. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.
- G. Engage in any form of academic misconduct. Students who violate this rule will face academic penalties and possible administrative disciplinary action. Examples of academic misconduct include:
1. Cheating involves the TAKING or GIVING of answers on a test, quiz, or homework/class assignment, or using unauthorized notes or materials during a test, quiz or homework/class assignment. Cheating is strictly forbidden and will not be tolerated.
  2. Plagiarism involves the willful copying of previously published material from books, articles, term papers, Internet, etc. and the presentation of these materials as one’s own. This act constitutes fraud and is prohibited.
  3. Use of an electronic translator in a World Language Class.
  4. Copying.
  5. Altering records.
  6. Assisting another student in any of the above actions.
- H. Engage in off-campus misconduct that interferes with, or can reasonably be expected to substantially disrupt the educational process in the school or at a school function. Examples of such misconduct include, but are not limited to:
1. Cyberbullying i.e. inflicting willful and repeated harm through the use of electronic text.
  2. Threatening, hazing, harassing students or school personnel over the phone or other electronic medium.
  3. Using message boards to convey threats, derogatory comments or post pornographic pictures of students or school personnel.

## **REPORTING VIOLATIONS**

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the Building Principal or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the Principal, the Principal's designee or the Superintendent of Schools.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, 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, which may include permanent suspension and referral for prosecution.

The Principal or his/her designee must notify the appropriate local law enforcement agency of those code violations that constitute a crime and substantially affect the order or security of a school as soon as practical, but in no event later than the close of business the day the Principal or his/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 constituted a crime.

**5300.40**

## **DISCIPLINARY PENALTIES, PROCEDURES AND REFERRALS**

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

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

1. The student's age.
2. The nature of the offense and the circumstances, 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.

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

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

to his/her disability.

#### 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. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Oral warning – any member of the district staff
2. Written warning – bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, Principals, Superintendent (bus drivers, hall and lunch monitors give written warnings to the Assistant Principal or Principal who then contact the student and parent/guardian)
3. Written notification to parent/guardian – bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, Principals, Superintendent (bus driver, hall and lunch monitor notifications are sent out through the office of the Principal/Assistant Principal)
4. Detention – teachers, Principals, Superintendent
5. Suspension from transportation – Director of Transportation, Principals, Superintendent
6. Suspension from athletic participation – coaches, Principals, Superintendent, Athletic Director.
7. Suspension from social or extracurricular activities – activity director, Principals, Superintendent
8. Suspension of other privileges – Principals, Superintendent
9. In-school suspension – Principals, Superintendent
10. Removal from classroom by teacher – teachers, Principals
11. Short-term (five days or less) suspension from school – Principals, Superintendent, Board.
12. Long-term (more than five days) suspension from school – Superintendent.
13. Permanent suspension from school – Superintendent, Board.

#### B. 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 Principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the 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 §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the Principal or the Principal's designee to discuss the conduct and the penalty involved.

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

A student subjected to a suspension from athletic participation, extra-curricular activities or other privileges is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent 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. Student Alternative Placement

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 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 §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. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to:

- (1) short-term "time out" in an elementary classroom or in an administrator's office;
- (2) sending a student into the hallway briefly;
- (3) sending a student to the Principal's office for the remainder of the class time only; or (4) sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

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

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

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, provided that if such twenty-four hour period does not end on a school day, it shall be extended to the corresponding time on the next school day.

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 parent, in writing, 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 written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parent. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

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 Principal.

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

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

The Principal or his/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/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 Principals.

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

The Superintendent or Principal, upon receiving a recommendation or 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 (five days or less) Suspension from School

When the Superintendent or Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

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 10 business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

b. Long term (more than five days) Suspension from School

When the Superintendent determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's 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 10 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner of Education 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. Procedure After Suspension

The Board may condition a student's early return from a suspension on the student's voluntary participation in counseling or specialized classes, such as anger management or dispute resolution. The Board retains discretion in offering this opportunity. If and when the student and/or parent/guardian agrees to this option, the terms and conditions shall be specified in writing.

Minimum Periods of Suspension

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

- 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 or possessing a weapon on school property

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 parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent 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. Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for at least five days. For purposes of this code of conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law § 3214 (3-a) and this code on four or more occasions during a semester, or three or more occasions during a trimester. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent 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.

## D. 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 of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct that makes the student ungovernable, or habitually disobedient and beyond the lawful control of the school.
- c. Knowingly and unlawfully possesses marijuana in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.

### 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 § 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.

**5300.45**

### **ALTERNATIVE INSTRUCTION**

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

**5300.50**

### **DISCIPLINE OF STUDENTS WITH DISABILITIES**

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities who violate the district's student code of conduct, and/or to temporarily remove a student with disabilities from his or her current placement because maintaining the student in that placement is substantially likely to result in injury to the student or to others. The Board also recognizes that students with disabilities deemed eligible for special education services under the IDEA and Article 89 of New York's Education Law enjoy certain procedural protections that school authorities must observe when they decide to suspend or remove them. Under certain conditions those protections extend, as well, to students not currently deemed to be a student with a disability but determined to be a student presumed to have a disability for discipline purposes.

Therefore, the Board is committed to ensuring that the district follows suspension and removal procedures that are consistent with those protections. The code of conduct for students is intended to afford students with disabilities and students presumed to have a disability for discipline purposes the express rights they enjoy under applicable law and regulations.

#### *Definitions*

For purposes of this portion of the code of conduct, and consistent with applicable law and regulations, the following definitions will apply:

1. *Behavioral intervention plan* (BIP) means a plan that is based on the results of a functional behavioral assessment and that, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior.
2. *Controlled substance* means a drug or other substance abuse identified under schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c)).
3. *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, because the student's behavior is substantially similar to the student's behavior in

previous incidents that resulted in the series of removals, and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another.

4. *Illegal drug* means a controlled substance, but does not include a controlled substance legally possessed or used under the supervision of a licensed health-care professional, or a substance that is otherwise legally possessed or used under the authority of the Controlled Substances Act or under any other provision of federal law.
5. *Interim alternative educational setting (IAES)* means a temporary educational placement, other than the student's current placement at the time the behavior precipitating the IAES placement occurred. An IAES must allow a student to continue to receive educational services that enable him or her to continue to participate in the general curriculum and progress toward meeting the goals set out in the student's individualized education program; as well as to receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.
6. *Manifestation review* means a review of the relationship between the student's disability and the behavior subject to disciplinary action required when the disciplinary action results in a disciplinary change of placement, and conducted in accordance with requirements set forth later in this policy.
7. *Manifestation team* means a district representative knowledgeable about the student and the interpretation of information about child behavior, the parent, and relevant members of the committee on special education as determined by the parent and the district.
8. *Removal* means a removal of a student with a disability for disciplinary reasons from his or her current educational placement, other than a suspension; and a change in the placement of a student with a disability to an IAES.
9. *School day* means any day, including a partial day, that students are in attendance at school for instructional purposes.
10. *Serious bodily injury* means bodily injury which involves a substantial risk of death, extreme physical pain, protracted obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
11. *Student presumed to have a disability for discipline purposes* means a student who, under the conditions set forth later in this policy, the district is deemed to have had knowledge was a student with a disability before the behavior that precipitated the disciplinary action.
12. *Suspension* means a suspension pursuant to §3214 of New York's Education Law.
13. *Weapon* means the same as the term "dangerous weapon" under 18 USC §930(g)(2) which includes a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except a pocket knife with a blade of less than two and one-half inches in length.

#### *Authority of School Personnel to Suspend or Remove Students with Disabilities*

The Board, District Superintendent, Superintendent of Schools or a Building Principal with authority to suspend students under the Education Law 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.

The Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed ten consecutive school days inclusive of any period in which the student has been suspended or removed for the same behavior pursuant to the above paragraph, if the Superintendent determines that the student's behavior warrants the suspension. The Superintendent also may order additional suspensions of not more than ten consecutive school days in the same school year for separate incidents of misconduct, as long as the suspensions do not constitute a disciplinary change of placement.

In addition, the Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for a period in excess of ten consecutive school days if the manifestation team determines that the student's behavior was not a manifestation of the student's disability. In such an instance, the Superintendent may discipline the student in the same manner and for the same duration as a non-disabled student.

Furthermore, the Superintendent may, directly or upon the recommendation of a designated hearing officer, order the placement of a student with a disability to an IAES to be determined by the committee on special education for a period of up to 45 school days if the student either:

1. Carries or possesses a weapon to or at school, on school premises or to a school function, or
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises or at a school function under the district's jurisdiction, or
3. Has inflicted serious bodily injury upon another person while at school, on school premises or at a school function under the district's jurisdiction.

The Superintendent may order the placement of a student with a disability to an IAES under such circumstances, whether or not the student's behavior is a manifestation of the student's disability. However, the committee on special education will determine the IAES.

#### *Procedures for the Suspension or Removal of Students with Disabilities by School Personnel*

1. In cases involving the suspension or removal of a student with a disability for a period of five consecutive school days or less, the student's parents or persons in parental relation to the student will be notified of the suspension and given an opportunity for an informal conference in accordance with the same procedures that apply to such short-term suspensions of non-disabled students.
2. The suspension of students with disabilities for a period in excess of five school days will be subject to the same due process procedures applicable to non-disabled students, except that the student disciplinary hearing conducted by the Superintendent or a designated hearing officer shall be bifurcated into a guilt phase and a penalty phase. Upon a finding of guilt, the Superintendent or the designated hearing officer will await notification of the determination by the manifestation team as to whether the student's behavior was a manifestation of his or her disability. The penalty phase of the hearing may proceed after receipt of that notification. If the manifestation team determined that the behavior was not a manifestation of the student's disability, the student may be disciplined in the same manner as a non-disabled student, except that he or she will continue to receive services as set forth below. However, if the behavior was deemed a manifestation of the student's disability, the hearing will be dismissed, unless the behavior involved concerned weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, in which case the student may still be placed in an IAES.

#### *Limitation on Authority of School Personnel to Suspend or Remove Students with Disabilities*



The imposition of a suspension or removal by authorized school personnel may not result in a disciplinary change of placement of a student with a disability that is based on a pattern of suspensions or removals as set forth above in the *Definitions* section of this policy, unless:

1. The manifestation team determines that the student's behavior was not a manifestation of the student's disability, or
2. The student is removed to an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury as set forth above. School personnel will consider any unique circumstances on a case-by-case basis when determining whether a disciplinary change in placement is appropriate for a student with a disability who violates the district's code of conduct.

In addition, school personnel may not suspend or remove a disability in excess of the amount of time that a non-disabled student would be suspended for the same behavior.

#### *Parental Notification of a Disciplinary Change of Placement*

The district will provide the parents of a student with a disability notice of any decision to make a removal that constitutes a disciplinary change of placement because of a violation of the student code of conduct. Such notice will be accompanied by a copy of the procedural safeguards notice.

#### *Authority of an Impartial Hearing Officer to Remove a Student with a Disability*

An impartial hearing officer may order the placement of a student with a disability to an IAES for up to 45 school days at a time if he or she determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others. This authority applies whether or not the student's behavior is a manifestation of the student's disability.

#### *Manifestation Review*

A review of the relationship between a student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the student's disability will be made by the manifestation team immediately, if possible, but in no case later than 10 school days after a decision is made by:

1. The Superintendent to change the placement of a student to an IAES;
2. An impartial hearing officer to place a student in an IAES; or
3. The Board, the Superintendent, or Building Principal to impose a suspension that constitutes a disciplinary change in placement.

The manifestation team must determine that the student's conduct was a manifestation of the student's disability if it concludes that the conduct in question was either:

1. Caused by or had a direct or substantial relationship to the student's disability, or
2. The direct result of the district's failure to implement the student's individualized education program.

The manifestation team must base its determination on a review all relevant information in the student's file including the student's individualized education program, any teacher observations, and any relevant information provided by the parents.

If the manifestation team determines that the student's conduct is a manifestation of the student's disability, the district will:

1. Have the committee on special education conduct a functional behavioral assessment of the student and implement a behavioral intervention plan, unless the district had already done so prior to the behavior that resulted in the disciplinary change of placement occurred. However, if the student already has a behavioral intervention plan, the CSE will review the plan and its implementation, and modify it as necessary to address the behavior.
2. Return the student to the placement from which he or she was removed, unless the change in placement was to an IAES for conduct involving weapons, illegal drugs or controlled substances or the infliction of serious bodily injury, or the parents and the district agree to a change in placement as part of the modification of the behavioral intervention plan.

If the manifestation team determines that the conduct in question was the direct result of the district's failure to implement the student's individualized education program, the district will take immediate steps to remedy those deficiencies.

#### *Services for Students with Disabilities during Periods of Suspension or Removal*

Students with disabilities who are suspended or removed from their current educational setting in accordance with the provisions of this policy and applicable law and regulation will continue to receive services as follows:

1. During suspensions or removals of up to 10 school days in a school year that do not constitute a disciplinary change in placement, the district will provide alternative instruction to students with disabilities of compulsory attendance age on the same basis as non-disabled students. Students with disabilities who are not of compulsory attendance age will receive services during such periods of suspension or removal only to the same extent as non-disabled students of the same age would if similarly suspended.
2. During subsequent suspensions or removals of up to 10 school days that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, the district will provide students with disabilities services necessary to enable them to continue to participate in the general education curriculum and to progress toward meeting the goals set out in their respective individualized education program. School personnel, in consultation with at least one of the student's teachers, will determine the extent to which services are needed to comply with this requirement.

In addition, during such periods of suspension or removal the district will also provide students with disabilities services necessary for them to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so that it does not recur.

3. During suspensions or removals in excess of 10 school days in a school year that constitute a disciplinary change in placement, including placement in an IAES for behavior involving weapons, illegal drugs or controlled substances, or the infliction of serious bodily injury, the district will provide students with disabilities services necessary to enable them to continue to participate in the general curriculum, to progress toward meeting the goals set out in their respective individualized education program, and to receive, as appropriate, a functional behavioral assessment, and behavioral intervention services and modifications designed to address the behavior violation so it does not recur.

In such an instance, the committee on special education will determine the appropriate services to be provided.

#### *Students Presumed to Have a Disability for Discipline Purposes*

The parent of a student who is facing disciplinary action but who was not identified as a student with a disability at the time of misconduct has the right to invoke any of the protections set forth in this policy in accordance with applicable law and regulations, if the district is deemed to have had knowledge that the student was a student with a disability before the behavior precipitating disciplinary action occurred and the student is therefore a student presumed to have a disability for discipline purposes.

If it is claimed that the district had such knowledge, it will be the responsibility of the Superintendent, Building Principal or other authorized school official imposing the suspension or removal in question for determining whether the student is a student presumed to have a disability for discipline purposes. The district will be deemed to have had such knowledge if:

1. The student's parent expressed concern in writing to supervisory or administrative personnel, or to a teacher of the student that the student is in need of special education. Such expression may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
2. The student's parent has requested an evaluation of the student; or
3. A teacher of the student or other school personnel has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the district's director of special education or other supervisory personnel.

Nonetheless, a student will not be considered a student presumed to have a disability for discipline purposes if notwithstanding the district's receipt of information supporting a claim that it had knowledge the student has a disability,

1. The student's parent has not allowed an evaluation of the student; or
2. The student's parent has refused services; or
3. The District conducted an evaluation of the student and determined that the student is not a student with a disability.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if the district receives a request for an individual evaluation while the student is subjected to a disciplinary removal, the district will conduct an expedited evaluation of the student in accordance with applicable law and regulations. Until the expedited evaluation is completed, the student shall remain in the educational placement determined by the district, which can include suspension.

#### *Expedited Due Process Hearings*

The district will arrange for an expedited due process hearing upon receipt of or filing of a due process complaint notice for such a hearing by:

1. The district 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;
2. The district 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;
3. The student's parent regarding a determination that the student's behavior was not a manifestation of the student's disability; or
4. The student's parent relating to any decision regarding placement, including but not limited to any

decision to place the student in an IAES.

The district will arrange for, and an impartial hearing officer will conduct, an expedited due process hearing in accordance with the procedures established in Commissioner's regulations. Those procedures include but are not limited to convening a resolution meeting, and initiating and completing the hearing within the timelines specified in those regulations.

When an expedited due process hearing has been requested because of a disciplinary change in placement, a manifestation determination, or because the district believes that maintaining the student in the current placement is likely to result in injury to the student or others, the student will remain in the IAES pending the decision of the impartial hearing officer or until the expiration of the period of removal, whichever occurs first unless the student's parent and the district agree otherwise.

Consistent with its authority under applicable law and regulations, the district will report a crime committed by a student with a disability to appropriate law enforcement and judicial authorities. In such an instance, The Superintendent will ensure that copies of the special education and disciplinary records of the student are transmitted for consideration to the appropriate authorities to whom the crime is reported, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

**5300.50**

### **CORPORAL PUNISHMENT**

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

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

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

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

**5300.60**

### **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. In addition, the Board authorizes the Superintendent of Schools, 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.

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

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

#### A. Student Lockers, Desks and other School Storage Places

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent.

#### B. Strip Searches

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the Superintendent or the school attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others.

Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another district professional employee who is also of the same sex as the student.

In every case, the school official conducting a strip search must have probable cause – not simply reasonable cause – to believe the student is concealing evidence of a violation of law or the district code. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student's age, the student's record and the need for such a search.

School officials will attempt to notify the student's parent/guardian by telephone before conducting a strip search, or in writing after the fact if the parent could not be reached by telephone.

#### C. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the

following information about each search:

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

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

#### D. Police Involvement in Searches and Interrogations of Students

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

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

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

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

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

#### E. Child Protective Services Investigations

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

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

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

**5300.65**

### **VISITORS TO THE SCHOOLS**

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

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the office of the Principal or the reception area upon arrival at the school. There they will be required to provide proper identification, sign the visitor's register and will be issued a visitor's identification badge, which must be worn at all times while in the school or on school grounds. The visitor must sign out and return the identification badge to the Principal's office or designated area before leaving the building.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings, are not required to register.
4. Parents or citizens who wish to visit a classroom while school is in session are required to arrange such visits in advance with the principal and classroom teacher(s), so that class disruption is kept to a minimum.
5. Teachers are expected not to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to the Principal or his or her designee. Unauthorized persons will be asked to leave. The police may be called if the situation warrants.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct.

**5300.70**

### **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 alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass or discriminate against any person on the basis of actual or perceived race, color, weight, creed, national origin, religion, religious practices, age, gender (including gender identity and expression), sexual orientation or disability.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this code applies.
8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.
10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
11. Loiter on or about school property.
12. Gamble on school property or at school functions.
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
14. Willfully incite others to commit any of the acts prohibited by this code.
15. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

#### B. Penalties

Persons who violate this code shall be subject to the following penalties:

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. Students. They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. Tenured faculty members. They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law § 3020-a or any other legal rights that they may have.
4. Staff members in the classified service of the civil service entitled to the protection of Civil Service Law § 75. They shall be subject to immediate ejection and to disciplinary action as the facts may



- warrant in accordance with Civil Service Law § 75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 4 and 5. They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

#### C. Enforcement

The Principal or his/her designee shall be responsible for enforcing the conduct required by this code.

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

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

### **POLICY 5300.75**

#### **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 an age-appropriate, written in plain language, summary of the code to all students at an assembly to be held at the beginning of each school year.
2. Providing a plain language summary to all parents at the beginning of the school year, and thereafter on request.
3. Posting the complete code of conduct on the district's 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.

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. On-going professional development will be included in the district's professional development plan, as needed.

##### B. Review of Code of Conduct

The Board 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 of Education, in a manner prescribed by the Commissioner, no later than 30 days after adoption.

**Reviewed & Re-Adopted BM 02/16/12**  
**1<sup>st</sup> Reading: Doc. #107/12-BM 05/17/12**  
**2<sup>nd</sup> Reading: Doc. #117/12-WS BM 06/07/12**  
**Annual Review-Reorganizational Meeting 07/12/12**

**Regulation 0115-R**

## **STUDENT HARASSMENT AND BULLYING PREVENTION AND INTERVENTION REGULATION**

The Board condemns and strictly prohibits all forms of discrimination, such as harassment, hazing, intimidation and bullying on school grounds, school buses and at all school-sponsored activities, programs and events.

### **Definitions**

#### **Bullying**

In order to facilitate implementation, provide meaningful guidance and prevent behaviors from rising to a violation of law, this policy will use the term bullying (which is usually subsumed under the term “harassment”), which is understood to be a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror. Bullying may be premeditated or a sudden activity. It may be subtle or easy to identify, done by one person or a group. Bullying often includes the following characteristics:

1. **Power imbalance** - occurs when a bully uses his/her physical or social power over a target.
2. **Intent to harm** - the bully seeks to inflict physical or emotional harm and/or takes pleasure in this activity.
3. **Threat of further aggression** - the bully and the target believe the bullying will continue.
4. **Terror** - when any bullying increases, it becomes a “systematic violence or harassment used to intimidate and maintain dominance.”

*(Barbara Coloroso, The Bully, The Bullied & The Bystander, 2003)*

There are at least three kinds of bullying: verbal, physical and social/relational.

- Verbal bullying includes name calling, insulting remarks, verbal teasing, frightening phone calls, violent threats, extortion, taunting, gossip, spreading rumors, racist slurs, threatening electronic communications (“cyberbullying”), anonymous notes, etc.
- Physical bullying includes poking, slapping, hitting, tripping or causing a fall, choking, kicking, punching, biting, pinching, scratching, spitting, twisting arms or legs, damaging clothes and personal property, or threatening gestures.

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

The New York State Education Department provides further guidance on bullying and cyberbullying prevention on the following website: [http://www.p12.nysed.gov/technology/internet\\_safety/documents/cyberbullying.html](http://www.p12.nysed.gov/technology/internet_safety/documents/cyberbullying.html)

## **Discrimination**

Discrimination is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as listed under *Harassment* as defined below).

## **Harassment**

Harassment has been defined in various ways in federal and state law (including the penal law) and regulation. The Board recognizes that these definitions are important standards, but the Board's goal is to prevent behaviors from escalating to violations of law and, instead, to promote a positive school environment and limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct 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 any characteristic, including but not limited to a person's actual or perceived:

- race,
- color,
- weight,
- national origin,
- ethnic group,
- religion,
- religious practice,
- disability,
- sex,
- sexual orientation, or
- gender (including gender identity and expression).
  - Gender identity is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.
  - Gender expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

## **Hazing**

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

## **Prevention**

Prevention is the cornerstone of the district's effort to address bullying and harassment. The components of such an effort involve the following:

- District curriculum will emphasize developing empathy, tolerance and respect for others.
- Learning about and identifying the early warning signs and precursor behaviors that may lead to bullying.
- Gathering information about bullying at school directly from students (through surveys and other mechanisms); analyzing and using the data
- gathered to assist in decision-making about programming and resource allocation.
- Establishing clear school wide and classroom rules about bullying consistent with the district's code of conduct.
- Training adults in the school community to respond sensitively and consistently to bullying.
- Raising awareness among adults, through training, of the school experiences of marginalized student populations (as enumerated in the *Definitions* section above), social stigma in the school environment, gender norms in the school environment, and strategies for disrupting bullying, intimidation, harassment or other forms of violence.
- Providing adequate supervision, particularly in less structured areas such as in the hallways, cafeteria, school bus and playground.
- Raising parental awareness and involvement in the prevention program and in addressing problems.
- Using educational opportunities or curriculum, including, if applicable, the Individual Educational Program (IEP), to address the underlying causes and impact of bullying.

## **Dignity Act Coordinators (DAC)**

The Board of Education will annually designate a staff member, who has been thoroughly trained in human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression), and sex, as the Dignity Act Coordinators (DAC), accountable for implementation of this policy. The DAC will be responsible for coordinating and enforcing this policy and regulation in each school building, including but not limited to coordination of:

- the work of the building-level committees;
- professional development for staff members and,
- the complaint process, and
- management of the Dignity Act's civility curriculum components.

## **Reporting and Investigation**

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all targets and persons with knowledge of bullying report such behavior immediately to the principal, the principal's designee or the Dignity Act Coordinators as soon as possible after the incident so that it may be effectively investigated and resolved. The district will also make a bullying complaint form available on its website to facilitate reporting. The district will collect relevant data from written and verbal complaints to allow reporting to the Board on an annual basis.

The district will promptly and equitably investigate all complaints, formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner, although limited disclosure may be necessary to complete a thorough investigation.

In order to assist investigators, individuals should document the bullying as soon as it occurs and with as much detail as possible including: the nature of the incident(s); dates, times, places it has occurred; name of perpetrator(s); witnesses to the incident(s); and the target's response to the incident.

If, after appropriate investigation, the district finds that a student, an employee or a third party has violated this policy, prompt corrective and possibly disciplinary action will be taken in accordance with the code of conduct, applicable collective bargaining agreement, district policy and state law. If the reported behavior constitutes a civil rights violation, the complaint procedure associated with that policy will be followed, as applicable. If either of the parties disagrees with the findings of the initial investigation, an appeal may be made to the Superintendent in accordance with the process described below.

### **Confidentiality**

It is district policy to respect the privacy of all parties and witnesses to bullying. To the extent possible, the district will not release the details of a complaint or the identity of the complainant or the individual(s) against whom the complaint is filed to any third parties who do not need to know such information. However, because an individual's desire for confidentiality must be balanced with the district's legal obligation to provide due process to the accused, to conduct a prompt and thorough investigation, and/or to take necessary action to resolve the complaint, the district retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know. The staff member responsible for investigating complaints will discuss confidentiality standards and concerns with all complainants.

If a complainant requests that his/her name not be revealed to the individual(s) against whom a complaint is filed, the staff member responsible for conducting the investigation shall inform the complainant that:

1. the request may limit the district's ability to respond to his/her complaint;
2. district policy and federal law prohibit retaliation against complainants and witnesses;
3. the district will attempt to prevent any retaliation; and
4. the district will take strong responsive action if retaliation occurs.

If the complainant still requests confidentiality after being given the notice above, the investigator will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as doing so does not preclude the district from responding effectively to the bullying and preventing the bullying of other students.

### **Investigation and Resolution Procedure**

#### **A. Initial (Building-level) Procedure**

Whenever a complaint of bullying is received whether verbal or written, it will be subject to a preliminary review and investigation. Except in the case of severe or criminal conduct, the principal, the principal's designee or the Dignity Act Coordinators shall make all reasonable efforts to resolve complaints informally at the school level. The goal of informal procedures is to end the bullying, prevent future incidents, ensure the safety of the target and obtain a prompt and equitable resolution to a complaint.

As soon as possible, but no later than three school days following receipt of a complaint, the principal, the principal's designee or the Dignity Act Coordinator should begin an investigation of the complaint by:

- Reviewing any written documentation provided by the target(s).
- Conducting separate interviews of the target(s), alleged perpetrator(s), and witnesses, if any, and documenting the conversations.

- Providing the alleged perpetrator(s) a chance to respond and notify him/her that if objectionable behavior has occurred, it must cease immediately. The individual will be made aware of remediation opportunities as well as potential disciplinary consequences.
- Determining whether the complainant needs any accommodations to ensure his/her safety, and following up periodically until the complaint has been resolved. Accommodations may include, but are not limited to:
  - A “permanent” hall pass that allows the student to visit a designated adult at any time;
  - Access to private bathroom facilities;
  - Access to private locker room facilities;
  - An escort during passing periods;
  - If the student feels unsafe in a specific class, an opportunity for individual tutoring or independent study until the case is resolved;
  - An opportunity for independent study at home with district-provided tutor until the case is resolved;
  - Permission to use personal cell phone in the event that the student feels threatened and needs immediate access to parent or guardian;
  - Assignment of a bus monitor.

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

Parents of student targets and accused students should be notified within one school day of allegations that are serious or involve repeated conduct.

Where appropriate, informal methods may be used to resolve the complaint, including but not limited to:

- a. discussion with the accused, informing him or her of the district's policies and indicating that the behavior must stop;
- b. suggesting counseling, skill building activities and/or sensitivity training;
- c. conducting training for the department or school in which the behavior occurred, calling attention to the consequences of engaging in such behavior;
- d. requesting a letter of apology to the target;
- e. writing letters of caution or reprimand; and/or
- f. separating the parties.

Appropriate disciplinary action shall be recommended and imposed in accordance with district policy, the applicable collective bargaining agreement or state law. School districts should make every effort to attempt to first resolve the misconduct through non-punitive measures.

The investigator shall report back to both the target and the accused, within a timely manner notifying them, as appropriate, regarding the outcome of the investigation and the action taken to resolve the complaint. The actions taken will be in conformance with the *Remediation/Discipline/Penalties* section of this regulation. The target shall report immediately if the objectionable behavior occurs again or if the alleged perpetrator retaliates against him/her.

If a complaint contains evidence or allegations of serious or extreme bullying, or a civil rights violation, the complaint shall be referred promptly to the Superintendent. The complainant will also be

advised of other avenues to pursue their complaint, including contact information for state and federal authorities.

In addition, where the principal, the principal's designee or the Dignity Act Coordinators have a reasonable suspicion that the alleged bullying incident involves criminal activity, he/she should immediately notify the Superintendent, who shall then contact the school attorney, appropriate child protection and, if appropriate, law enforcement authorities.

Any party who is not satisfied with the outcome of the initial investigation may request a district-level investigation by submitting a written complaint to the Superintendent within 30 days.

#### B. District-level Procedure

The Superintendent or his/her designee shall promptly investigate and equitably resolve all bullying complaints that are referred to him/her, as well as those appealed to the Superintendent following an initial investigation. In the event the complaint involves the Superintendent, the complaint shall be filed with or referred to the Board President, who shall refer the complaint to an appropriate independent individual for investigation.

The district level investigation should begin as soon as possible [choose time frame; i.e. three working days following receipt of the complaint by the Superintendent or Board President.

In conducting the formal district level investigation, the district will endeavor to use individuals who have received formal training regarding such investigations or that have previous experience investigating such complaints.

If a district level investigation results in a determination that bullying did occur, prompt corrective action will be taken to end the misbehavior in accordance with the *Remediation/Discipline/Penalties* section of this regulation.

No later than 30 days following receipt of the complaint, the Superintendent (or in cases involving the Superintendent, the Board-appointed investigator) will notify the target and alleged perpetrator, in writing, of the outcome of the investigation. If additional time is needed to complete the investigation or take appropriate action, the Superintendent or Board-appointed investigator will provide all parties with a written status report within 30 days following receipt of the complaint.

Any party who is not satisfied with the outcome of the district-level investigation may appeal to the Board of Education by submitting a written request to the Board President within 30 days.

#### C. Board-level Procedure

When a request for review by the Board has been made, the Superintendent shall submit all written statements and other materials concerning the case to the President of the Board.

The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within 15 school days of the receipt of the request of the complainant.

The Board shall render a decision in writing within 15 days after the hearing has been concluded.

The district shall retain documentation associated with complaints and investigations in accordance with Schedule ED-1.

## **Retaliation Prohibited**

Any act of retaliation against any person who opposes bullying behavior, or who has filed a complaint, is prohibited and illegal, and therefore subject to disciplinary action. Likewise, retaliation against any person who has testified assisted, or participated in any manner in an investigation, proceeding, or hearing of a bullying complaint is prohibited. For purposes of this policy, retaliation includes but is not limited to: verbal or physical threats, intimidation, ridicule,

bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action up to and including suspension or termination.

## **Remediation/Discipline/Penalties**

Any individual who violates this policy by engaging in bullying will be subject to appropriate action, which may include disciplinary action. Remedial responses to bullying include measures designed to correct the problem behavior, prevent another occurrence of the behavior, and protect the target of the act. Appropriate remedial measures may include, but are not limited to:

- Restitution and restoration;
- Peer support group;
- Corrective instruction or other relevant learning or service experience;
- Changes in class schedule
- Supportive intervention;
- Behavioral assessment or evaluation;
- Behavioral management plan, with benchmarks that are closely monitored;
- Student counseling;
- Parent conferences; or
- Student treatment or therapy.

Environmental remediation may include, but is not limited to:

- School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- Modification of schedules;
- Adjustment in hallway traffic and other student routes of travel;
- Targeted use of monitors;
- Parent education seminars/workshops;
- Peer support groups.

Disciplinary measures available to school authorities include, but are not limited to the following:

Students: Discipline may range from a reprimand up to and including suspension from school, to be imposed consistent with the Code of Conduct and applicable law.

Employees: Discipline may range from a warning up to and including termination, to be imposed consistent with all applicable contractual and statutory rights.

Volunteers: Penalties may range from a warning up to and including loss of volunteer assignment.

Vendors: Penalties may range from a warning up to and including loss of district business.



Other individuals: Penalties may range from a warning up to and including denial of future access to school property.

### **Policy Dissemination**

All students and employees shall be informed of this policy in student and employee handbooks, on the district website and student registration materials. A poster summarizing the policy shall also be posted in a prominent location at each school.

All employees shall receive information about this policy and regulation at least once a year.

Principals in each school shall be responsible for informing students and staff on a yearly basis of the terms of this policy, including the procedures for filing a complaint and information about the impact of bullying on the target and bystanders.

### **Training**

Training needs in support of this bullying prevention and intervention program will be reflected in the district's annual professional development plan, new teacher orientation, in curriculum and will be considered in the budget process. The bullying prevention coordinator, administrative employees and other staff, such as counselors or social workers who have specific responsibilities for investigating and/or resolving complaints of bullying shall receive yearly training to support implementation of this policy, regulation and on related legal developments.

Adoption date: 06/21/12

## HARASSMENT AND/OR BULLYING COMPLAINT FORM

The purpose of this form is to inform the district of an incident or series of incidents of bullying and/or harassment so we can investigate and take appropriate steps. **If you feel unsafe, or if your child feels that way, fill out this form, but we urge you to speak directly with the Building Level Dignity Act Coordinator at the appropriate building by either going to the main office or calling (High School at (845) 526-7847, the Middle School at (845) 528-8101 or the Elementary School at (845) 528-8092) as soon as possible so we can address your concerns.**

Student Name: \_\_\_\_\_ Student ID: \_\_\_\_\_

Grade: \_\_\_\_\_ School: \_\_\_\_\_

Describe the incident(s). Please include when and where it happened.

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List the name(s) of the individual(s) accused of bullying and/or harassment.

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Were there any witnesses? ☐ Yes ☐ No If yes, please list the names of the individual(s).

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*I certify that all statements on this form are accurate and true to the best of my knowledge.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Please attach any supporting documentation (i.e., copies of emails, notes, photos, etc.).

Return this form to your ***Building Dignity Act Coordinator at the appropriate school building:***

***Putnam Valley High School, 146 Peekskill Hollow Rd.—Mr. Sam Oliverio***

***Putnam Valley Middle School, 142 Peekskill Hollow Rd.—Mr. Michael Hanna***

***Putnam Valley Elementary School, 171 Oscawana Lake Rd.—Ms. Patricia Murray***

***all at: Putnam Valley, NY 10579***

Note on confidentiality:

In order to investigate the complaint, the district will disclose the content of the complaint only to those persons who have a need to know. This form will not be shown to the accused student(s)/staff.

# **Putnam Valley Central School District Laptop and Mobile Device Loan Agreement For Students and Parents 2014-2015**

The Putnam Valley Central School District issues computers and school monitored email accounts as one way of furthering its mission to teach the skills, knowledge, responsibilities, and behaviors that students will need as successful and responsible adults. Students who are enrolled and attend full time in Putnam Valley Schools will be issued a laptop or mobile device to enable them to use a varied and exciting set of resources including computer applications, multimedia, and the Internet. While the laptop or mobile device is available to go home with many of our students the device is to be used as a learning tool and is for academic purposes only. Parents are an integral part to the success of this program. As with all forms of technology, home monitoring should be embraced and practiced. In order to keep the Laptop and Mobile Device Loan program successful, school officials, teachers, students and parents must act as partners committed to the same goal.

Non District-issued laptops, tablets and other equivalent devices are not permitted in school during school hours. These items will be subject to forfeiture, and must be picked up by a parent or guardian. The District is not responsible for any non-school issued device.

District issued Laptops and mobile devices have all been configured in a way that will provide the best experience to support classroom instruction, the student's educational experience and safety. Measures have been taken to prevent and discourage students from modifying the installed system configuration. If, however, a student does modify the installed system configuration, tampers with security seals or is in possession of a school laptop or mobile device that has been modified, their privileges will be suspended for no less than 6 academic months and appropriate fees assessed. Classroom computers are available during class-time.

The Putnam Valley Central School District Laptop and Mobile Device Loan program is structured in such a way that all students will have access to a device. To support that goal, maintenance and care of each device is critical. Each year the devices will be inspected and serviced and if deemed necessary, District installed system configuration may be updated. Throughout the school year if any device has an issue (technical, cosmetic or anything else), it is the responsibility of the STUDENT to bring this information to the attention of the building tech support staff member. The issues will then be addressed. Please be aware that if any issues are deemed to be a result of, but not limited to, accident, misuse, theft, or purposeful damage, the student and parent/guardian will incur charges for the repair or replacement. Please note that the charges are based upon the actual cost incurred by the district. A sample list is included in the attached Laptop and Mobile Device Loan Agreement.

Please read the attached Loan Agreement for further details. Building Administrators and Tech Support Staff are available to answer any questions or concerns. Please feel to contact them if necessary.

# **2014-2015 LAPTOP AND MOBILE DEVICE LOAN AGREEMENT**

## **TERMS OF THE LAPTOP AND MOBILE DEVICE LOAN AGREEMENT**

### **Terms:**

Students and parents must read, agree to comply with, and sign this Laptop and Mobile Device Loan Agreement each year before a laptop or mobile device can be issued to a student. Any failure to comply may terminate the student's privilege of possession effective immediately and the District may repossess the laptop or mobile device. The student in whose name, system account, and/or computer hardware is issued, will be responsible at all times for its appropriate care and use.

- The District cooperates fully with local, state or federal officials in any investigation concerning or relating to violations of computer crime laws. Retention of contents of email and network communications are governed by state and federal laws, and proper authorities will be given access to their content.

- Your privilege to use and possession of the property terminates not later than the last day of the school year unless earlier terminated by the District or upon withdrawal from the District. Failure to return the property will be prosecuted as theft.

- Violation of applicable state or federal law may result in criminal prosecution or disciplinary action by the District.

- The approved District budget will determine if new laptops are purchased each year. If approved, new laptops will be distributed to incoming 7<sup>th</sup> grade students first. The laptop will have a unique number and will remain in their care for a minimum of four years. Students in 10<sup>th</sup> grade will continue with the same laptop was that was assigned to them last year. In the case that a laptop is deemed "damaged beyond **economic** repair", or if the laptop is lost or stolen, the student will be issued a laptop from the district's replacement pool and a bill for replacement costs. The replacement laptop may not be of the same type as originally issued. In addition, any new student who is enrolled later in the school year, may or may not receive the same model laptop as the majority of that class. Every effort will be made to keep similar laptops in the same grade level.

### **Title**

Legal title to the property is with the District and shall at all times remain with the District. The student's privilege of possession and use is limited to, and conditioned upon full and complete compliance with, the regulations and conditions set forth in this document.

### **Warranties**

The School District makes no warranties of any kind, whether expressed or implied, for the service it is providing hereunder. The School District will not be responsible for any damages you may suffer. This includes loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by its own negligence or your errors or omissions. Use of any information obtained via the Internet is at your own risk. The School District specifically denies any responsibility for the accuracy or quality of information obtained through its services.

### **Tampering**

Any evidence that the computer's security seal has been tampered with will result in the loss of laptop privileges for the remainder of the school year and a charge of \$250.00 will be imposed for the District to certify that the laptop hardware has not been tampered with, replaced, or damaged. Any evidence that the District installed system

configuration has been tampered with or reconfigured in any way will also result in the loss of laptop privileges for no less than 6 academic months and related charges assessed.

## **Return of Laptops and Mobile Devices at the End of the School Year**

All laptops must be returned at the end of the school year. Students will be notified by in-school posters, announcements and/or ConnectedEd, when their day to return the laptop is scheduled. Your right to use and possess the property terminates no later than the last day of the school year unless terminated earlier by the District or by your withdrawal from the District. Failure to return the laptop or mobile device to the District will be considered theft of District property and will be reported to law enforcement authorities and legal actions will be taken. If any evidence that the District installed system configuration has been tampered with or reconfigured in any way is found at the end of the school year, laptop privileges will be suspended for NO LESS THAN 6 ACADEMIC months of the following school year and related charges assessed.

## **Loss, Theft, Vandalism and Other Criminal Acts**

If the laptop or mobile device is lost, the student and parent are responsible for the reasonable cost of replacement. Theft of the laptop must be reported to the District by the next school day following the occurrence. In the case of theft, vandalism, and other criminal acts, a police report must be filed by the parent and student within 48 hours of the occurrence. At that point, a parent/guardian may decide to report the theft to their insurance company. Students/parents will be responsible for the depreciated value of the laptop or mobile device. A copy of the police report is required by the school immediately upon receipt by parent and student from the police. A replacement laptop will then be issued to the student. The replacement laptop may not be of the same type as originally issued. Every effort will be made to keep similar laptops in the same grade level.

## **Damage and Repair**

All laptops will be repaired by PVCSD. Under no circumstances should a laptop or mobile device repair be made by the student, parent or any outside service. Students/Parents are responsible for the reasonable cost to repair damaged laptops or mobile device when repair is possible; and the depreciated value of the laptop or mobile device when repair is not possible.

Every effort will be made to repair laptops and mobile devices in-house. Some damages, including, but not limited to cracked cases, cracked screens or water damage will incur a charge for repair. Costs for repairs vary, but the District Tech Specialist will give you an estimate of the costs based upon the initial review of the laptop or mobile device. It is possible that the actual cost could be higher if other damage is found when the laptop or mobile device is inspected by the Apple technician. At this point, one of the following will happen.

1. The Apple technician will determine that the repair is economically feasible, and you will be billed the actual cost of the repair. It may be greater or less than the estimate, and a copy of the technician's report will be included with your bill.
2. The Apple technician will determine that the laptop or mobile device is BER (Beyond Economic Repair). This means that it will cost more to repair the laptop or mobile device than to replace it. You will then be billed the depreciated value of the laptop or mobile device based on the cost we paid for it at the time it was purchased.

<b>DEPRECIATED VALUE</b>	
<b>AGE OF LAPTOP or Mobile Device</b>	<b>REPLACEMENT COST</b>
1 <sup>ST</sup> YEAR	<b>100% of Purchase Cost</b>
2 <sup>ND</sup> YEAR	<b>85% of Purchase Cost</b>
3 <sup>RD</sup> YEAR	<b>60% of Purchase Cost</b>
4th YEAR	<b>45% of Purchase Cost</b>

<b>SAMPLE REPAIR COSTS*</b>	
<b>REPAIR</b>	<b>COST</b>
Laptop Repair	Variable to \$1500.00
Apple Power Adapter + Cord	\$79
Re-Image of Hard Drive due to violation of this agreement	\$25
Approved Laptop Case	\$25
Broken/Tampered Security Seal	\$250
Tamper with District System Configuration	\$25 + loss of laptop privileges

\* **SAMPLE COSTS ONLY. ACTUAL COSTS MAY VARY.**

## **Financial Hardships and Payment Plans**

In the event that the fee for loss or damage to a laptop or mobile device creates a financial hardship on the student or parent, please contact the Business Office about payment options. Upon proof of financial hardship, the administration may elect to create a payment plan for the student to pay the fees over time. The student will retain the use of a laptop or mobile device as long as the payment plan is up to date. If a payment plan is in default, the laptop or mobile device will be repossessed and the plan must be paid in full before privileges can be reinstated.

## **Return of Student Laptops After Repair**

When a student turns in a laptop for repair, a loaner laptop will be issued so that he/she can keep up with schoolwork. This laptop may not be the same model as the original one issued to the student at the beginning of the year. It is expected that the loaner laptop will be returned in the same condition it was issued, and the student will be responsible for it while it is in his/her possession. The student's original laptop will be returned to the student when the repair is complete.

## **Repossession**

Laptops and Mobile Device may be repossessed and result in disciplinary action for the following reasons:

- 
- · Violation of applicable state or federal law
- · Any evidence that the District installed system configuration has been tampered with or reconfigured in any way
- · Not fully complying with all terms of this Loan Agreement
- · Demonstration of inappropriate care or use, including, but not limited to physical misuse and handling, leaving the unit unattended, using inappropriate applications, or visiting inappropriate Internet sites, evidence of using school equipment to harass, threaten, or make another feel uncomfortable.
- · Non-Payment of repair fees or damage charges in a timely manner

## **STUDENT GUIDELINES FOR ACCEPTABLE USE OF TECHNOLOGY RESOURCES**

The following guidelines are provided to inform students and parents of the responsibilities students accept when they use district-owned computer hardware, operating system software, application software, stored text, data files, electronic mail, local databases, CD-ROMS, DVD's, digitized information, communications technologies and internet access.

### **Acceptable conduct includes, but is not limited to the following:**

- Students will have access to all available forms of electronic media and communication, which is in support of curriculum, educational and research-based goals and objectives of the Putnam Valley Central School District.
- Students will be responsible for their ethical and educational use of the network services at the Putnam Valley Central School District.
- Each person will respect the rights of others to the privacy of the files they store on a computer or disk and not view those files without the owner's permission to view or alter these files.
- To prevent damage, laptops need to be closed and transported in an approved case between classes.
- Students will keep their log-in information and password confidential.
- Students will obey all copyright laws.
- All policies and restrictions of the network services must be followed.
- The use of the computer network within the Putnam Valley Central School District must be in support of educational and research-based goals and objectives of the Putnam Valley Central School District.
- Any possible problems with Internet Security must be reported immediately to the Computer Network Administrator. No attempt to correct or demonstrate the problem should be made by the user.
- Students are expected to notify a staff member whenever they come across information or messages that are inappropriate, dangerous, threatening, or make them feel uncomfortable.
- Students who identify or know about a security issue are expected to convey the details to their teacher without discussing it with other students.



## **Unacceptable conduct includes, but is not limited to the following:**

- 1. Tampering with the security seal and or tampering with the District installed system configuration.**
2. Using recording devices to record classroom or school activities to post online or share.
3. Loaning laptops or other equipment to other students or siblings.
4. Sharing passwords or usernames with others.
5. Obtain copies of, or modify files, data or passwords belonging to other users.
6. Plagiarism - Representing as one's own work any materials obtained on the Internet (such as term papers, articles, etc). When Internet sources are used in student work, the author, publisher and web site must be identified.
7. Using another user's account, password, or ID card or allowing another user to access your account password or ID. Access to another person's account or computer without their consent or knowledge is considered hacking and is unacceptable.
8. Deleting any folders or files that he/she did not create or that they do not recognize.
9. Accessing unauthorized websites, such as chat-rooms to meet and talk to other persons.
10. Revealing the home address or phone number of one's self or another person.
11. Engaging in sexual harassment or using objectionable language in public or private messages, e.g., racist, terroristic, abusive, sexually explicit, threatening, stalking, demeaning, or slanderous.
12. Presence of weapons, pornographic materials, inappropriate language, alcohol, drug, gang related symbols, pictures or other inappropriate content.
13. Use of proxy websites to bypass firewall.
14. Posting anonymous messages or unlawful information.
15. Downloading applications, music and games which may be in violation of copyright laws.
16. Using the network for illegal activities, including copyright, license or contract violations, downloading inappropriate materials, viruses, and/or software such as, but not limited to, hacking and host file sharing software.
17. Using the network for financial or commercial gain, advertising, or political lobbying.
18. Attempts to log on to the Network as a System Administrator.
19. Accessing or exploring on-line locations or materials that do not support the curriculum and/or are inappropriate for school assignments, such as, but not limited to, pornographic sites.
20. Unauthorized Access to Chat Rooms/News Groups - Accessing chat rooms or news groups without specific authorization from the supervising teacher.
21. Vandalizing and/or tampering with equipment, programs, files, software, system performance or other components of the network. Use or possession of hacking software is strictly prohibited.
22. Causing congestion on the network or interfering with the work of others, e.g., chain letters or broadcast messages to lists or individuals.
23. Intentionally wasting finite resources i.e., on-line time, real-time music, printing.
24. Gaining unauthorized access anywhere on the network.
25. Invading the privacy of other individuals.
26. Coaching, helping, observing or joining any unauthorized activity on the network.
27. Forwarding/distributing Email messages, photographs or other forms of media, without permission from the author.
28. Connecting a computer, not owned by the district to the district network.
29. Falsifying permission, authorization or identification documents.
30. Knowingly placing a computer virus on a computer or network.

## PARENTAL CONCERNS

- Any parent wishing to restrict their children's ability to avail themselves of a computer loan, or access to any-online computer services, must provide this restriction request in writing. Parents will assume responsibility for imposing restrictions only on their own children.
- Parents concerned with the computer network services at their child's school should contact the Principal of their child's school

## EMAIL

As teachers will be communicating with all students via email, all students in the Middle School will be issued email accounts through My Big Campus, an online Learning Management System, and our High School students will be issued both a District email address and one through My Big Campus at this time.

### EMAIL REGULATIONS

This statement sets forth the Putnam Valley School District's regulation with regard to use of, access to, and disclosure of email communications.

#### **Permissible Uses of email Communications**

- a. Purpose of Use – the use of any Putnam Valley School District resources for email communications should be related to Putnam Valley School District business including academic pursuits.
- b. Authorized Persons – Only faculty, staff, students and other authorized persons conducting Putnam Valley School District business may use the email communication systems.

B. **Prohibited Uses:** prohibited email communications include, but are not limited to:

- a. Personal or Commercial Purposes – Putnam Valley School District resources for email communication shall not be used for personal or commercial purposes. Incidental and occasional personal use of email may occur when such use does not generate a direct cost or liability for the Putnam Valley School District.
- b. Use of email communications to send copies of documents in violation of copyright laws.
- c. Use of email communications to send messages, which are restricted by laws or regulations.
- d. Capture and "opening" of undeliverable email communication except as required for authorized employees to diagnose and correct delivery problems.
- e. Use of email communications to intimidate others or to interfere with the ability of others to conduct Putnam Valley School District business.
- f. Use of emails to send videos, music, or any other materials that could be construed as offensive, vulgar or of an inappropriate nature.
- g. "Spoofing," i.e., constructing email communication so it appears to be from someone else.
- h. "Snooping," i.e., obtaining access to the files or communications of others.
- i. Attempting unauthorized access to data or attempting to breach any security measures on any email communication system, or attempting to intercept any email communication transmissions without proper authorization.

**C. Putnam Valley School District Access and Disclosure**

a. Grounds Required for Access – The Putnam Valley School District reserves the right to access and disclose the contents of student email communications. Messages sent or received may be made available for review by authorized Putnam Valley School District officials for purposes related to Putnam Valley School District business.

b. Monitoring of Messages – The Putnam Valley School District may monitor email messages as a routine matter.

i. The Putnam Valley School District will inspect the contents of email messages in the course of any investigation triggered by indications of misconduct, as needed to protect health and safety, or as needed to prevent interference with the academic mission of the institution, or as needed to locate substantive information required that is not more readily available by other means. The Putnam Valley School District will respond to legal processes and fulfill its legal obligations.

ii. The contents of email communications may be disclosed without permission of the student if such disclosure is required to satisfy a legal obligation.