

CODE OF CONDUCT

Committee Members

Crystal Chrisman, PK-6 Principal
Daniel Guenthner, K-12 Guidance Counselor
Mary Lou Huddleston, Board of Education
Jody Lamphere, Elementary School Teacher
Ruth Leavitt, 7-12 School Principal
Bob Maxwell, Board of Education
Pia Nichols, 7-12 Attendance Officer
Will Rauch, High School Student
Lynn Rhone, Superintendent
Tia Ruggiero, High School Student
Dan Zilkowski, Elementary School Teacher

DOLGEVILLE CENTRAL SCHOOL

**2019-2020
SCHOOL YEAR**

Table of Contents

I Introduction..... 3

II Definitions 3

III Student Rights and Responsibilities 5

IV Essential Partners 6

V Student Dress Code 9

VI Prohibited Student Conduct 10

VII Reporting Violations 12

VIII Disciplinary Consequences, Procedures, and Referrals..... 12

IX Disciplinary Guidelines and Prohibited Conduct..... 17

X Alternative Instruction 23

XI Discipline of Students with Disabilities 23

XII Corporal Punishment 26

XIII Prohibited Staff Conduct 26

XIV Visitors to School 27

XV Public Conduct on School Property..... 27

XVI Dissemination and Review 28

XVII Board Policies for Code of Conduct..... 29

I. Introduction

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

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

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

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

II. Definitions

For purposes of this code, the following definitions apply:

“Act of violence” is an act against a person that includes, but is not limited to, biting, hitting, kicking, punching, and scratching.

“Bullying” in general is defined as: “a variety of negative acts carried out repeatedly over time with the intention of intimidating or alienating/excluding others.” However, a single negative act may also constitute bullying based on particular circumstances such as the seriousness of the act and/or the intent of the actor.

“Chain of Command” is a list of people that are put in place to solve a problem in a sequential order.

“Color” means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

“Controlled substance” means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy. (moved from Section XI A.2a.)

“Disability” means any restriction or lack (due to any impairment) of ability to perform an activity in the manner or within the range considered typical.

“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 staff member’s authority over the classroom.

“Gender” means the socially constructed roles, behaviors, activities and attributes that a given society considers appropriate for men and women. (MASCULINE and FEMININE denote “gender”.)

“Employee” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact (Education Law Section s11[4]and 1125[3]).

“Ethnic Group” means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and/or ideology that stresses ancestry.

“Harassment” means 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; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation or abuse based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, social class, sexual orientation, gender or sex (Education Law §11[7]).

“Hazing” is defined as the performance of any act or the coercion of another to perform any act of initiation that causes or creates a risk of humiliation or dangerous activity, or that risks inflicting mental or physical harm. Permission, consent or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in the policy.

“Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law. (moved from Section XI A.2a.)

“National Origin” means a person’s country of birth or ancestor’s country of birth.

“Nicotine” means a toxic colorless or yellowish oily liquid that is the chief active constituent of tobacco.

“Nicotine Product” means any an article or substance that is manufactured or refined which includes nicotine as an ingredient.

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

“Principal” is defined as the building principal, or that person acting in their absence.

“Race” means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: “White/Caucasian”, “Black/African American/African-descent”, “Asian”, “Bi-racial”, “Hispanics/Latinos” etc. to describe and classify the inhabitants of the United States.

“Religion” means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.

“Religious Practice” means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.

“Respectful behavior” is defined as decent or correct in character or behavior with an emphasis on high or special regard for esteem.

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

“School property or grounds” means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus (Education Law §11[1] and Vehicle and Traffic Law §142). **In addition, areas within 100-feet of entrances, exits or outdoor district boundaries, including wooded areas and outside tennis courts are within the region of “school grounds” - with the exception of residential property.**

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

“Service Animals” as defined by the Americans with Disabilities Act (ADA), means a dog that has been individually trained to do work or perform tasks for an individual with a disability.

“Sex” means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote “sex”).

“Sexual Orientation” means the sex to which a person is sexually attracted. Someone attracted primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual. Someone attracted primarily or exclusively to members of the same sex is characterized as homosexual. A person with a strong or viable attraction to both genders is characterized as bisexual or pansexual.

“Substantial disruption” of the educational process or a substantial interference with a staff member’s authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher’s instructions, or repeatedly violates the teacher’s classroom rules.

“Teacher removal of a student from a class” refers to when a classroom teacher removes a disruptive student from the class for up to two days. This applies to the class of the removing teacher only.

“Tobacco” is defined as unlighted or lighted cigarettes, e-cigarettes, vape pens, cigars, cigarillos, pipes, or any smoking and smokeless (dip, chew, and spit/spit-less tobacco, snuff) products.

“Threat” means an expression of intention to cause harm, do violence, intimidate, or punish.

“Violent student” means a student under the age of 21 whom: Commits an act of violence upon a school employee, or attempts to do so. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so. Possesses, while on school property or at a school function, a weapon. Displays, while on school property or at a school function, what appears to be a weapon. Threatens, while on school property or at a school function, to use a weapon. Intentionally damages or destroys the personal property of any school employee, student, or any person lawfully on school property or at a school function. 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 and the District weapons policy. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, paint ball gun, disguised gun, dagger, dirk, razor, stiletto, jackknife, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or look-alikes (i.e., fake items made to look like any of the aforementioned or other weapon), or other device, instrument, material or substance that can cause physical injury or death when used, or threatened, to cause physical injury or death.

“Weight” means aside from the obvious meaning in the physical sciences, the word is used in reference to a person’s “size.”

III. Student Bill of Rights and Responsibilities

A. Student Rights

The district is committed to safeguarding the rights given to all students under state and federal law. The District's aim is to provide an environment in which a student's rights and freedoms are respected, and to provide opportunities, which stimulate and challenge the student's interests and abilities to his or her highest potential. These opportunities will be available as long as the student pursues these interests, studies in an appropriate manner, and does not infringe upon the rights of others. In addition, to promote a safe, healthy, orderly, and civil school environment, all district students have the right to:

- Take part in all district activities on an equal basis regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender, gender identity, sexual orientation, social class, or disability or any other categories of individuals protected against discrimination by federal, state, or local law.
- Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
- Access school rules and, when necessary, receive an explanation of those rules from school personnel.
- To have a safe, healthy, orderly, and courteous school environment.
- To attend school and participate in school programs unless suspended from instruction and participation for a legally sufficient cause as determined in accordance with due process of law.

Students will not be denied the right to express themselves unless such expressions interfere with school operation or the rights of others.

Students are guaranteed freedom from unreasonable search and seizure. School authorities will not search personal property or persons unless they have a *reasonable suspicion* that items contained within constitute a rule violation or crime. **Lockers, desks, and other such storage areas as well as the school's computers remain the exclusive property of the school and students have no expectations of privacy with respect to these areas.** Students who are assigned lockers are reminded not to:

1. Share lockers or locker combinations with others.
2. Agree to store items for others.
3. Leave lockers unlocked – remember that a student may be held responsible if drugs or other items which violate the law or school policies are found in their lockers.

Students provided with network accounts are reminded not to:

- Share computer passwords with others.
- Allow others to use their network accounts.

Students over the age of 18 or parents/guardians of students have the right to inspect student records and to challenge the accuracy of content of such school records.

B. Student Responsibilities

All district students have the responsibility to:

1. Accept responsibility for their actions.
2. Contribute to maintaining a safe and orderly school environment that is conducive to learning and respect school and others' property.
3. Respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity for All Students Act (DASA).
4. Conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination.
5. Report, and encourage others to report, any incidents of intimidation, harassment, or discrimination.
6. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
7. Attend school daily and be in class on time and prepared to learn.
8. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
9. Respond to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
10. Work to develop mechanisms to deal with their anger.
11. Ask questions when they do not understand.
12. Seek help in solving problems that might lead to discipline.

13. Dress and groom respectfully for school and school functions.
14. 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.
15. Follow school and societal rules.
16. Immediately report any health or safety issues to school staff (*e.g. presence of illegal substances, injuries, bullying, hazing, harassment, threats or weapons possession*).

IV. Essential Partners

The Dolgeville Central School District believes that appropriate student behavior is a result of cooperative efforts among students, parents, staff members, the administration and the Board of Education. The District therefore emphasizes the need for the entire school community to provide a meaningful educational experience to all District students.

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.
2. Demonstrate a respect for the value of a completed education.
3. Send their child(ren) to school well-rested every day ready to participate and learn.
4. Attend parent/teacher conferences and meetings to discuss their child's progress and to collaborate in addressing any issues or concerns.
5. Ensure their child(ren) attend school regularly and on time. Appointments should, when possible, be scheduled after school to promote attendance and participation in the entire school day. If their child is out of school they should prepare written excuses for student absences and tardiness.
6. Insist their child(ren) be dressed and groomed in a manner consistent with the student dress code.
7. Help their child(ren) understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
8. Know school rules and consequences for violating them and help their child(ren) understand the rules and consequences.
9. Convey to their child(ren) a supportive attitude toward education and the district.
10. Build positive relationships with teachers, other parents and their child(ren)'s friends.
11. Help their child(ren) deal effectively with negative peer pressure.
12. Inform school officials of changes in the home situation that may affect student conduct or performance.
13. Provide a place for study and ensure homework assignments are completed.
14. Teach children self-respect, respect of others, respect for the law, and respect for public property.
15. Teach their children respect and dignity for themselves and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act (DASA).
16. To follow the chain of command when problems arise so that problems can be solved at the lowest level (staff member/teacher, school counselor/guidance counselor, principal, superintendent, Board of Education).
17. Dress appropriately for a public school building, when on campus, and in a manner that complies with the standards set forth in the student dress code (pg. 8).
18. All parents/guardians who volunteer in school or at school events or chaperone class trips must adhere to the policies and procedures in the Board-adopted "Volunteer Handbook".

B. Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity for themselves and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
2. Confront issues of discrimination and harassment in 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.
3. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
4. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity for All Students Act (DASA) Coordinator in a timely manner.
5. Be prepared to teach and meet the individualized needs of students.
6. Demonstrate interest and enthusiasm in teaching and concern for all students' achievement.
7. Know school policies and rules, and enforce them in a fair and consistent manner.

8. 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
9. Communicate regularly with students, parents, and other teachers concerning growth and achievement.
10. Act as a confidential agent in guarding information concerning students. Students' addresses, grades, personal information, records, and reputations are to be guarded, respected, and remain confidential. Direct notification of parents and/or affected students may be warranted in an alleged breach of student information. The District will promptly take steps to validate the breach, mitigate any loss or damage, and notify law enforcement if necessary.
11. Refer to a counselor, administrator, or support staff any student whose behavior requires special attention.
12. Demonstrate respect for school and societal rules.
13. Dress professionally and in a manner that complies with the standards set forth in the student dress code (pg. 8).
14. Serve as a role model for students and conduct themselves in a manner that is professional at all times.

C. School Counselors and Support Service Personnel

All district counselors and support service personnel are expected to:

1. Support the district's educational and academic goals.
2. Know school rules, abide by them, and enforce them in a fair and consistent manner.
3. Dress professionally and in a manner that complies with the standards set forth in the student dress code (pg. 8).
4. Assist students in coping with negative peer pressure/bullying and emerging personal, social, and emotional problems.
5. Set a good example for students and colleagues by demonstrating dependability, integrity, and other standards of ethical conduct.
6. Maintain confidentiality about all personal information and educational records concerning students and their families. Students' addresses, grades, personal information, records, and reputations are to be guarded, respected, and are to remain confidential. Direct notification of parents and/or affected students may be warranted in an alleged breach of student information. The District will promptly take steps to validate the breach, mitigate any loss or damage, and notify law enforcement if necessary.
7. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, as a way to resolve problems, and communicate as necessary in any other manner with parents and other staff regarding student progress and needs.
8. Regularly review with students their educational progress and career plan, including assisting students with college preparation.
9. Encourage and provide information to assist students and their parents with student career planning.
10. Encourage students to benefit from the curriculum and extracurricular programs.
11. Maintain and encourage 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/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
12. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity for All Students Act (DASA) Coordinator in a timely manner.

D. Other School Staff

All school staff members are expected to:

1. Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
2. Set a good example for students and other staff by demonstrating dependability, integrity and other standards of ethical conduct.
3. Assist in promoting a safe, orderly, and stimulating school environment.
4. Maintain confidentiality about all personal information and educational records concerning students and their families. Direct notification of parents and/or affected students may be warranted in an alleged breach of student information. The District will promptly take steps to validate the breach, mitigate any loss or damage, and notify law enforcement if necessary.
5. Maintain and encourage 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/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
6. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity for All Students Act (DASA) Coordinator in a timely manner.

E. School Resource Officer

School Resource Officers are expected to:

1. Create a safe school environment for students, faculty, staff, and visitors through the enforcement of laws, regulations, policies, and procedures.
2. Promote positive relationships with students and facilitate a positive school and community attitude toward law enforcement.
3. Assist district administration in situations where possible violations of law are involved.
4. Maintain confidentiality about all personal information and educational records concerning students and their families. Direct notification of parents and/or affected students may be warranted in an alleged breach of student information. The District will promptly take steps to validate the breach, mitigate any loss or damage, and notify law enforcement if necessary.
5. Reduce juvenile and campus crime through informal counseling and discussing safety, legal, and social issues in small groups or venues (Morning Program, Block 5 Assemblies, etc.).
6. Assist students and families to access prevention and intervention services.
7. Collaborate with the District and supporting agencies (including Child Protective Services, PINS, Probation, Family Court, and Juvenile Court) to meet the needs of students and district families.
8. Maintain and encourage 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/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.

F. Administrators

All district administrators are expected to:

1. Promote a safe, orderly and stimulating school environment, which supports active teaching and learning.
2. Insure that students and staff have the opportunity to communicate regularly with the administrator and approach the administrator for redress of grievances.
3. Evaluate in accordance with the District APPR all staff and instructional programs.
4. Support the development of and student participation in appropriate extracurricular programs and assess and adjust programs as needed.
5. Be responsible for enforcing the code of conduct and resolving all cases promptly and fairly.
6. Organize school schedules and teaching assignments and require effective classroom management and instruction.
7. Become acquainted with students by visiting classrooms and attending school activities.
8. Maintain open lines of communication between school and home.
9. Receive teacher or counselor referrals of students with behavior problems; confer with these students; communicate with parents; and set up cooperative procedures for bringing about modification of the student's behavior.
10. Demonstrate respect for school and societal rules.
11. Dress professionally and in a manner that complies with the standards set forth in the student dress code (pg. 8).
12. Maintain and encourage 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/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
13. Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the administrator's attention in a timely manner in collaboration with the Dignity for All Students Act (DASA) Coordinator.

G. Superintendent

The superintendent is expected to:

1. Promote a safe, orderly and stimulating school environment, free from intimidation, discrimination and harassment, which supports active teaching and learning.
2. Review with district administrators the policies of the board of education and state and federal laws relating to school operations and management.
3. Inform the board about educational trends relating to student discipline.
4. Work to promote and support instructional programs that encourage positive behaviors sensitive to student and teacher needs.
5. Work with school personnel in enforcing the code of conduct and resolving all cases promptly and fairly.
6. Address all areas of school-related safety concerns.
7. Dress professionally and in a manner that complies with the standards set forth in the student dress code (pg. 8).
8. Maintain and encourage 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/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.

H. Board of Education

All school board members are expected to:

1. Collaborate with students, teachers, administrators, 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 parents/visitors on school property and at school functions.
2. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Lead by example by conducting board meetings in a professional, respectful, and courteous manner.
4. Appoint a Dignity for All Students Act (DASA) Coordinator for the district. The DASA coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religious, religious practice, disability, sexual orientation, gender/gender identity, and sex. The DASA Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity for All Students Act.
5. Support the efforts of teachers, staff, and community to provide the highest quality education for students.
6. Demonstrate respect for school and societal rules.
7. Be student advocates and interact with parents. (To promote an open line of communication with the goal of helping all students to succeed and for parents to have a clear and open dialog with the Board of Education.)
8. Dress appropriately for a public school building, when on campus, and in a manner that complies with the standards set forth in the student dress code (pg. 9).

V. Student Dress Code

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. The school cannot and does not dictate styles. ***Students and their parents have the primary responsibility for acceptable student dress and appearance.*** Teachers and all other district personnel should help students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming, and appearance, including jewelry, shall be safe and not disrupt or interfere with the educational process.

1. Pajamas*, pants with writing on the seat area, revealing garments, see through garments, tube tops, net tops, and halter tops are not appropriate.
2. Exposed flesh on the torso or midriff is not appropriate for male or female students.
3. Underwear, including bra straps, must be completely covered with outer clothing and all undergarments should be appropriate for the outer clothing.
4. Low necklines and/or necklines that expose cleavage are inappropriate.
5. Shirts must contain two straps, one over each shoulder, including off-the-shoulder shirts.
6. Shirt straps must be a minimum of 1 inch wide.
7. Shorts and "skorts" must have inseams that are a minimum of 5 inches. Skirts must come down to at least the mid-thigh.
8. Safe footwear shall be worn at all times. Sneakers for the gymnasium and playground are expected and recommended for recess. Due to physical developmental concerns, students in grades K-6 are strictly forbidden from wearing "flip flops" or similar unsecured footwear. For parent reference, the sneakers manufactured with wheels in them are not allowed on the school campus. Not wearing footwear is a violation of the health codes.
9. Headwear such as hats*, hoods, bandanas, sunglasses etc. is prohibited except for extra-curricular activities, unless for a medical and/or religious reason.
10. Apparel and/or accessories must not include items that are violent, vulgar, obscene, suggestive, and libelous or denigrate others on account of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, social class, sexual orientation, gender or sex. Such apparel is prohibited on school grounds and school-sponsored events off campus.
11. Apparel and/or accessories must not promote, advertise and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities. Such apparel is prohibited on school grounds and school-sponsored events off campus.
12. Apparel must not be hazardous, damaging, or present danger to school property or persons including but not limited to choke chains, loose hanging chains, dog collars, wallet chains, or any type of spiked apparel or jewelry. Jewelry that poses a safety hazard or danger to a student or other students during PE classes or a sport must be removed.

*The exception to this clothing/accessory item is an approved, sanctioned school event.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up

to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be considered insubordinate and subject to further discipline, up to and including out of school suspension.

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

VI. 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, equipment, and district vehicles.

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

The board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function (e.g. field trips, alternative education tutoring after hours, athletic contests, dances, etc.) 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 violate these school rules will be required to accept the penalties 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 or disruptive**. Examples of disorderly or disruptive conduct include:

1. Running or inappropriate jumping in hallways.
2. Making unreasonable (extreme or excessive) 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. Entering any school building, other than the one they regularly attend, without permission from the administrator in charge of the building, or being on school grounds for no legitimate purpose whether during or after school hours.
7. Computer/electronic communications misuse, including any unauthorized use of computers, software, e-readers, or internet/intranet accounts; accessing inappropriate websites; evading the District's content filter; using an outside wireless network; or any other violation of the district's acceptable use policy.
8. Electronic devices such as laser pointers, iPods, electronic games, cellular phones, camera phones, and should not be used. On occasion a student may be authorized to use these items with the permission of the administrator/teacher/staff member responsible for the student at that given time. (For exceptions to cell phone use for grades 7-12, please refer to Section 9.13)
9. Using shocking devices or other such equipment.
10. Riders are expected to ride responsibly and be in control of their bicycles, skateboards, and snowmobiles at all times. Bikes and skateboards cannot be ridden on school sidewalks past the bike racks, in any roadways or parking lots, on athletic fields, or on the track. Bikes must be parked and locked at the bike racks. Once reaching the bike racks, skateboards must be carried into the school. Snowmobiles must be driven and parked in designated areas. The school is not responsible for the theft of bikes, skateboards, or snowmobiles.

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

1. Failing to comply with the reasonable directions of teachers, school administrators or other school employees.
2. Missing, leaving, or arriving late for school, or class, without permission.
3. Willfully skipping detention.

C. Engage in **conduct that is disrespectful**.

D. Engage in **conduct that is violent**. Examples of violent conduct include:

1. Committing an act of violence upon a teacher, administrator or other school employee, or attempting or threatening to do so.

2. Committing an act of violence upon another student or any other person lawfully on school property, or attempting or threatening to do so.
3. Engaging in harassing conduct, verbal threats, intimidation, or abuse, sexual or otherwise, that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical well-being.
4. Possessing and/or displaying 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.
5. Threatening to use any weapon.
6. Intentionally damaging or destroying or threatening to damage or destroy the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
7. Intentionally damaging or destroying, or threatening to damage or destroy, school district property.

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

1. Lying to school personnel.
2. Theft of school property, 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, through any means, including electronically. This can include posting or publishing video recordings, audio recordings, or pictures.
4. Discrimination based on a person's actual or perceived race, age, sexual orientation, use of a recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, or disability as a basis for treating another in a negative manner on school property or at a school function.
5. Harassment, which is 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, emotion, or physical wellbeing based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog, or service dog, disability, sexual orientation, gender or sex.
6. Bullying and intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort; for example, "play" fighting, extortion of money, overt teasing, etc.
7. "Internet bullying" (also referred to as "cyberbullying") including the use of instant messaging, e-mail, websites, chat rooms, text messaging, social media or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety, and welfare of students or employees.
8. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking/sending/receiving sexually explicit videos/pictures/audio recordings, and other verbal or physical conduct or communication of a sexual nature.
9. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliating with or maintaining membership in any school sponsored activity, organization, club or team.
10. Creating, selling, using, viewing, possessing, sharing, distributing, or transmitting obscene objects or materials.
11. Using or possessing matches, lighters, any form of live or spent ammunition, or any other incendiary materials.
12. Using vulgar, offensive, or abusive language/gestures, cursing or swearing, or threatening others physically or sexually.
13. Engaging in any type of sexual conduct or violent behavior on school property or while attending any school-sponsored function.
14. Possession of or smoking a cigarette, cigar, pipe, e-cigarettes, vape pen, or using chewing or smokeless tobacco, snuff, or any other nicotine product.
15. Possessing, consuming, selling, attempting to sell, trading, distributing or exchanging alcoholic beverages or illegal and/or controlled substances, counterfeit and designer drugs, or paraphernalia for the use of such drugs, or being under the influence of any such substances on school property or at school functions. "Alcohol" refers to any beverage with alcoholic content, or any substances, such as powdered alcohol (Palcohol), that can be mixed with a liquid to create an alcoholic beverage. "Illegal substances" include, but are not limited to: inhalants, marijuana, synthetic cannabinoids (marijuana), bath salts, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
16. Possessing, consuming, sharing, selling, attempting to sell, distributing, exchanging or inappropriately using over-the-counter or prescription drugs. Students who legitimately need to use prescription or over-the-counter medications during school hours must contact the school nurse for the appropriate procedures for bringing the medications to school or carrying the medications on their person.
17. Possessing, consuming, selling, distributing, or exchanging any substance with the intent of producing an altered physical, emotional, or mental state.
18. Gambling and gaming.

19. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner, including pantsing.
20. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
21. Violating gender privacy when using school restroom facilities.
22. Any intentional exposure of persons or property to bodily fluids.

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** defined in IX - Sections 9.9-9.11. Examples of academic misconduct include:

1. Plagiarism.
2. Cheating.
3. Copying.
4. Altering records/forgery.
5. Violation of the District Acceptable Use Policy for technology.
6. Assisting another student in any of the above actions.

VII. Reporting Violations

All students and staff are expected to promptly report violations of the code of conduct to a teacher, school counselor, building principal, the principal's designee, or superintendent. Any student or staff member observing any individual possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee, the School Resource Officer, or the superintendent. Any student or staff member with knowledge of any harassment, bullying, intimidation, discrimination, or threats toward students, staff, or school property shall report this information immediately to a teacher, a DASA coordinator, the building principal, the principal's designee, or the superintendent. To the extent possible, informants' identities will not be disclosed.

All district staff authorized to impose disciplinary sanctions (superintendent and principals) are expected to do so in a prompt, fair and lawful manner. Parents will be notified of district code of conduct violations. District staff not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their immediate supervisor or his/her designee, who shall in turn impose an appropriate disciplinary sanction.

Any weapon or alcohol found shall be confiscated immediately, followed by notification to the parent of the student involved and the appropriate disciplinary sanction, which may include permanent suspension and referral for prosecution. Any illegal substances shall be secured until law enforcement officers are contacted. Once officers are contacted and respond, parents of the student shall be notified and appropriate disciplinary sanctions will be imposed, which may include permanent suspension and referral for prosecution.

The building principal or their designee or the superintendent will notify the appropriate local law enforcement agency of code violations that constitute a crime and substantially affect the order or security of the school as soon as practical, but in no event later than the close of business the day the principal or their designee or the superintendent learns of the violation. Notification to the parent/guardian may be made by telephone and followed by a letter. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

VIII. Disciplinary Consequences, Procedures & 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. Consequences

Students who are found to have violated the district's code of conduct may be subject to the following consequences either alone or in combination. The school personnel identified after each consequence are authorized to impose that consequence, consistent with the student's right to due process.

1. **Oral warning** – any employee of the district staff
2. **Time out** – any employee of the district staff
3. **Written warning** – any employee of the district staff
4. **Written notification to parent** – transportation supervisor, athletic director, coaches, school counselors, teachers, teacher assistants, teacher aide/monitor, dean of students, principal, superintendent
5. **Lunch and/or Recess Detention** – teachers, teacher assistants, monitors, dean of students, principal, transportation supervisor, superintendent
6. **Suspension from transportation** – transportation supervisor, dean of students, principal, superintendent
7. **Suspension from athletic participation** – coaches, athletic director, dean of students, principal, superintendent
8. **Suspension from social or extracurricular activities** – activity director, athletic director, dean of students, principal, superintendent
9. **Suspension of other privileges** – transportation supervisor, athletic director, dean of students, principal, superintendent
10. **After School Detention** – teacher, dean of students, principal, or superintendent
11. **In-school suspension** – dean of students, principal or superintendent
12. **Temporary removal from classroom** - teacher, dean of students, principal, or principal's designee
13. **Short-term (five days or less) suspension from school** – principal, superintendent or upon appeal - board of education
14. **Long-term (more than five days) suspension from school** – superintendent or upon appeal - board of education
15. **Permanent suspension from school** – superintendent or upon appeal - board of education
16. **Restitution** – principal, superintendent or upon appeal - board of education

B. Procedures

In all cases, regardless of the consequence imposed, the school personnel authorized to impose the consequence 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 consequence.

Students who are to be suspended are entitled to additional rights before the consequence is imposed. (These additional rights are explained in VIII – Section 7 a, b, c.) When any suspensions occur and the school is closed on the suspension dates, the suspension will carry over to the next attendance day.

1. Lunch and/or Recess Detention

Teachers, teacher assistants, monitors, dean of students, principal, transportation supervisor, the superintendent may use lunch and/or recess detention as a consequence for minor student misconduct on school property or on school transportation.

2. Suspension from transportation

If students do not conduct themselves properly on a bus, the bus driver is expected to bring such misconduct to the transportation supervisor's or principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the transportation supervisor, dean of students, building principal or the superintendent. In such cases, the student's parent will become responsible for seeing that their 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 district official recommending and/or imposing the discipline to discuss the conduct and the consequence 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 recommending/and or imposing the suspension to discuss the conduct and the consequence involved.

4. After School Detention

A teacher, dean of students, principal or superintendent may opt to assign after school detention to students in situations where removal from the classroom or suspension would be inappropriate. After school detention will be imposed as a consequence only after the student's parent has been notified to confirm that the student has appropriate transportation home following detention.

5. In-school suspension

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

Students who are assigned In-School Suspension will be ineligible to participate in any school-related activity/practice/athletic event on the day (including evening) of their suspension. If an In-School Suspension is assigned for the end of a school week and will carry over into the following week, then the student will be ineligible from participation in any activity/practice/athletic event for that weekend as well. The only exception to this will be if a student is to participate in an activity that is credit bearing (ex. choral or instrumental concert).

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.

6. Teacher disciplinary removal of disruptive students

A student's behavior can affect a teacher's ability to teach and can interfere with the rights of 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 the elementary timeout room, the high school ISS room or in an administrator's office; (2) sending a student to the principal's office for the remainder of the class time only; or (3) sending a student to a school 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 they were removed from the classroom and give the student a chance to present their version of the relevant events within 24-hours.

The teacher must complete a district-established disciplinary removal form and meet with the principal 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 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 prior to the beginning of classes on the next school day.

Within 24-hours after the student's removal, the teacher and the principal must notify the student's parents, via telephone, that the student has been removed from class and why. The principal will verify the teacher notification by calling the parent and reminding them of the opportunity for an informal hearing at school with all parties involved. This will be followed by a written notice, sent within 24 hours, to inform parents of their right, upon request, to meet informally with the principal to discuss the reasons for the removal. The principal may require the teacher who ordered the removal to attend the informal conference.

If at the informal meeting the student denies the charges, the principal 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 acting principal 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 the law.
3. The conduct warrants suspension from school pursuant to Education Law §3214 and a suspension will be imposed.

The principal may overturn a removal at any point between receiving the teacher removal 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 provided continued educational programming and activities until they are 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 their class. Copies of such logs shall be provided weekly to the building principal.

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 their 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.

The principal may, in his/her discretion, designate a school district administrator to carry out their functions for student removal.

7. Suspension from school

Suspension from school is a severe consequence, 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. Students suspended from school are prohibited from attending or participating in any school function on or off school property. The consequence in terms of suspension is subject to the Superintendent's review for extenuating circumstances. 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.

Students who are assigned Out of School Suspension will be ineligible to participate in any school-related activity/practice/athletic event on the day (including evening) of their suspension. If an Out of School Suspension is assigned for the end of a school week and

will carry over into the following week, then the student will be ineligible from participation in any activity/practice/athletic event for that weekend as well.

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

When the superintendent or principal (referred to as the “suspending authority”) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student verbally. If the student denies the misconduct, the suspending authority provides a written and verbal 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. 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 suspending authority prior to the suspension unless the student’s continuing presence in the school poses a continuing danger to persons or property, or an ongoing threat of disruption. 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, upon request, shall be permitted to ask questions of complaining witnesses under such procedures as the suspending authority may establish.

If the informal conference is requested, it will be scheduled at the earliest convenience of the school official.

After the conference, the suspending authority shall promptly advise the parents in writing of their decision. The suspending authority 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 superintendents’ decision, unless they can show extraordinary circumstances precluding them from doing so. Final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

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

When the superintendent, or their designee, determines that a suspension for more than five days may be warranted, they 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 them and the right to present witnesses and other evidence on their behalf.

The superintendent shall personally hear and determine the proceeding or may, in their 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 them. 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 within 30 days of the decision.

C. Permanent suspension

Permanent suspension is reserved for extraordinary circumstances including, but not limited to, 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.

8. Additional avenues for disciplinary concerns

1. Counseling

The school counselors shall handle all referrals of students for counseling and determine if further intervention(s) is necessary.

2. Preventive Services

Contact Guidance Counselor or Psychologist.

3. 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 they require supervision and treatment by:

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

4. 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,
- 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.

IX. Discipline Guidelines and Prohibited Conduct

In addition to violations of public law, commission of the conduct listed below will result in disciplinary measures. With the exception of tardiness, the penalties specified below for the various disciplinary measures enumerated **are minimum penalties**. Violations of public law on school property or at school related events will result in school action regardless of whether or not criminal charges are pressed. Under appropriate circumstances, law enforcement officials will be notified of violations.

9.1 Alcohol Possession, Distribution, Use

Any student who is found to have been distributing, in possession of, or under the influence of alcohol will be placed on suspension for up to five days and parent notification made. If the student appears to be under the influence of alcohol and in the need of medical attention, the situation will be treated as any other medical emergency.

9.2 Drugs

The general purpose of this policy is to provide counsel and assistance for responsible action by the DCS system regarding individuals who are identified as having a personal problem with or creating a group problem as the result of the use/abuse of drugs. The policy includes a set of restrictive as well as rehabilitative measures for those who persist in violating the intent and specific regulations of this policy.

- a. **Distribution and Selling of Drugs** – Whenever the Principal is reasonably certain that a student is involved in the distribution or selling of any type of drug, law enforcement authorities will be contacted and parent(s) or legal guardian(s) will be contacted.

If it has been determined that a student is involved in the distribution of drugs, they may be suspended for up to five school days and referred to the Superintendent of Schools for possible further action.

The Superintendent may then conduct a hearing. Following the hearing, the Superintendent may return the student to school, follow an alternative procedure, extend the suspension, or, after due process, refuse their return indefinitely.

- b. **Possession of Drugs** – If a student is found to be in possession of over-the-counter drugs or prescription drugs used for medical purposes, the drugs will be confiscated and a parent conference held. Further violations of this nature could result in detention or suspension.

Law enforcement authorities will be contacted whenever the Principal determines that illegal drugs are found in the possession of a student. The Principal may also contact law enforcement authorities to help make such a determination. Pupils who are in possession of illegal drugs may be suspended for up to five days. In the event that this is the second time that a student has been suspended for a drug related offense, they will be referred to the Superintendent of Schools for further action. The

Superintendent will then conduct a hearing. Following the hearing, the Superintendent may return the student to school or extend the suspension, or after due process, refuse their return indefinitely. Parent(s) or legal guardian(s) shall be kept informed throughout the process.

c. **Under the Influence** – Whenever there is *reasonable suspicion* by any person that a student is under the influence of drugs, they should be referred to appropriate school personnel (the Principal, school nurse, or others delegated this responsibility by the administration). At least two staff members must be in agreement as to whether the student is under the influence. If it is determined they are under the influence of non-medical drugs, the following procedure will occur:

- Parental authorities shall be contacted;
- Law enforcement shall be contacted;
- If the student appears to be under the influence of drugs and in the need of medical attention, the situation will be treated as any other medical emergency; and,
- The student shall be suspended out-of-school for up to five school days.

In the event this is the second time that a student has been involved in a drug related offense, they will be referred to the Superintendent of Schools for further action. The Superintendent will then conduct a hearing. Following the hearing, the Superintendent may return the student to school or extend the suspension, or, after due process, refuse their return indefinitely.

d. **Students Seeking Help** – The Board of Education does not condone the non-medical use of drugs. However, it does recognize the need for the availability of help to those who use/abuse drugs. Members of the professional staff desire to foster a helping relationship and to make referrals when necessary. It is the position of the Board of Education that communication between student and professional staff will be held in trust, unless it becomes evident that withholding information may result in harm or injury to the student and/or others. Staff persons must understand and recognize their personal limitations and are encouraged to refer students to appropriate resources.

e. **Parental Involvement** – Every case of student violation of the drug policy must be documented from the first time.

- Whenever there is a *reasonable suspicion* that a student is suspected of violating the school drug policy and questioned by the School Principal or designee, their parents or guardians will be notified following the questioning and investigation.
- Whenever it has been determined that a student has *violated* the school drug policy, their parents shall be notified *immediately*.

9.3 Tobacco, Nicotine and/or Nicotine Products (See definition, page 3)

The use of tobacco (smoking, chewing, or inhaling) products and distribution of tobacco and or nicotine products by minors on school grounds – including buses and personal vehicles parked on school property – or school-sponsored events off school grounds, is prohibited at all times.

- The use or distribution of tobacco products on school grounds will result in ISS. Repeated infractions may result in OSS.
- Tobacco products possessed by students on school grounds will be confiscated and destroyed.

9.4 Fighting/Assault

The actual, attempted, or threatened use of violent force:

- a. On a staff member will result in an automatic out-of-school suspension with recommendation to the Superintendent for permanent suspension;
- b. On another student will result in the out-of-school suspension of the student physically initiating the assault and the possible suspension of both students; and
- c. By students freely entering into a fight on school grounds or on school buses will result in five days of out-of-school suspension in grades 7-12 and up to five days of suspension in grades K-6.

9.5 Weapons

The possession of a weapon on school property is strictly prohibited, except by law enforcement personnel. Our school is required by Federal Law to be in compliance with the Gun-Free School Policy contained in Article XI of this Conduct Code. That policy specifically states that any student found in possession of a weapon, after a hearing, is subject to section 3214 of the Education Law which calls for the expulsion of that student for a period of not less than one year.

The definition of a weapon as defined in section 921 of Title 18 of the United States Code may be read in Section II of this Conduct Code.

Also, students using knives, arrows, clubs, or any other implements as weapons to threaten or to inflict bodily harm on other students or who use or have in their possession explosive devices such as fireworks, pipe bombs, etc., will be subject to the following procedures:

- a. Suspension out-of-school for up to five days with a Superintendent's Hearing which may result in the following process:
 - A demand for psychological assessment and counseling;
 - Further suspension with an outside tutor provided for compulsory age students;
 - A re-evaluation hearing prior to re-instatement.
- b. The school district will also reserve the right to involve police and to press charges from the inception of the process.

9.6 Disorderly Conduct

Any conduct that is disruptive to the education environment, including excessive noise, improper physical conduct, playing radios, tape players, cd players, cell phones, mp3 players, vulgarity, and indecent exposure such as "mooning", any sort of "pantsing", and "soxing" will be considered disorderly conduct. Warnings, detentions, and suspensions will be issued depending on the seriousness of the offense.

9.7 Insubordination

Insubordination is defined as a student's refusal to follow a staff member's reasonable request, or a student's conduct which exhibits disrespect toward a staff member. The student who is insubordinate will be placed on detention or suspension with parent notification. Students who blatantly are insubordinate to an adult while in school may be suspended for up to five days out of school.

9.8 Reckless Endangerment

Reckless endangerment is any act that could cause bodily harm to another student, such as throwing objects in a classroom, pulling out a student's chair to cause them to fall, throwing snowballs, or intentionally exposing a student to bodily fluids. A student who recklessly endangers others will be referred to the principal for possible detention or suspension and parents will be notified.

9.9 Plagiarism

Plagiarism is the theft of another person's published material and passing that material off as one's own work. If a student has plagiarized an assignment, the following will occur:

- The teacher will assign the student a zero for the plagiarized assignment.
- The teacher will hold a conference with the student and his/her parent(s).
- The assignment will be completed, with the highest possible grade being 50% of the original possible credit.
- Repeated offenses of plagiarism will be reported to the building principal for further disciplinary action.

9.10 Cheating

A student cheats when they conspire to fraudulently obtain class assignments or test answers from another source and pass it off as their own. Cheating also includes the giving of answers or assignments to other students. If a student has cheated, the following will occur:

- The teacher will assign a zero for the assignment or test.
- The student may *not* make up the assignment or test for credit.
- The teacher will notify the parents of the cheating incident.
- Repeated offenses of cheating will be reported to the building principal for further disciplinary action.

9.11 Forgery

Forgery is the imitation or fabrication of another person's signature or written work. If a student is found using a forged excuse, note, or pass, the following will occur:

- The student will be referred to the building principal.
- Disciplinary action will be imposed.
- Parents will be notified.
- If the forgery resulted in absence from school, the absence will be considered truancy.

9.12 Theft/Destruction of Property

If it is determined that a student has stolen school property or the property of another individual, or damaged/destroyed the property in any way, the student will return the property in total in its original condition or make restitution at replacement value and will face disciplinary action. Any property deliberately exposed to bodily fluids will be replaced or made restitution for at the replacement value. The school reserves the right to involve law enforcement and pursue legal action.

9.13 Electronic Devices

- Abuse of electronic devices in the school or on school property will result in their confiscation and the device will be held in the main office until the end of the day. Repeated abuse will require the parent to pick up the device from school.
- The use and possession of laser pointers, cell phones, and hand-held electronic games are prohibited during all classes and study halls, unless used with the express permission of a teacher or administrator.
- For students in grades 7-12, the responsible use of cell phones (excluding phone calls) is permitted in the cafeteria during students' designated lunch periods and in the hallways while transitioning between classes.
- Those students needing to place or receive phone calls during the school day may use the phones available in the main offices with the permission of teachers, administrators, or office staff.
- Shocking devices of any kind are strictly prohibited.
- Use of personal listening devices, such as cell phones and iPods, will be allowed at the discretion of each staff member supervising students.
- Electronic devices may not be used for purposes of personal communication or to access social media.
- Pictures of students, staff, or visitors may not be taken or shared digitally through any means without the permission of the person being photographed.
- The school is not responsible for the theft or destruction of personal electronic devices.
- Cell phones and electronic devices are allowed on the bus as long as they are not a distraction to the driver or causing a commotion that will interfere with the safe operation of the bus. If there is a problem, students will be asked to put them away. If they refuse, the phone is given to the driver, and the driver will turn it into the main office.
- Refusal to comply with these regulations will result in disciplinary action.

9.14 Gambling

The act of playing a game or activity for money, wagering is prohibited.

9.15 Harassment

While in school or on any school property, DCS students have the right to be free from verbal, physical, and electronic harassment based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, social class, sexual orientation, gender or sex. Any student accused of harassment, or demeaning and intimidating behavior, will be confronted by staff and/or administration. Following an investigation and findings that harassment has occurred, the student will be subject to referral, which may lead to warnings, detention, suspensions, and corrective action based on the seriousness of the behavior. For additional details regarding sexual harassment, please refer to XVII – Section 7.

9.16 Vandalism/Destruction of Property

If it is determined that a student has destroyed or defaced individual or school property, the student will compensate the school or student or provide labor sufficient to satisfy the cost of restitution, and will face disciplinary action. The school reserves the right to involve law enforcement and pursue civil action where necessary.

9.17 Displays of Affection

Students are expected to refrain from outward displays of public affection with each other on school property. This includes hugging, kissing, inappropriate touching, and any other sexual activity. Such behavior is inappropriate in the school environment and failure to comply with this rule will result in disciplinary action.

9.18 Concert and Assembly Rules

- Out of respect for performers and presenters at assemblies, concerts, recitals, and plays, rude, loud, and disrespectful behavior will not be tolerated toward anyone who presents or performs for our school and community.
- The wearing of hats or headphones during these occasions will not be accepted. Hats and headphones will be removed or they will be confiscated.
- Those in attendance at performances are expected to remain seated during the entire performance. If a person must leave for any reason, they should enter or leave the auditorium only during a break in the performance or during applause.
- Those in attendance at performances are expected to turn off cell phones or other electronic devices that may cause a distraction to the audience or performers or may interfere with the performance of district audio-visual equipment.
- Those persons who refuse to comply with these rules will be asked to leave the performance and will be subject to further disciplinary action.

9.19 Athletic Events

- Once an event begins, students are expected to be in their seats and remain there for the entirety of the event.
- Students in grades K-6 attending as spectators must be supervised by an adult at all times.

- At no time may students leave the event and reenter.
- **Spectators may not bring food or drinks into the school's gyms with the exception of water.**
- Standing in doorways is prohibited as per fire regulations.
- No sound devices, such as bells, horns, etc., are allowed in the gym.
- No unauthorized persons are permitted on the playing floor or field at any time.
- Good sportsmanship is expected. Booing or any other harassment of players, cheerleaders, coaches, officials, or fans of the opposing team will not be tolerated.
- For additional information, please refer to the District's Athletic Code of Conduct.

9.20 School Dances

Open/Closed Dance Policy

- In order to maintain a safe environment at school dances the DCS Board of Education supports a general closed dance policy meaning that only students enrolled in DCS are allowed to attend school dances. However, the Board of Education has approved three regular dances [Homecoming, Winter Semi-Formal, and Valentine's Day Dances] in addition to the Prom, as open dances meaning that DCS students are allowed to bring a guest who is under the age of 21 to the dance. The DCS student and guest must fill out a request form obtained in the high school office and return it to the principal's office with signatures from the Dolgeville student, guest, and parents along with a form of ID for age verification. Forms must be submitted to the building principal by the Wednesday before the dance. Based upon reference checks the administration may deny admittance of a guest to a dance. Guests that are not enrolled in school (with the exception of graduates) or who have not successfully completed high school are not allowed to attend.
- Students attending school dances are expected to abide by all rules stated in this Code of Conduct, including the school's dress code as outlined in Section V (except numbers 5 and 6) and the rules for display of affection as outlined in Part IX section 9.17.
- No food or drinks may be brought out of the cafeteria during dances, unless food and drinks are being served in the gym.
- Students must adhere to the grade-level guidelines for admittance to dances.
- At no time are students permitted to leave and reenter a dance.
- Students attending must sign in at the beginning of the dance with their name and phone where a parent/guardian may be reached.
- Unless special arrangement has been made, doors will be closed one half hour after the beginning of the dance and no further entry will be permitted.
- Students will not be permitted to leave early without written parental permission or permission of the parent by phone.
- Sexually explicit dancing is prohibited. Students who do not conform to this standard will be asked to leave the dance.
- Glow sticks and/or other objects placed in students' mouths are prohibited and will be confiscated.

At no time will the Dolgeville Central School District be responsible for any expenses incurred by students and guests attending our dances.

9.21 Fire Drills, Lock Downs, and Evacuations

All emergency drills are conducted to ensure the safety of our entire student body and all staff members. All students are expected to adhere to the following rules:

- During drills, it is expected that students will cooperate fully and immediately comply with all directions given by any staff members.
- In the case of fire drills and evacuations, students are to follow the evacuation plan posted in each room. Students are to quickly and quietly leave the building. Students and staff are to move at least fifty feet away from the building and remain there until directions to re-enter the building or move to emergency evacuation locations are given.
- In a lock down situation, students are to comply with all staff directions and remain totally silent until the signal to move to safe areas is given. At that time, students will move quickly and quietly to the safe areas to await further instructions.
- Because failure to fully cooperate during drills puts students and staff at risk, noncompliance with the above rules will result in disciplinary action.

9.22 Lunch

A student's lunch period is determined by their personal schedule.

- Students in grades K-12 fall under the Closed Campus Policy.
- Students in grades K-12 will remain in the school for supervised lunch and, in grades K-8 recess/advisory periods. Students in these grades will be allowed to leave school only under the direct supervision of their parents/guardians.

9.23 Cafeteria

Good table manners and eating habits are expected. Students who do not follow the rules of the cafeteria may lose cafeteria privileges and face disciplinary action.

a. Rules

- Be polite and respectful.
- Clean up after yourself. Throwing food will result in disciplinary action and cleaning the cafeteria.
- A pass must be obtained in advance in order to leave the cafeteria.
- Slush puppies and other unfinished foods are not to be taken out of the cafeteria. Lunch may be eaten elsewhere with permission from a teacher. Pre-packaged food, food in closed containers, and snacks can be saved in lockers for after school.
- Consequences: Students spoken to more than twice on an issue will be referred to Lunch Detention.

9.24 Busing

a. Rules

- Students must be ready when the school bus arrives.
- Students must pass in front of the school bus far enough to be seen by the driver. Students must wait at the right side of the highway, 10 feet ahead of the bus, for the school bus driver to motion them to cross. This is the most dangerous activity of transporting students because the student is not inside the bus.
- Students must enter and leave the bus in an orderly manner.
- Upon entering the bus, students must take seats assigned by the school bus driver and remain seated until it is time to leave the bus.
- Conversation must be held in a normal tone of voice so that the distraction of the school bus driver will be at a minimum.
- Students must not block the aisle in any manner.
- Windows may be opened only by permission of the school bus driver, and students are not to lean from or shout from open windows. Nothing is ever to be thrown from a bus window.
- The school bus is an extension of the school grounds and behavior not acceptable in school is not acceptable on the school bus.
- Students must cooperate in the maintenance of clean, sanitary, and comfortable transportation. Public Health regulations prohibit eating and chewing gum on a school bus.
- Waste papers must be deposited in receptacles provided at the front of the bus.
- All students must respect the property and “persons” of others.
- In no phase of the school program is “horseplay” or “fooling around” more dangerous. No activity of this nature will be tolerated on a bus.
- No pets may be transported on a school bus.
- Due to the fact that in recent years our buses have been filled to capacity, no student will be allowed to ride any bus other than their regularly scheduled bus. Exceptions to this regulation will be granted only in emergencies, and permission to ride a different bus must be obtained from the building principals or school superintendent.
- Board of Education and insurance regulations permit only regularly scheduled pupils to be transported in school buses without permission of school authorities.
- Public Safety Regulations prohibit the transportation of large parcels on school buses. Musical instruments should be transported by parents. Under no circumstance can volatile liquids or chemicals such as oil or gasoline be transported on school buses.
- The school bus driver is designated as the authority on the bus. Repeated infraction of the above rules is to be reported to the building principals or superintendent of schools. Incorrect behavior may lead to the suspension of riding privileges.

b. Contract

At the opening of school, each student who regularly rides a Dolgeville Central School bus is provided with a copy of the agreement below along with a copy of the **GENERAL BUS RULES** explained previously. This agreement and the rules are to be taken home and shared with parents. The bottom portion is signed by both students and parents and returned to the student’s bus driver. The procedure to be followed by bus drivers, should a student break a rule, is as follows:

c. Discipline for Issues related to Transportation and District Vehicles: (moved)

The consequences outlined in this section may be increased and/or accelerated to a higher level should misconduct occur on District vehicles.

- **First Incident:** The driver verbally warns the student and logs the incident in the log book.
- **Second and Third Incidents:** The driver verbally warns the student, logs the incident in the log book, and contacts the student’s parents/guardians.

- **Fourth Incident:** The driver notifies a school administrator by submitting a written Bus Incident Referral. The school administrator will assign appropriate disciplinary action, including detentions, bus suspensions for up to five days, ISS, or OSS. In severe cases, students may be permanently suspended from riding the bus.
- **Severe Clause:** In the case of a severe incident (i.e.: defiant behavior, destruction of property, fighting, weapon possession, etc.) the student will be immediately referred to a school administrator for disciplinary action.

X. 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.

XI. Discipline of Students with Disabilities

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

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

A. Authorized Suspensions or Removals of Students with Disabilities

- 1) For purposes of this section of the code of conduct, the following definitions apply.
 - A **“suspension”** means a suspension pursuant to Education Law § 3214.
 - A **“removal”** means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.
 - An **“IAES”** means a temporary educational placement for a period of up to 45 days, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, to continue to receive those services and modifications, including those described on the student’s current individualized education program (IEP), that will enable the student to meet the goals set out in such IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

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

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

B. Change of Placement Rule

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

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

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

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

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from their current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary.

If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.

- b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
- c. Provide students with disabilities, regardless of the manifestation determination, the services necessary for them to continue to participate in the general education curriculum and progress toward meeting the goals set out in their IEP as identified below:
 - **Suspensions or removals for periods of up to ten (10) school days in a school year that do not constitute a disciplinary change of placement:** Students with disabilities of compulsory age shall be provided with alternative instruction on the same basis as nondisabled students. Students with disabilities who are not of compulsory age shall be entitled to receive services during such suspensions only to the extent that services are provided to nondisabled students of the same age who have been similarly suspended.
 - **Suspensions or removals for periods of ten (10) consecutive school days or less that in the aggregate total more than ten (10) school days in a school year but do not constitute a disciplinary change in placement:** Students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP and to receive, as appropriate a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. School personnel, in consultation with at least one

(1) of the student's teachers, shall determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress in meeting the goals set out in the student's IEP.

- **Suspensions or other disciplinary removals for periods in excess of ten (10) school days in a school year which constitute a disciplinary change in placement:** Students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum, to progress toward meeting the goals set out in the student's IEP, and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. The IAES and services shall be determined by the CSE.
- 2) The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
- a. The superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
 - b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
 - 1) conducted an individual evaluation and determined that the student is not a student with a disability, or
 - 2) determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations.

If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.

- 3) The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in their current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement.
- The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
- 4) The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
- 5) Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
- 6) The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
- 7) During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearings

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

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

E. Referral to law enforcement and judicial authorities

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

- The district may report a crime committed by a child with a disability to appropriate authorities, and such action will not constitute a change of the student’s placement.
- The superintendent shall provide copies of the special education and disciplinary records of a student with disabilities for consideration to the appropriate authorities to whom a crime is reported, to the extent consistent with the Federal Educational Rights and Privacy Act.

XII. 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.

XIII. Prohibited Staff Conduct

The Board of Education, per board policy #6180 “Staff/Volunteer-Student Relations (fraternization)”, requires that all school district employees and/or volunteers maintain professional, ethical relationships with district students that are conducive to an effective, safe learning environment. Staff/volunteers must establish appropriate personal boundaries with students and not engage in any behavior that could reasonably lead to even the appearance of impropriety.

Staff members and/or volunteers are prohibited, under any circumstances, to date or engage in any improper fraternization or undue familiarity with students, regardless of the student’s age and/or regardless of whether the student may have “consented” to such conduct.

Inappropriate employee and/or volunteer behavior includes, but is not limited to, flirting; making suggestive comments; dating; requests for sexual activity; physical displays of affection; giving inappropriate personal gifts; frequent personal communication with a student (including but not limited to phone, e-mail, letters, notes, or social media communications) unrelated to course work or

official school matters; providing alcohol or drugs to students; inappropriate touching; and engaging in sexual contact and/or sexual relations.

XIV. 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. Schools are a place of work and learning, however; therefore, certain limits must be set for such visits. The building principals and superintendent or their designees are 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 security desk upon arrival at the school and receive permission to visit. There they will be required to sign the visitor's register and will be issued a visitor's identification badge, which must be visibly worn at all times while in the school or on school grounds. The visitor must return the identification badge to the security desk 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 required to register and wear a visitor's badge.
4. Parents, citizens, or former students who wish to observe or visit a classroom while school is in session are required to arrange such visits with the classroom teacher(s) at least 24 hours in advance so that class disruptions are kept to a minimum.
5. Teachers are not expected to take class time to discuss individual matters with visitors.
6. Any unauthorized person on school property will be reported to principals or the superintendent or their designees. 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.

XV. 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, but not limited to students, parents, 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.

Animals are prohibited - with the exception of service animals - during school hours or at school-sponsored events for the safety of students and staff. In addition, animals are strictly prohibited from the track at all times.

Bikes, skateboards, and rollerblades are prohibited from the track at all times.

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, threaten or discriminate against any person on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, social class, sexual orientation, gender or sex.
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, illegal drugs, or controlled substances, or be under the influence of either on school property or at a school function.
10. Possess, use, or threaten to use weapons (or facsimiles thereof) 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. Use tobacco products of any kind in or on school property or while attending a school function.
16. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

B. Penalties

To maintain a positive and safe school environment, persons who violate this code shall be subject to the following penalties:

1. **Parents/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 and/or arrest. Violent, threatening, or criminal behaviors may warrant a permanent ban from school grounds.
2. **Students** shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements, as stated in this Code of Conduct.
3. **Tenured faculty members** shall be subject to immediate ejection and/or arrest, and disciplinary action as the facts may warrant in accordance with Education Law §3020-a or any other legal rights that they may have.
4. **District Employees** in the classified service of the civil service entitled to the protection of Civil Service Law §75 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 3 and 4** shall be subject to immediate ejection and/or arrest, warning, reprimands, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.
6. **Other(s).** 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 and/or arrest. Violent, threatening, or criminal behaviors may warrant a permanent ban from school grounds.

C. Enforcement

The superintendent, building principal, advisors, athletic director, teachers, staff and chaperones **shall be responsible for enforcing the conduct required by this code.**

When the building principal, superintendent, athletic director or their designees become aware of an individual engaged in prohibited conduct, which in their judgment does not pose any immediate threat of injury to persons or property, they or their designees shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. They 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, superintendent, athletic director or their designees 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.

XVI. 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 a public hearing prior to Board approval.
2. Posting the Code of Conduct on-line at the district’s website.
3. Providing copies of the Code of Conduct to all parents prior to the beginning of the school year.
4. Providing copies of a summary of the code to all students in an age-appropriate, plain-language version, at a general assembly held at the beginning of each school year.
5. 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.
6. 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, and provide opportunities to review and discuss the Code with the appropriate personnel.

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

The board of education, via a committee of representative stakeholders, 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 District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website. The District shall file a copy of its Code of Conduct and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.

XVII. BOARD POLICIES FOR CODE OF CONDUCT

1. Student Drivers

The following regulations have been established for student drivers at Dolgeville Central School. These regulations apply to all licensed student drivers and the vehicles they drive on school property.

- a. All student drivers must complete and submit a Student Drivers' Contract. Contracts are available in the high school office. Snowmobile users must attach proof of vehicle registration and insurance to their completed contracts.
- b. All student drivers must provide a copy of their driver's license, annually register their vehicles and obtain a student parking sticker. Stickers must be displayed in their vehicles.
- c. The speed limit on all school property is 15 mph.
- d. Student parking is restricted to the student parking lot. Students parked outside of the student parking area during school hours are subject to disciplinary action, including towing and revocation of their driving privileges.
- e. Slawson Street and the Exit Road onto Beaver Street are recognized as school zones requiring reduced speed and extra caution.
- f. All student vehicles should be locked and remain locked throughout the school day.
- g. Driving on school property will be limited to necessary travel only. "Joy riding" and "cruising" are prohibited.
- h. At dismissal, student drivers will either leave campus prior to the dismissal of the buses, or wait until all buses have been dismissed.
- i. Student drivers are not to break into the bus line as it exits the campus.
- j. The school parking lots and roads are the property of the school. Therefore, all rules and regulations contained in this Conduct Code apply to student vehicles that are on school property.
- k. BOCES students who wish to drive to and from BOCES programs must receive signed permission from (1) BOCES administration, (2) DCS administration, and (3) parents or guardians. All BOCES and DCS driving regulations must be followed.
- l. Student driving privileges may be revoked if any student driving regulations are violated.
- m. Student vehicles may not display bumper stickers, window stickers, or any words/images/items that are violent, vulgar, obscene, suggestive, and libelous or denigrate others on account of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, social class, sexual orientation, gender or sex. Such displays are prohibited on school grounds and at school-sponsored events off campus.

2. Policy for Discipline and Suspension of Students with Disabilities

The Dolgeville Central School District strictly adheres to the policy of not suspending or disciplining students with disabilities if the reason for the action is the pupil's disability. The DCS Special Education Chairperson will be informed of all out-of-school suspensions involving students with disabilities. Short term suspensions of up to five days will involve an informal conference. An accumulation of more than ten out-of-school suspension days will result in a meeting for manifestation determination. Long term suspension will involve a formal suspension hearing.

3. Grading Policy

Please refer to the 2018-2019 Grading Policy document online at www.dolgeville.org under the “district” tab.

4. School Visitors Policy

In order to maintain a safe as well as disciplined learning environment, DCS students may not bring visitors to school. Students from outside the district wishing to visit the school for the purpose of investigating enrollment must make an appointment with either the appropriate guidance counselor or administrator and be accompanied by a parent or guardian. DCS graduates wishing to visit the school must make arrangements with teachers in advance or come after school hours.

5. Comprehensive Student Attendance Policy

5.1 Statement of Overall Objectives

Alfred Dolge, the founder of Dolgeville, has been quoted, “Go out into the world well prepared.” The Dolgeville Central School District recognizes that regular school attendance is the foundation for academic success. Students who are not in school cannot learn and be exposed to the standards and content designed to prepare them to confront the demands of the Regents curriculum, and a competitive college and job environment in the future. Through the implementation of this policy the Dolgeville Central School Board of Education expects to:

1. Encourage full attendance for all students by reducing the level of unnecessary absences, tardiness, and early departures from school.
2. Maintain an adequate attendance record keeping system.
3. Identify patterns of student absenteeism.
4. Develop effective intervention strategies to improve attendance.

5.2 Description of Strategies to Meet Objectives

The School District will:

- a) Create and maintain a positive school building culture by fostering a positive physical and psychological environment where the presence of strong adult role models encourages respectful and nurturing interactions between adults and students. This positive school culture is aimed at encouraging a high level of student bonding to the school, which in turn should lead to increased attendance.
- b) Develop a Comprehensive Student Attendance Policy based upon the recommendations of a multifaceted District Policy Development Team that includes representation from the Board of Education, administrators, teachers, students, parents and the community. The District will hold at least one public hearing prior to the adoption of this collaboratively developed Comprehensive Student Attendance Policy.
- c) Maintain accurate record keeping through the District’s Student Management System (SMS) to record attendance, absence, tardiness or early departure of each student.
- d) Utilize data analysis systems for tracking individual student attendance and individual and group trends in student attendance problems.
- e) Develop early intervention strategies to improve school attendance for all students.

5.3 Determination of Excused and Unexcused Absences, Tardiness and Early Departures

Based upon our District’s education and community needs, values and priorities, the School District has determined that absences, tardiness and early departures will be considered excused or unexcused according to the following standards:

- a) **Excused** absences, tardiness, or early dismissal will include:

Type of Excused Absence	Details
Health related appointments	<ul style="list-style-type: none">▪ Dentist, Doctor, Eye, Quarantine by the Health Department, etc...▪ Must be accompanied by a signed note from the health care professional or (his or her) designee on office letterhead or prescription form.
Health related absence without a professional excuse	<ul style="list-style-type: none">▪ Absences due to personal illness not requiring a doctor’s appointment.▪ Requires a written parental excuse.▪ For Middle and Senior High courses these absences will be limited to 10 blocks for full year courses, 5 blocks for half-year courses, and 3 blocks for quarter year courses.
College visitations	<ul style="list-style-type: none">▪ Must be accompanied by a signed note from the college admissions office on college letterhead.

School sponsored events	<ul style="list-style-type: none"> These include field trips, honors seminars, approved internships, and approved cooperative work programs, Regional Program for Excellence, musical performances, stage band rehearsals, instrumental lessons, school sports competitions, assemblies, and other curricular and co-curricular events as determined by the administration.
Religious observance	<ul style="list-style-type: none"> Must be accompanied by a signed note with reason for the absence from a parent or guardian.
Military obligations	<ul style="list-style-type: none"> Must be accompanied by signed note from military personnel on military letterhead.
Mandated court appearances	<ul style="list-style-type: none"> Must be accompanied by a signed note from a judge, probation officer, or other court official on official letterhead.
Impassable roads due to inclement weather	<ul style="list-style-type: none"> Must be verifiable through Superintendents of roads and highways. If school buses are permitted to navigate roads in that area, this excuse will not be accepted.

b) **Unexcused** absences, tardiness or early departures will include:

Type of Unexcused Absence	Details
Absences	<ul style="list-style-type: none"> Any absence not school related without a written excuse. Any absence for a reason not included in the above chart.
Tardiness (A tardy is defined as any lateness to class.)	<ul style="list-style-type: none"> Any tardy not school related without a parental excuse. Any tardy for a reason not included in the above chart. Any three unexcused tardies of less than 15 minutes will be considered an absence. An unexcused tardy of greater than 15 minutes to a class will be considered an absence for that class.
Early Departures (An early departure is defined as any time a student leaves class prior to the scheduled ending of the class.)	<ul style="list-style-type: none"> Any early departure not school related without a parental excuse. Any early departure for a reason not included in the above chart. Any three unexcused early departures will be considered an absence.

5.4 Phone Calls Reporting Absence

On **each** day of a student's absence from school, it is the responsibility of the **parent/guardian** to call the school by **9:00 a.m.** to explain the absence.

5.5 Written Excuses

When a student is absent, it is the responsibility of the student to give to the Attendance Officer a **written excuse signed by the parent/guardian** within **48 hours** of the student's return to school. **If a written excuse is not submitted, the absence will be recorded as unexcused.**

Written excuses are required for tardies and early departures. **A student must provide the Attendance Officer with a written excuse signed by the parent/guardian upon entering school tardy. In the event of an early departure, the excuse must be submitted to the Attendance Officer before the start of the school day. If the tardiness or early departure is due to an excusable appointment, written verification from the office of the appointment is required upon return to school, or the absence will be recorded as unexcused.**

5.6 School Closings

A record shall be kept of each scheduled day of instruction during which the school is closed for all or part of the day because of extraordinary circumstances including adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, destruction of or damage to a school building, or such other cause as may be found satisfactory to the Commissioner of Education.

5.7 Withdrawal from Enrollment

Attendance records shall also indicate the date when a student withdraws from enrollment or is dropped from enrollment in accordance with Education Law Section 3202(1-a).

5.8 Management of Attendance Data

- a. **Elementary School:** Attendance will be taken daily in the classroom at the beginning of each day by the teacher and submitted electronically using the District’s SMS. Tardies and early dismissals will be recorded in the main office at the time of a student’s arrival or departure.
- b. **Middle and Senior High School:** Attendance will be taken and submitted electronically using the District’s SMS by each teacher at the beginning of all scheduled class periods. Teachers will resubmit attendance or contact the attendance officer if students marked absent arrive late to class.

5.9 Notice of Students who are Absent, Tardy or Depart Early without Proper Excuse

A designated staff member shall notify, by telephone, the parent/person in parental relation to a student who:

- a. Is absent without an excuse.
- b. Is tardy without an excuse.
- c. Leaves the building early without permission.

If the parent/person in parental relation cannot be reached by telephone, the staff member will provide such notification by mail.

5.10 Student Attendance/Course Credit

The District believes that classroom participation is related to and affects a student's performance and grasp of the subject matter and, as such, 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 certain percentage of a student's final grade may be based on classroom participation as well as the student's performance on homework, tests, papers, projects, etc. as determined by the classroom teacher.

Students are expected to attend all scheduled classes. Consistent with the importance of classroom participation, any student absences, tardiness, and/or early departures will affect a student’s attendance record and could result in the denial of course credit.

a. Elementary School

The implementation of the attendance policy for the Dolgeville Elementary School is not intended to encourage students to attend school when they are sick. Parents are asked to use their judgment in determining attendance at the time of their child's illness. The school district understands that elementary aged students are subject to various childhood diseases/operations that may cause a child to be absent for a longer period of time. In these instances, consideration will be taken.

The attendance officer will provide the principal with weekly updates of students who have accumulated 10, 15, 20, and 30 absences, tardiness and early departures.

1. Upon the **tenth** absence from school, the principal or designee will send a letter home to advise the parents/persons in parental relation of the situation, with a copy forwarded to the teacher.
2. Upon the **fifteenth** absence from school, the principal or designee will telephone the parents/persons in parental relation to discuss the record of absences. A follow up letter will be sent and a copy forwarded to the teacher.
3. Upon the **twentieth** absence from school, the principal or designee will telephone the parents/person in parental relation to discuss the record of absences. The principal may also request a meeting with the parents/persons in parental relation, and if appropriate, the student to discuss their attendance. The reasons for the absences, tardiness or early departures and ways to reduce or eliminate them will be discussed. The classroom teacher will be invited to attend this meeting. A letter will be sent to the parents/persons in parental relation summarizing the phone call and/or meeting and reinforcing the topics addressed.
4. After the **thirtieth** absence from school, the principal will issue a letter notifying the parents/persons in parental relation that their child is in jeopardy of being retained in the current grade due to excessive absences. The issue of attendance will be considered in the recommendation of grade level placement for the following school year.

b. Middle/Senior High School

At the junior/senior high school level, students will be denied course credit in accordance with the information in the following chart:

Course Description	Number of Absences (Excused OR Unexcused, Excepting Curricular* Absences)	First Written Notification by Teacher to Parent/Guardian	Second Written Notification by Teacher; Verbal Notification by Principal; Meeting with	Written Notice of Course Credit Denial by Teacher; Verbal Notification by Principal, Meeting with Principal, Guidance

			Student and Parents/Guardians	Counselor, School Nurse, Teachers, Student, and Parents/Guardians
Full Year Course, Every Day, 42 Minutes	40 Absences	14 Absences	28 Absences	40 Absences
Full Year Course, Blocked, 84 Minutes	20 Absences	7 Absences	14 Absences	20 Absences
Half Year (Semester) Course, Every Day, 42 Minutes	20 Absences	7 Absences	14 Absences	20 Absences
Half Year (Semester) Course, Blocked, 84 Minutes	10 Absences	3 Absences	7 Absences	10 Absences
Ten-week Course, Every Day, 42 Minutes	10 Absences	3 Absences	7 Absences	10 Absences
Ten-week Course, Blocked, 84 Minutes	5 Absences	2 Absence	3 Absences	5 Absences

*Curricular absences are those where a student is absent from school in order to attend an activity *required* for participation in a credit-bearing course.

5.11 Notice of Minimum Attendance Standard/Intervention Strategies Prior to the Denial of Course Credit

In order to ensure that parents/persons in parental relation and students are informed of the District's policy regarding minimum attendance and course credit, and the implementation of specific intervention strategies to be employed **prior to the denial of course credit to the student for insufficient attendance**, the following guidelines shall be followed:

- a. Copies of the District's Comprehensive Student Attendance Policy will be mailed to parents/persons in parental relation and provided to students at the beginning of each school year or at the time of enrollment in the District.
- b. School newsletters and publications will include periodic reminders of the Components of the District's Comprehensive Student Attendance Policy. Copies of the Attendance Policy will also be included in District Student Conduct Code.
- c. A designated staff member shall notify, by telephone the parent/person in parental relation of a student who is absent without an excuse, tardy without an excuse, or leaves the building early without permission. If the parent/person in parental relation cannot be reached by telephone, the staff member will provide such notification by mail.
- d. Parents/guardians of elementary students will be contacted at bench-mark numbers of absences as defined in Section 7:10(a).
- e. Parents/guardians of middle/high school students will be contacted at benchmark number of absences as identified above in Section 7:10(b).

5.12 Appeals Process

- a. If a student faces the denial of course credit due to excessive absences, the student or parent/person in parental relation may appeal the denial of course credit to an Attendance Review Committee by notifying the building principal within two school days of verbal notification of being denied credit.
- b. The school will convene this committee within five school days of receipt of this appeal request.
- c. This Committee will be composed of the principal, the attendance officer, the course teacher, the guidance counselor, school nurse, and an impartial teacher. Both the student and teacher are entitled to address the committee.
- d. The purpose of this appeal process is to give the student and parent/guardian the opportunity to:
 - Review the attendance record.
 - Present evidence of legitimate reasons for absences.

5.13 Summer School Attendance

Summer school students are subject to the summer school attendance policy which may be different from the formal school year policy.

5.14 Transfer and Re-enrolled Students

Transfer students and students re-enrolling after having dropped out will be expected to attend a prorated minimum number of the scheduled class meetings during their time of enrollment.

5.15 Coursework Missed Due to Absence, Tardiness, or Early Departure

Upon returning to school following an absence, tardiness or early departure, it shall be the responsibility of the student to consult with their teacher(s) regarding arrangements to make up missed work, assignments or tests within one cycle (A-D day rotation) of each absence.

5.16 Attendance Incentives

In order to encourage student attendance, the District will develop and implement grade appropriate/building-level strategies and programs including but not limited to:

- a. Kindergarten through sixth grade:
 - Banner to recognize a classroom at each grade level with best monthly attendance.
- b. Students with two or less absences during the school year will receive certificates of good attendance at annual awards assemblies.

5.17 Disciplinary Consequences

- a. Unexcused absences, tardiness and early departures will result in disciplinary sanctions as described in the Student Conduct Code.
- b. Consequences may include, but are not limited to,
 - In-school suspension
 - After school or lunch detention
 - Denial of participation in interscholastic and extracurricular activities.
- c. Parents/ persons in parental relation will be notified by designated District Personnel at periodic intervals to discuss their child's absences, tardiness or early departures and the importance of class attendance and appropriate interventions.

5.18 Athletic Participation

Refer to Athletic Code of Conduct. Posted on-line at the district's website.

5.19 After School and Weekend Participation

Please refer to Athletic Code of Conduct for specific guidelines and attendance/participation requirements for student athletes.

In order for a student to attend or participate in a school-sponsored event, extracurricular activity, and/or athletic event or practice, it is necessary that the student attend classes for the full school day on the day of the activity.

Students will not be allowed to participate in the day's event or practice if they enter school after 10 AM. Medical excuses (from a doctor), court requirements, and bereavement are the only exceptions to this rule. Students excused early for a medical appointment must bring a medical excuse to return to school to participate in a practice or event. Medical excuses should be submitted to the attendance office, advisor, or coach if returning outside normal school hours.

If a student is absent from school on the last scheduled day of the school week the student will not participate in the school-sponsored event, extracurricular activity, and/or athletic event or practice on Saturday or Sunday unless the student's coach/advisor is presented with a legal excuse for that day's absence at the beginning of the practice, game, or other extracurricular activity.

Students absent from school for the entire day due to illness are not allowed to participate in after school activities on that day. Likewise, students sent home from school due to illness are not allowed to participate in after school activities on that day.

5.20 Intervention Strategy Process

In order to effectively intervene when an identified pattern of unexcused absences, tardiness, or early departures occurs, designated District personnel will pursue the following:

- a) Identify specific pattern of unexcused absences, tardiness or early departures.
- b) Discuss strategies to directly intervene with specific pattern(s).
- c) Utilize appropriate District and/or community resources which may include but not be limited to: individual counseling session with school staff, peer counseling groups, child study referral, SIP referral, PINS to address and help remediate student unexcused absences, tardiness or early departures.
- d) Implement changes, as approved by appropriate administration.
- e) Monitor and report short and long term effects of intervention.

5.21 Building Review of Attendance Records

The person identified as having responsibility for reviewing attendance records maintained by teachers and compiled by the attendance officer will be the building principal.

The person responsible for initiating appropriate action to address unexcused pupil attendance will be, in the high school, the teacher to be supported by the building principal or designee in accordance with this policy, and in the elementary school, the building principal or designee.

6. Gun Free Schools Policy

No student shall bring onto school premises or have in their possession on school premises any “firearm” as defined in federal law. For the purpose of this policy, the term “firearm” shall mean: any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive or other propellant; the frame or receiver of such weapon; any firearm muffler, or silencer; or any destructive device.

In accordance with the Gun-Free Schools Act of 1994, any student found guilty of bringing a firearm onto school premises or having such a firearm in their possession on school premises, after a hearing has been provided pursuant to Section 3214 of the Education Law, will be suspended from school for a period of not less than one year. However, after the imposition of the one-year penalty has been determined, the Superintendent of Schools may review and modify such suspension requirement for a student on a case-by-case basis. In reviewing the student’s one-year suspension penalty, the Superintendent may modify the penalty based on factors as set forth in Section 100.2 of the Regulations of the Commissioner of Education and in Commissioner’s Decisional Law.

For students who are classified as having a disability under the Individuals with Disabilities Act (IDEA) and Part 200 of the Commissioner’s Regulations, a suspension for more than ten days constitutes a change of placement. As such, if a student with a disability brings a weapon to school in violation of Board policy and federal law, the District will not follow the procedures under Education Law Section 3214. It will also provide parental notice in accordance with Commissioner’s Regulations to refer the student to the Committee on Special Education (CSE) before a change of placement (i.e., a suspension for more than ten days) is revoked.

The District will continue to offer students with disabilities a free and appropriate public education despite any suspension imposed as a result of this Board policy. Additionally, this policy does not diminish the authority of the Board of Education to offer courses in instruction in the safe use of firearms pursuant to Education Law Section 809-a.

This policy does not prohibit Dolgeville Central School from utilizing other disciplinary measures, including but not limited to, out-of-school suspension for a period of five days or less or in-school suspensions in responding to other types of student misconduct which infringe upon the established rules of the school.

The District will continue to provide the suspended student with appropriate alternate instruction during the period of the student’s suspension.

Regulations shall be developed by the administration to implement this policy.

Goals 2000: Educate America Act
P.O. 103-227 (Gun Free Schools Act of 1994)
18 United States Code (U.S.C.) Section 921
Education Law Sections 809-a and 3214
8 New York Codes of Rules and Regulations
(NYCRR) Section 100.2 and Part 200
Public Law 101-476
Individuals with Disabilities Act (IDEA)

7. Sexual Harassment Policy

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide for all District students an environment that is free of sexual harassment and intimidation. Sexual harassment is a violation of law and stands in direct opposition to District policy. Therefore, the Board condemns all forms of sexual harassment by employees and students. Generally, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- a. Submission to sexually harassing behavior is not a condition for the successful completion of any course of study or educational and extracurricular activity, including the acceptance into or rejection from such course or activity;
- b. Conditions exist within the school environment that allow or foster obscene pictures, lewd jokes, sexual advances, requests for sexual favors, or other harassing activities of a sexual nature;

- c. Such conduct has the purpose or effect of unreasonably interfering with a student’s academic performance or participation in an educational or extracurricular activity, or creating an intimidating, hostile, or offensive learning environment.

The Board acknowledges that in determining whether sexual harassment has occurred, the perspective of the victim as well as the offender’s conduct and/or intention should be evaluated.

Any student who believes that they have been subjected to sexual harassment shall report all incidents of such conduct to the District’s designated complain officer through informal and/or formal complaint procedures developed by the District. In the event that the complaint officer is the offender, the complainant shall report their complaint to the next level of supervisory authority. All such reports will be held in strictest confidence.

Upon receipt of an informal/formal complaint, the District will conduct a thorough investigation of the charges. However, if the District has knowledge of or has reason to know of any alleged sexual harassment, the District is obligated, even in the absence of a complaint, to investigate such conduct promptly and thoroughly.

Based upon the results of the District’s investigation, corrective action will be taken immediately. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender’s employment in accordance with contractual and legal guidelines. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension/expulsion.

The Board of Education prohibits any retaliatory behavior directed against complainants and/or witnesses. Follow-up inquiries shall be made to ensure that harassment has not resumed and that the victims and/or witnesses have not suffered retaliation.

The Board directs the Superintendent to **develop regulations for resolving sexual harassment complaints by students.** The Superintendent/designee shall affirmatively discuss the topic of sexual harassment with all employees and students, express the District’s condemnation of such conduct, and explain the sanctions for harassment. A copy of this policy and its accompanying regulations shall be posted in appropriate places and available upon request to all employees and students.

Title IX of the Education Amendments of 1972