

Cohoes Middle School

7 Bevan Street, Cohoes, NY, 12047 (518) 237-4131

www.cohoes.org

Work Hard. Be Nice.

Home/School Communication:

We embrace the opportunity to communicate with parents and guardians concerning their child's progress. Please feel free to contact our staff regarding your child at any time via phone at 237-4131, e-mail, or through Schoology (our Parent Portal) as outlined below.

Schoology/Parent Portal: We encourage all families to utilize this free offering.

Schoology is a web-based learning management system that allows parents instant access to learn about their child's grades, information about assignments, school calendar, and view teacher pages. Middle school students also have access to the portal by way of their own username and password. Please visit www.cohoes.org for additional information, and to download the appropriate forms.

Parent/Team Conferences:

All parents and guardians are encouraged to schedule a parent/team teacher conference through our guidance office at 237-4131 x2227. At this conference you will meet with your child's core academic team (ELA, math, science, and social studies teachers) and guidance counselor. Specials teachers will be requested to attend as needed.

At your child's parent/team meeting, we will do the following:

- We encourage you to ask questions and offer your parent perspective and details that will help us know your child better.
- We will ask you to please review and update your contact information and emergency contacts as needed.
- You will receive a copy of your child's most recent interim report or report card.
- You will receive a copy of your child's current grades, explanation of any progress monitoring that has occurred, and a discussion of current classroom activities.
- The opportunity to move forward with a plan of action, coordinated by your child's guidance counselor.

Attendance Policy:

The Cohoes Middle School staff believes that regular school attendance and student success have a direct correlation. It is the policy of the Cohoes Middle School to strongly encourage students to be in attendance every day. If a student accumulates 5 or more absences or tardies, a notice will be sent home noting that excessive absences from school are occurring. It should be noted that all children of compulsory age must attend school on a regular basis. To encourage better student participation in school, additional resources may be used including but not limited to assigning detentions, holding a Principal's Hearing, filing an Albany County PINS (Person In Need of Supervision) petition and contacting CPS (Child Protective Services).

In the case of a student's absence from school, parents are required to call the main attendance office at 237-4131 ext. 2228 by 8:00 AM to inform us of the reason for the student's absence. Otherwise the school will make every reasonable attempt to contact the parents regarding the student's absence.

Please note that a written excuse must be provided and brought to the homeroom teacher by the student upon his/her return to school. If not, the student's absence from school is deemed unexcused and the student may expect to receive the appropriate disciplinary action including, but not limited to: detention, loss of privilege, or contact of outside agencies.

The following reasons are considered to be excused absences from or tardies to school:

1. Personal illness/medical necessity
(may require documentation)
2. Impassable roads or weather
making travel unsafe
3. Religious observance
4. Serious illness/death in family
5. Court or legal appointment
6. Doctor/dentist appointment

The following are examples of **unexcused** absences or tardies:

1. Babysitting
2. Transportation issues
3. Vacation
4. Walking younger siblings to school

Classroom Attendance:

Students are to be in their assigned classes on time. Students who report late for class must have a pass from the teacher of the previous class. Students who are late may be subject to disciplinary consequences.

Attendance at School Functions:

Students will not be allowed to attend any after school activity, practice, or game on a day on which the student has been absent or assigned out-of-school suspension. In order for students to participate in sporting events or other extra-curricular activities, students must arrive at school no later than 10:00 AM (including Fridays for a Saturday event). Students who leave early for a professional appointment must provide a written excuse from their service provider.

No student is to remain after school unless participating in an activity supervised by a teacher, administrator, or authorized staff member. Adhering to the CMS Code of Conduct, cooperation, and school citizenship are expected of all students.

Once on school property (in or within any building, structure athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus), a student intending to attend a school function will become the responsibility of the school, all school district rules apply, and will be handled as would a student who has already been admitted to a school related function.

Persons loitering on school grounds when a school function is in progress will be requested by the building staff or administration to leave, and if this request is ignored, the police will be summoned to ensure compliance

Academic Honor Code:

The Academic Honor Code: We, the students of the Cohoes Middle School community, pledge to hold ourselves and our peers to the highest standards of honesty and integrity. On all work submitted for credit by students at CMS, the following pledge is either required or implied: "On my honor, I have neither given nor received unauthorized aid in doing this assignment." Students who violate the academic honor code may be subject to loss of credit and disciplinary consequences.

CMS PBIS “Tiger Awards” Program:

To recognize positive student behavior, any adult in the building can issue PBIS “Tiger Awards” to students. Students can accumulate these awards to earn the opportunity to receive a variety of incentives including movie passes, ice cream coupons, and other incentives that are offered from teachers and the CMS administration.

Our Response to Behavior Infractions:

As a school, we recognize that students will occasionally misbehave and make mistakes. 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 nature of the offense and the circumstances which led to the offense.
2. The student’s prior disciplinary record.
3. The effectiveness of other forms of discipline.
4. Information from parents, teachers and/or others, as appropriate.
5. Other extenuating circumstances.

As a general rule, discipline will be progressive. This means that after a student’s first violation, subsequent violations will usually merit a more severe penalty.

Behavior Points Program:

Disciplinary behavior points are assigned through a discipline referral for breaking school rules and are in addition to other consequences. A referral that results in a teacher or lunch detention counts as 1 point. Referrals that result in the student receiving a 45 minute detention count as 2 points, two-hour detentions count as 3 points, and external suspensions from school count as 5 points.

Throughout the school year, students without referrals will be invited to participate in PBIS events such as pizza parties, ice cream socials, special lunch privileges, and other incentives. Students with 10 or more behavior points (generated by referrals) will lose various school privileges, including, but not limited to participation in any or all school related activities. Students who wish to lower their points may have the opportunity to do so by working with the adults in the building conducting a service project that is set up by the student and staff with parent permission. After the Memorial Day holiday, students will no longer be able to work off behavior points. It is the primary responsibility of students to track their points and make arrangements to work them off.

Academic Co-Curricular Eligibility Policy:

Any student who has incomplete grades, or is failing **two or more** subjects (ELA, math, science, social studies, foreign language, health, physical education, technology, art, music, band, chorus, FACS, and reading) is academically ineligible to participate in co-curricular activities, including athletics, for two weeks from the time of distribution of report cards or interim reports. The students may practice during this period; however, they may not participate in scrimmages or contests. Club members may continue to attend meetings; however, they may not participate in special events, dances, field trips, musicals, marching band, talent show, etc.) during their period of ineligibility.

Ineligible students (including those in the 4th quarter of the previous year) may be placed in an academic quiet study for two twenty-two minute periods. Students will bring their lunch to the quiet study room. This will allow students additional time during the school day to focus on their studies to increase their grades.

After a minimum of two weeks, ineligible students may obtain a co-curricular eligibility form from the CMS Guidance Office. When a teacher indicates on the form that the student's grade is passing for the current marking period, the form is signed by the principal and given to the advisor or coach. When the number of failing grades, loss of credit and/or incomplete grades is no more than one (after three weeks of being ineligible), the student is reinstated.

Students who have failed two or more classes in the fourth quarter of the previous school year are not eligible for fall activities. Students may practice; however, they are not eligible to participate in scrimmages or games for three weeks, beginning from the first day of fall practice.

After the two week period, students are able to obtain an academic eligibility form from the guidance office. The student is expected to obtain current grades and signatures from all of his or her teachers on this form. If the student is failing fewer than two classes at this time, the student is reinstated by the principal.

A student who leaves school, and subsequently returns, is ineligible for two weeks. After two weeks, eligibility is regained unless there are two or more failing, incomplete, or loss of credit grades.

Eighth Grade Students:

Eighth grade students who are failing two or more classes (math, ELA, science, social studies, technology, PE, health, foreign language, and band or chorus) at the time of their **fourth quarter interim** report are academically ineligible to participate in co-curricular activities, including the eighth grade dance or field trip. As a reminder, eighth grade students are responsible for knowing their behavioral eligibility for the dance and field trip. Students must pre-arrange to work off behavior points (students must have less than 10) by the **Memorial Day holiday**.

Eighth grade students have until Thursday, May 31st at 2:36 PM to meet academic eligibility requirements. They may then obtain a co-curricular eligibility form from the CMS Guidance Office. When all teachers (every subject) indicate on the form that the student is not failing more than one class, the form is signed by the principal. Eighth grade students will then earn eligibility status for the eighth grade dance and field trip. This grace period is only for students who are failing at the 4th quarter interim. Students who are failing two or more classes for the year will not be eligible. (please see below) Students who have missed more than 15 days of school will not be eligible.

Eighth grade students who are failing two or more classes (math, ELA, science, social studies, technology, PE, health, and foreign language) **for the year** will not be eligible to attend the eighth grade dance or field trip. The calculation used for this determination will be quarter 1 average + quarter 2 average + quarter 3 average + quarter 4 interim average \div 4 (this is for each subject, each quarter). We will round to the nearest hundredth of a point.

Eighth grade students who are failing two or more **core classes** (math, ELA, science, social studies) for the year will not be eligible to participate in the eighth grade promotion. The calculation used for this determination will be quarter 1 average + quarter 2 average + quarter 3 average + **quarter 4 average** \div 4 (this is for each subject, each quarter). We will round to the nearest hundredth of a point. Students who have missed more than 15 days of school will not be eligible.

Eighth grade students who fail two or more core classes will be required to attend summer school.

Extenuating eligibility circumstances may be appealed to the principal in writing for consideration.

Standards for Acceptance to the National Junior Honor Society:

The following standards for acceptance to the National Junior Honor Society at Cohoes Middle School were approved by the faculty and administration of the middle school:

1. Students will be inducted after the third quarter of grade seven. Grade averages from sixth, and the first three quarters of seventh will count toward acceptance into the National Junior Honor Society. The students must have an overall average of 89.5% in the core academic subjects.
2. Students who are eligible scholastically will be notified and told that for further consideration for selection to the NJHS they must complete a Student Activity Information Form.
3. A Faculty Advisory Council, consisting of nine members, annually appointed by the principal, will review the Student Activity Information Forms, and vote on eligible candidates based on Leadership, Service, Character and Citizenship. Candidates receiving a majority vote of the faculty council will be inducted into the NJHS.

4. In extenuating circumstances, the student and/or his or her parent may petition the Faculty Advisory Council to reconsider the eligibility of the student.

Student Obligations:

Students are responsible for all textbooks, Library books, and materials, which are issued to them during the school year and are expected to return these items to their teacher at the time of collection. In addition, they are responsible for other obligations: e.g. money owed due to school sales, damaged or missing equipment, damaged personal and school property, lost or damaged library books, and detentions assigned but not served.

Grade 8 students who have obligations may not be allowed to take part in the promotion ceremony until these obligations are completed.

Physical Education (PE):

The New York State Education Department, Bureau of Physical Education, interprets the physical education mandate concerning the successful completion of physical education as follows:

1. A student must be present.
2. A student must participate in physical education for each year that he/she is in school.

Students will be expected to dress appropriately for physical education classes as directed by their instructors. Physical education teachers may ask students to remove piercings or jewelry as they may interfere with student safety during class. Students must tie their sneakers as directed to prevent injury. Failure to dress appropriately, remove jewelry, or participate properly will result in reduction in grades and/or disciplinary action.

Student athletes must fully participate in PE class on the day of a practice or contest in order to participate in those athletic practices or contests.

Students are provided with a PE locker and are required to supply their own lock. The school is not responsible for the loss of items from the locker room or any locker.

Health Services

Medication Policy:

For a student to receive prescription or non-prescription medication in school, the following criteria must be met:

1. The school nurse must have on file a written order from the family physician in which he/she indicates the name of the drug, the frequency and time for administering the medication, the dosage, and possible side effects. This includes over the counter medication.
2. The nurse must have a written request from the parent to administer the medication.
3. The medication should be delivered directly to the nurse by the parent or guardian. The medication must be in a container that clearly indicates the name of the medication, date, name of child and physician, dosage, and frequency.
4. The medicine must be in the original container.

All medications that do not meet the above criteria are considered contraband.

Vaccinations:

Public Health Law #2164 states that all children enrolled in the 6th grade must be immunized against Varicella. Public Health Law also requires that children born after January 1, 1994 to have booster vaccinations for Diphtheria, Tetanus, and Pertussis upon entering the sixth grade. All children enrolled in the 7th grade must be vaccinated against Hepatitis B. Your child will not be allowed to attend school without proper vaccinations.

Sports Physicals:

All students' grades 7 and 8 that desire to participate in interscholastic athletics must receive an adequate physical examination. A medical history must be done if a student is carrying over their physical from one season to another as well. The nurse must approve this information before the athlete can participate. No student will be allowed to try out or practice with the team without the required physical examination. There are no exceptions.

Physical examinations are provided by the school district prior to each sports season free of charge. Students may be examined by their family physician. The district medical form must be completed and returned directly to the school nurse. Failure to provide proof of a physical examination will result in a loss of practice time. Physical examinations are valid for the twelve months. Students trying out for a sport can have the exam before the season starts.

To view a complete 2017-2018 sports physical schedule, download an Athletic Health History Form (first-time athletes), or download a Medical Sports Update Form, please visit www.cohoes.org and "click" Athletics.

Working Papers:

Working paper forms are obtained through the CMS Guidance Office. The CMS Nurse must complete the medical portion, parents complete the remainder.

CMS Code of Conduct:

Introduction:

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

The district has a long-standing set of expectations for conduct on school property and at school functions as well as conduct off school premises, which relates to the Cohoes City School District, its students and staff. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity.

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

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

Definitions:

For purposes of this code, the following definitions apply.

- A. "Disruptive student" means an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.
- B. "Disability" means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held. (Education Law §11(4) and Executive Law §292(21)).
- C. "Cyberbullying" means harassment or bullying as defined in subdivision K of this section where such harassment or bullying occurs through any form of electronic communication.
- D. "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 §§ 11(4) and 1125(3))
- E. "Parent" means parent, guardian or person in parental relation to a student.
- F. "School property" means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or in or on a school bus, and Education Law §11(1).
- G. "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).
- H. "School function" means any school-sponsored extra-curricular event or activity on or off school property as defined in Education Law §11(2).
- I. "Sexual Orientation" shall mean actual or perceived heterosexuality, homosexuality or bisexuality".
- J. "Gender" shall mean actual or perceived sex and shall include a person's gender identity or expression.
- K. "Harassment" or "bullying" means the creation of a hostile school environment by conduct

or by threats, intimidation or abuse including cyber-bullying as defined in Education Law §11(8) that either has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, and/or physical well-being; including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or reasonably causes or would reasonably be expected to cause physical injury to a student or cause the student to fear for his or her physical safety. Such conduct includes acts of harassment and/or bullying that occur (1) on school property; and/or (2) at a school function, or (3) off school property where such acts of harassment and bullying create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying shall include but are not limited to nonverbal and verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

- L. "Hostile Environment" in the context of harassment and bullying refers to an environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.
- M. "Emotional Harm" in the context of harassment and bullying refers to harm to a student's emotional well-being through the creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.
- N. "Material Incident of Harassment, Bullying and/or Discrimination" means a single verified incident or a series of related verified incidents where a student is subject to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. Such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, meets the definition of subpart K of this section, and is the subject of a written or oral complaint to the superintendent, principal or their designee, or other school employee.
- O. "Violent student" means a student under the age of 21 who:
 - 1. Commits an act of violence upon a school employee, or attempts to do so.
 - 2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
 - 3. Possess, while on school property or at a school function, a weapon.
 - 4. Displays, while on school property or at a school function, what appears to be a weapon.
 - 5. Threatens, while on school property or at a school function, to use a weapon.
 - 6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
 - 7. Knowingly and intentionally damages or destroys school district property.
 - a. "Weapon" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, pocket knife, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, incendiary bomb, ammunition, imitation ammunition or exploding substances, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

Student Rights and Responsibilities:

A. Student Rights

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

1. Take part in all district activities on an equal basis regardless of race, color, creed, national origin, religion, religious practice, weight, gender, gender identity, sex, sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.
4. To be protected from intimidation, harassment, bullying and/or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, sex, gender, including gender identity, sexual orientation or disability, by employees or students on school property or at a school sponsored event, function or activity

B. Student Responsibilities

All district students have the responsibility to:

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

Essential Partners:

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with teachers, other parents and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.
13. Teach their children respect and dignity for themselves and for other students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, gender or gender identity or sex, which will strengthen their child's confidence and help promote learning in accordance with the Dignity for All Students Act.

B. Teachers and other instructional staff

All district teachers and other instructional staffs are expected to:

1. Maintain a climate of mutual respect and dignity, for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practice, disability, sexual orientation, gender and gender identity or sex, which will strengthen students' self-confidence and promote learning.
2. Be prepared to teach.
3. Demonstrate an interest in teaching and concern for student achievement.
4. Know school policies and rules, enforce them in a fair and consistent manner.
5. Confront issues of discrimination, bullying and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
7. Report incidents of discrimination, bullying and harassment that are witnessed by teachers or otherwise brought to a teacher's attention or other instructional staff who receive and oral or written report of such conduct shall promptly orally report to the building administrator, superintendent or their designee, and/or to the Dignity Act Coordinator (DAC) within one (1) school day of when they witness or receive the report and within two (2) school days thereafter shall file a written report with the principal, superintendent or their designee, including the DAC.
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.

C. Counseling Staff

1. Assist students in coping with peer pressure and emerging personal, social and emotional problems.
2. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
3. Regularly review with students their educational progress and career plans.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. 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 and 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.
7. Report orally any incidents of discrimination, bullying and/or harassment that are witnessed or otherwise brought to the counselor's attention to the building administrator, superintendent and/or their designee, which may be the Dignity Act Coordinator (DAC) within one (1) school day and shall file a written report of such incident with the designated official to receive these reports within two (2) school days after making the oral report.

D. Principals and Supervisory Personnel

1. Seek to develop a sound and helpful atmosphere of mutual respect within the school.
2. Evaluate the program of instruction in their school to achieve a meaningful educational program;
3. Help their staff self-evaluate their own procedures and attitudes in relation to the interactions within their classrooms;
4. Develop procedures which reduce the likelihood of student misconduct; this includes the authority to administer tests on suspicious substances, administer breath tests on students and to use metal detection devices if a reasonable suspicion exists that a student is possesses or is under the influence of drugs, alcohol, or is in possession of a weapon.
5. Provide the opportunity and encouragement for students and staff to approach the principal or other appropriate administrators directly for redress of grievances;
6. Work with students and staff to formulate individual school regulations;
7. Assist staff members to resolve any school related problems which may occur;
8. Work closely with parents to establish a cooperative relationship between home and school;
9. Utilize all appropriate support staff and community agencies as resources to help parents and students identify problems and seek solutions;
10. Establish necessary building security;
11. Assume responsibility for the distribution of the code of conduct and ensure that all discipline cases referred are resolved justly and promptly;
12. Ensure fairness, reasonableness and consistency,
13. Comply with pertinent state laws governing hearings, suspensions and student rights;
14. Demonstrate desirable standards of behavior through personal example.
15. 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 and religious practice, disability, sexual orientation, gender and gender identity

or sex, with an understanding of appropriate appearance, language and behavior in a school setting, which will strengthen student' self-image and promote confidence to learn.

16. Promptly lead or supervise and complete a thorough investigation of all written reports of discrimination, bullying and/or harassment that submitted to the principal, superintendent or their designee's attention. Such investigation may be performed in collaboration with the DAC.
17. When an investigation verifies a material incident of harassment, bullying and/or discrimination, the principal, superintendent and/or their designee (including the DAC) shall take prompt action, consistent with the District's code of conduct, including but not limited to the provisions of 100.2(1)(2)(ii)(h), reasonably calculated to end the harassment, bullying and/or discrimination, eliminate any hostile environment and create a more positive school culture and climate.
18. Ensure the safety of the student or students against whom harassment, bullying or discrimination was directed.
19. Shall promptly notify the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct.
20. Shall provide a regular report on data and trends related to harassment, bullying and/or discrimination to the Superintendent. A "regular report" shall mean at least once during each school year in a manner proscribed by the District.

E. Superintendent and District Administration

1. Take such steps as are necessary to develop, publicize and carry out the rules and regulations for students;
2. Consider and act upon recommendations for suspensions in keeping with the Board of Education policy;
3. Review with the principals and other supervisory personnel the policies of the Board of Education and State Laws relating to discipline,
4. Listen and consider the views of the total community;
5. Inform the Board of Education of educational trends relating to discipline;
6. Provide for the development of innovative educational programs which will help to minimize problems of misconduct;
7. Make himself/herself available to administrators, teachers and other staff, advise them on serious discipline matters and support them so long as the latter have acted in accordance with the discipline policies of the District and the laws of the State of New York;
8. Be well informed on the programs and the problems of the District and work with staff in offering leadership.
9. Promote a safe, orderly, respectful and positive school environment, free from intimidation, harassment and discrimination.
10. The Superintendent and/or their designee shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination to ensure that such investigation is completed promptly after receipt of any written reports made under Education Law section 13.
11. When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the Superintendent or their designee shall take prompt action, consistent with the District's code of conduct, including but not limited to the provisions of section 100.2(1)(2)(ii)(h), reasonably calculated to end harassment, bullying and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate and prevent recurrence of the behavior.
12. The Superintendent and/or their designee shall ensure the safety of the student or

- students against whom harassment, bullying and/or discrimination was directed.
13. The Superintendent and/or their designee shall notify promptly the appropriate law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct.
 14. Shall receive the regular report on data and trends related to harassment, bullying and/or discrimination from the principal.

F. Board of Education

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
2. Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Appoint a Dignity Act Coordinator (DAC) in each school building who has the appropriate licensure and/or certification by the Commissioner of Education as a classroom teacher, school counselor, school psychologist, school social worker, school administrator or supervisor or Superintendent of schools.
4. Ensure that each Dignity Act Coordinator appointed will be thoroughly trained to handle human relations in areas of actual or perceived race, color, weight, national origin, ethnic group, religion or religious practices, disability, sexual orientation, gender and gender identity and sex. The Dignity Act Coordinator must be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.
5. Ensure that each DAC appointed shall be provided with training which addresses the social patterns of harassment, bullying and discrimination, including but not limited to those acts based on a persons' actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.
6. Ensure that each DAC will be provided with training in the identification and mitigation of harassment, bullying and/or discrimination.
7. Ensure that each DAC will be provided with training strategies for effectively addressing problems of exclusion, bias and aggression in educational settings.
8. Ensure that each DAC will be accessible to students and other staff members for consultation and advice as needed on the Dignity for All Students Act
9. Designate the school employee(s) charged with receiving reports of harassment, bullying and/or discrimination.
10. Submit an annual report of material incidents of harassment, bullying and/or discrimination that occurred in each school year to the Commissioner in accordance with Education Law §15.
11. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.

CDTA Bus Guidelines

SAFETY GUIDELINES & BEHAVIOR EXPECTATIONS FOR STUDENTS RIDING CDTA BUSES

- Be on time at the bus stop (ten minutes before the scheduled pick up).

- Students are responsible for having their district issued CDTA bus pass with them to ride the bus. Replacement passes for lost or stolen cards are \$5 for the first card and \$10 for all cards after the first replacement. Students must immediately report lost or stolen cards for deactivation to the CDTA Transportation Coordinator Tom Kostrzebski (tkostrze@cohoes.org).
- Behave in an orderly manner at the bus stop.
- Wait at least 15 feet from where the bus will stop and away from traffic so that the driver can see you.
- Wait for a complete stop before crossing the road or attempting to board the bus.
- Cross the bus at least ten feet in front of the bus and wait for the driver's hand signal before crossing. ALWAYS look both ways before crossing.
- Board and exit the bus in an orderly fashion.
- Stay in your seat, facing forward, and in your own space.
- Help to keep the bus clean. Drinking or eating on the bus is not allowed.
- Keep head, hands and objects inside the windows.
- Keep track of your belongings and check your seat before exiting.
- Respect the personal property of others.
- Refrain from using profane, lewd, vulgar or abusive language or gestures.
- Refrain from actions and activities that may distract the driver.
- Follow all directions from the driver or monitor.
- Animals are prohibited on the bus.
- Riding the CDTA bus is a privilege. For the safety of all, it is imperative that students obey the rules.

Failure to comply with the safety guidelines listed above could result in school based discipline and/or revocation of the student's CDTA bus pass. District officials have the right to review all CDTA bus video.

Student Dress Code:

Students often dress as they see others dress on television or at the mall. Being fashionable, however, is not always the same as being appropriate for school. Young adolescents often do not see how their appearance is perceived by their peers and by adults. We emphasize to all students that school is a place where students are engaged in the **business of learning** and that they need to dress in a manner that promotes self-respect and the respect of others.

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

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

- A. Be safe, appropriate and not disrupt or interfere with the educational process. A student's attire shall not be excessively baggy. Students will keep coats and jackets in their lockers during the school day.
- B. Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate. "Short-shorts" or short skirts (need to be finger-length), and pajama pants are not allowed. Body hugging apparel is not appropriate. A student's attire will ensure their midriff is completely covered.

- C. Ensure that underwear is completely covered with outer clothing (this includes bra-straps).
- D. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
- E. Not include items that are vulgar, obscene, libelous, or denigrate others on account of actual or perceived race, color, weight, religion or religious practice, creed, national origin, gender and gender identity, sexual orientation, sex or disability.
- F. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities. This includes prohibition on gang symbols, signs, colors, or other related apparel. Images of guns or other weapons are not appropriate for school.
- G. Not include the wearing of hats, displaying of hats, or head coverings in the middle school except for a medical or religious purpose.
- H. Coats, sunglasses, and head phones are not to be worn or displayed in school.
- I. Proper, safe footwear must be worn during technology class and physical education to prevent possible injuries.

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

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

Test Taking:

Students are required to follow all directions given by teachers during testing situations. There is to be NO communication (verbal, nonverbal, or electronic) during a test. If a teacher or supervising staff person determines that communication did occur, or if a student disrupted or jeopardized the integrity of the testing environment, a student may receive a grade of zero for the examination and disciplinary consequences. All students may be asked to turn over electronic communication devices during all assessments.

Emergency Drill Procedures (Fire and Lock-Down Drills):

To ensure the safety and security of all students and staff, students must comply with any and all respectful staff directions when a drill is initiated. All students are expected to transition to and from the drill area in a quiet and orderly fashion. During a fire drill, students should proceed to the nearest exit and line up in a prearranged designated location where attendance will be taken. There is to be no talking while exiting the building, while outside, or while returning to the building.

Prohibited Student Conduct:

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

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

The Board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear. It is important to remember that the conduct and discipline actions outlined below are not all-inclusive and individual situations may differ and result in differing disciplinary consequences. The rules of conduct listed below are intended to focus on safety and respect for the rights and property of others. Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the penalties for their conduct.

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

- A. Engage in conduct that is disorderly. Examples of disorderly conduct include:
 - 1. Running in hallways. This includes “tag” games.
 - 2. Making unreasonable noises e.g. intentionally “squeaking” shoes, chanting, singing, clapping while moving throughout the halls.
 - 3. Possessing and/or using a laser pointer in school.
 - 4. Using language or gestures that are profane, lewd, vulgar or abusive.
 - 5. Drawing or writing on one’s body or clothing.
 - 6. Drawing or writing on other students’ body, clothing or belongings.
 - 7. Obstructing vehicular or pedestrian traffic.
 - 8. Engaging in any willful act, which disrupts the normal operation of the school community.
 - 9. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
 - 10. Computer/electronic communications misuse, including any unauthorized use of computers, software, or internet/intranet account; accessing inappropriate websites; or any other violation of the district’s acceptable use policy.
 - 11. Secretive recording devices (example: “spy pens”) are prohibited.
- 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 in charge of students or otherwise demonstrating disrespect.
 - 2. Lateness for, missing or leaving school without permission.
 - 3. Skipping detention.
- C. Engage in conduct that is disruptive. Examples of disruptive conduct include:
 - 1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
 - 2. Engaging in harassing, bullying or discriminatory conduct, including through threats, intimidation or abuse which may include verbal and non-verbal actions, which has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would be reasonably expected to cause emotional harm; or reasonably causes or would reasonably be expected to cause a physical injury to a student or to cause a student to fear for his or her physical safety; or well-being or creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.
- D. Engage in conduct that is violent. Examples of violent conduct include:
 - 1. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon a teacher, administrator or other school employee or attempting to do so.
 - 2. Committing an act of violence (such as hitting, kicking, punching, and scratching) upon

- another student or any other person lawfully on school property or attempting to do so.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function.
 4. Displaying what appears to be a weapon.
 5. Threatening to use any weapon.
 6. Possessing an electronic “stunner” that emit an electric shock to people.
 7. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
 8. Intentionally damaging or destroying school district property.
 9. Engaging in harassing, bullying or discriminatory conduct, including through threats, intimidation or abuse which may include verbal and non-verbal actions, which has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would be reasonably expected to cause emotional harm; or reasonably causes or would reasonably be expected to cause a physical injury to a student or to cause a student to fear for his or her physical safety; or well-being or creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.
- 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. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
 3. Defamation, which includes making false or unprivileged statements or representations about an individual or identifiable group of individuals that harm the reputation of the person or the identifiable group by demeaning them.
 4. Discrimination, which includes the use of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, gender, gender identity sexual orientation or disability as a basis for treating another in a negative manner.
 5. Harassment and bullying, which includes the creation of a hostile environment by verbal and non-verbal conduct, intimidation, verbal threats or abuse, including cyber bullying, that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits; or mental, emotional and/or physical well-being; including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. Such acts of harassment and bullying include those that occur on school property; at a school function or off school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Harassing and bullying behavior may be based on any characteristic including but not limited to actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender and gender identity.
 6. Unwarranted, unwanted and/or inappropriate touching of a student, personally or with an object such as a pencil or ruler. Also, initiating or permitting inappropriate physical contact by or on a student, e.g. massage, tickling games. hugging, intimidation or bullying. Threatening, stalking or seeking to coerce or compel a person to do something;

engaging in nonverbal or verbal or physical conduct that threatens another with harm, including intimidation through the use of epithets or slurs involving actual or perceived race, ethnicity, national origin, religion, religious practices, gender, gender identity and expression, sexual orientation, age or disability that substantially disrupts the educational process or would have the effect of unreasonably and substantially intervening with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being. Intimidation, cyberbullying and bullying are forms of harassment. Students may be disciplined for conduct that occurred outside of the school that may endanger the health or safety of pupils within the educational system or adversely affect the educational process.

7. 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.
 8. Throwing snowballs is prohibited.
 9. The use of fidget spinners/cubes is at the discretion of the teacher. These items may be used as tools as long as they are not a distraction to the school environment.
 10. Selling, using or possessing obscene material.
 11. Using vulgar or abusive language, cursing or swearing.
 12. Possessing or smoking a cigarette, vapor pen, e-cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product; as well as spit tobacco, also known as smokeless, dip, chew, and snuff, and any other spit tobacco product in any form.
 13. Possessing matches and lighters.
 14. Possession or use of fireworks, smoke bombs, stink bombs or other explosive devices.
 15. Possessing, consuming, selling, distributing or exchanging alcoholic beverages illegal substances, or drug paraphernalia or being under the influence of either. "Illegal substances" include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any substances commonly referred to as "designer drugs."
 16. Possessing or consumption of energy drinks.
 17. Inappropriately using or sharing prescription and over-the-counter drugs.
 18. Gambling or possession of gaming devices (cards, dice, etc.).
 19. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
 20. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- F. Engage in misconduct while on a school bus. It is crucial for students to behave appropriately while riding on district buses, to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to conduct themselves on the bus in a manner consistent with established standards for classroom behavior. Excessive noise, pushing, shoving and fighting will not be tolerated.
- G. Engage in any form of academic misconduct. Examples of academic misconduct include:
1. Plagiarism.
 2. Cheating.
 3. Copying.
 4. Altering records.
 5. Assisting another student in any of the above actions.
- H. Engage in inappropriate use of electronic devices during the school day; including, but not limited to, cell phones, tablets, cameras, radios, iPods, MP3 players.
- I. Mobile phones, smart phones, and smart watches are to be turned off and are to remain out of

sight at all times. No pictures, video, live streaming, or audio recordings are to be taken during school time using any device. Music devices, MP3 players, video game players, tablets, etc. need to stay in lockers or backpacks and may not be used in classrooms or the hallways. CMS is not responsible for lost or stolen items.

Cyberbullying using electronic devices, including mobile phones is prohibited. Students who do not comply with the CMS electronic device policy may be subject to disciplinary action and the electronic device may be confiscated. A parent or guardian will be called to pick up the confiscated item.

Dances:

Middle school dances are for students attending Cohoes Middle School (grades 6, 7, and 8). As with other activities, school rules must be followed.

Insubordinate students will be subject to disciplinary actions as outlined in the CMS Code of Conduct. These actions will be determined by the severity of the misconduct and the student's prior record of misconduct. The discipline will be assigned at the discretion of the building administrators.

- 1. Students who are ineligible due to academics, behavior, or attendance issues may NOT attend dances.**
2. School dances start at 7:00 PM. The doors open at that time. No student will be admitted to a dance after 7:30 PM unless accompanied to the door by a parent. All students must remain until the conclusion of the dance at 9:00 PM. If students leave for any reason, they may not be re-admitted.
3. Students are to have their transportation arrangements for going home made in advance of their arrival at the dance. Parents are encouraged to drive their children home from these functions and be ready to pick them up at the designated time. Students will not be allowed to use the telephone during the dance unless an emergency situation arises.
4. No students are permitted to go to their lockers during the dance.
5. School dress code is in effect and will be enforced.
6. Pushing, shoving, wrestling or conduct of that nature is not allowed.
7. Behaviors offensive to chaperones, other students, and administrators will not be permitted.
8. Food and beverage containers will be deposited in the receptacles provided and not deposited on the floor or thrown through the air. No food or beverages can be brought into the dance.
9. Students who do not follow these rules will be warned and referred to the building administrator for appropriate disciplinary action. Parents will be contacted if their child needs to be removed from the dance.

Reporting Violations:

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the Building Principal or his/her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the Principal, the Principal's designee or the Superintendent of Schools. Any student observing a student being harassed, bullied and/or discriminated against by another student or a staff member shall report this information either orally or in writing, immediately to a teacher, the Principal, the Principal's designee, the Superintendent of Schools or the Dignity Act Coordinator.

For the 2017 – 2018 school year, the **Cohoes Middle School Dignity Act Coordinator is Deanna Kelly – CMS Assistant Principal**. Mrs. Kelly can be reached in person within the CMS Office, 237-4131 x2224, or dkelly@cohoes.org.

Staff who receive oral or written reports of harassment, bullying and/or discrimination or witness such acts shall orally report the incident within one (1) school day to the Principal, the Principal's designee, the Superintendent of schools or the Dignity Act Coordinator. Following the oral report or acts of harassment, discrimination and/or bullying, a written report shall be filed within two (2) school days following the oral report. The District's Building Principal, Superintendent or their designee shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after receipt of any written report is made.

When an investigation verifies a material incident of harassment, bullying and/or discrimination, the Superintendent, Building Administrator or their designee shall take prompt action, consistent with the District's Code of Conduct, including but not limited to the provisions of Section 100.2(1)(2)(ii)(h), reasonably calculated to end the harassment, bullying and/or discrimination, eliminate any hostile environment and create a more positive school culture and climate, prevent reoccurrence of the behavior and ensure the safety of the student or students against whom such behavior was directed. .

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

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

The Principal or his/her designee shall notify promptly the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination which violates the District's Code of Conduct, may constitute criminal conduct. Notification shall occur as soon as practical, but in no event later than the close of business the day the Principal or his/her designee learns of the violation. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

Confidentiality

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

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

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

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

Investigation and Resolution Procedure

A. Initial (Building-level) Procedure

Whenever a complaint of bullying is received by a staff member, whether verbal or written, it should be reported immediately to the principal or their designee within one (1) school day of receiving or witnessing the incident; within two (3) school days of verbally reporting the incident, the staff member must file a written report with the principal or their designee. Except in the case of severe or criminal conduct, the principal, the principal's designee or the Dignity Act Coordinator (DAC) shall make all reasonable efforts to resolve complaints at the school level. The goal of the investigative process is to address incidents of harassment, bullying and/or discrimination promptly and to end the bullying, prevent future incidents, ensure the safety of the target and obtain a prompt and equitable resolution to a complaint.

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

- Reviewing any written documentation provided by the target(s).
- Conducting separate interviews of the target (Victim (s), alleged perpetrator(s), and witnesses, if any, and documenting the conversations.
- Providing the alleged perpetrator(s) a chance to respond and notify him/her that if objectionable behavior has occurred, it must cease immediately. The individual will be made aware of remediation opportunities as well as potential disciplinary consequences.
- Determining whether the complainant needs any accommodations to ensure his/her safety, and following up periodically until the complaint has been resolved. Accommodations may include, but are not limited to:
 - A "permanent" hall pass that allows the student to visit a designated adult at any time;
 - Access to private bathroom facilities;
 - Access to private locker room facilities;
 - An escort during passing periods;
 - A "stay away" agreement with the aggressor/harasser;
 - Reviewing and adjusting schedules to avoid interaction between the target and the alleged aggressor(s)
 - If the student feels unsafe in a specific class, an opportunity for individual tutoring or independent study until the case is resolved; upon request
 - Permission to use personal cell phone to in the event that the student feels threatened and needs immediate assistance;
 - Assignment of a bus monitor.
 - Counseling support

The District recognizes that there is a need to balance accommodations which enhance student safety against the potential to further stigmatize the targeted student. Therefore, each

case will be handled individually, and the student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

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

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

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

Disciplinary measures to address incidents of harassment, discrimination and/or bullying shall incorporate a progressive model of student discipline that includes measured, balanced and age-appropriate remedies and procedures that make appropriate use of prevention, education, intervention and discipline and considers among other things, the nature and severity of the student's offending behavior(s) the developmental stage of the student, the previous disciplinary record of the student and other extenuating circumstances, as well as the impact the student's behaviors had on the individual(s) who was physically injured and/or emotionally harmed. Responses shall be reasonably calculated to end the harassment, bullying and/or discrimination, prevent recurrence, and eliminate the hostile environment. This progressive model fo student discipline shall be consistent with other provisions of the code of conduct.

The investigator shall report back to both the target and the accused, within one week, notifying them in writing, and also in person, as appropriate, regarding the outcome or status of the investigation and the action taken to resolve the complaint. The actions taken will be in conformance with the *Remediation/Discipline/Penalties* section of this regulation. The target shall report immediately if the objectionable behavior occurs again or if the alleged perpetrator retaliates against him/her. Retaliation against a student or staff member who, in good faith, makes a report or participates in the investigation of a complaint of harassment, bullying and/or discrimination is strictly prohibited.

If the administrator or district designee believes that a reported incident may constitute criminal action, the District shall notify the proper law enforcement agency promptly and shall notify the Superintendent that such a report was made. To the extent appropriate, the complainant will also be advised of other avenues to pursue their complaint, including contact information for state and federal authorities.

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

District-level Procedure

The Superintendent or his/her designee shall promptly arrange for the investigation and resolution of all bullying, harassment and/or discrimination appeals complaints that are referred to him/her. In the event that a complaint involves the Superintendent, the complaint shall be filed with or referred to the Board President, who shall refer the complaint to the Board counsel or his/her designee for investigation.

The Superintendent shall also promptly address any appeals of the outcome of an initial investigation. The District level investigation should begin as soon as possible (three working days) following receipt of the appeal by the Superintendent or Board President.

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

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

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

Board-level Procedure

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

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

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

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

Remediation/Discipline/Penalties

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

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

- Student counseling;
- Parent conferences; or
- Student treatment or therapy.

Environmental remediation may include, but is not limited to:

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

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

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

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

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

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

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

Retaliation Prohibited

Any act of retaliation against any person who reports or has filed a complaint of harassing or discriminatory behavior, is strictly prohibited and therefore subject to disciplinary action. Likewise, retaliation against any person who has testified assisted, or participated in any manner in an investigation, proceeding, or hearing of a harassment or discrimination complaint is prohibited. For purposes of this policy, retaliation includes but is not limited to: nonverbal or verbal and/or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, cyberbullying and any other form of harassment or discrimination. Any person who retaliates is subject to immediate disciplinary action, up to and including suspension or termination, as applicable.

Where incidents involve violations of civil rights, the victim and the alleged perpetrator have the right to be represented by a person of their choice, at their own expense, during investigations and hearings. In addition, victims have the right to register complaints with the U.S. Department of Education's Office for Civil Rights.

Employee victims also have the right to register complaints with the Federal Equal Employment Opportunity Commission and the New York State Division of Human Rights. Nothing in these regulations shall be construed to limit the right of the complainant to file a lawsuit in either state or federal court.

Prevention

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

- Following the principles and practices of "*Educating the Whole Child Engaging the Whole School: Guidelines and Resources for Social and Emotional Development and Learning (SEDL) in New York State* – Adopted by the Board of Regents July 18, 2011." District curriculum will emphasize developing empathy, tolerance and respect for others.
- Creating a dynamic learning environment for all students.
- Learning about and identifying the early warning signs and precursor behaviors that may lead to bullying.
- Gathering information about bullying at school directly from students (through surveys and other mechanisms); analyzing and using the data gathered to assist in decision-making about programming and resource allocation.
- Establishing clear school wide and classroom rules about bullying consistent with the District's code of conduct.
- Providing staff training to promote a positive school environment free from discrimination and harassment.
- Providing training to raise awareness and sensitivity to potential acts of discrimination and /or harassment and understanding of the Code of Conduct.
- Providing staff training to enable employees to prevent and respond to incidents.
- Providing staff training to make school employees aware of the effects of harassment, bullying, cyberbullying and/or discrimination. Such training shall raise awareness among adults, through training, of the school experiences of marginalized student populations (as enumerated in the *Definitions* section above), social stigma in the school environment, gender norms in the school environment, and strategies for disrupting bullying, intimidation, harassment or other forms of violence.
- Providing training to assist staff in addressing the social patterns of harassment, bullying and/or discrimination, to identify and mitigate acts of harassment, bullying and/or discrimination and to use strategies to effectively address problems of exclusion, bias and aggression in the school setting.
- Ensuring the effective implementation of school policy on conduct and discipline, including but not limited to guidelines on promoting a safe and supportive school climate while discouraging harassment, bullying and/or discrimination against students by students and/or school employees.
- Providing adequate supervision, particularly in less structured areas such as in the hallways, cafeteria, school bus and playground.
- Raising parental awareness and involvement in the prevention program and in addressing problems.
- Using educational opportunities or curriculum, including, if applicable, the Individual Educational Program (IEP), to address the underlying causes and impact of bullying.

Disciplinary Penalties, Procedures and Referrals:

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

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

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

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

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

In the event of disciplinary actions in response to acts of harassment, bullying and or discrimination against students by employees or students , a progressive model of student discipline shall be imposed which includes measured, balanced and age-appropriate remedies and procedures that make appropriate use of prevention, education, intervention and discipline and shall consider, among other things, the nature and severity of the offending student's behavior, the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances as well as the impact the student's behaviors had on the individual(s) who was physically injured or emotionally harmed as a result of such acts. Responses shall be reasonably calculated to end the harassment, bullying and/or discrimination, prevent recurrence and eliminate the hostile environment.

Penalties

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

1. Verbal warning – any member of the district staff
2. Written warning – bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, Director of Transportation, Principal or his/her designee, Superintendent
3. Written notification to parent – bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, Director of Transportation, Principal or his/her designee, Superintendent
4. Detention – teachers, Director of Transportation, Principal or his/her designee, Superintendent
5. Suspension from transportation –Principal or his/her designee, Director of Transportation, Superintendent
6. Suspension from athletic participation – coaches, athletic director, Director of Transportation, Principal or his/her designee, Superintendent
7. Suspension from social or extracurricular activities – activity director, Director of Transportation, Principal or his/her designee, Superintendent
8. Suspension of other privileges – Principal or his/her designee, Director of Transportation, Superintendent
9. Restitution- coaches, athletic director, Director of Transportation, Principal or his/her designee, Superintendent
10. Restorative justice – coaches, athletic director, Director of Transportation, Principal or his/her designee, Superintendent

11. Alternatives-to-Suspension Program (For tobacco violations only) – Principal, or his/her designee, Superintendent.
12. Removal from classroom by teacher – teachers, Principal or his/her designee.
13. In-school suspension – Principal, Superintendent
14. Short-term (five days or less) suspension from school – Principal, Director of Transportation, Superintendent, Board
15. Long-term (more than five days) suspension from school – Principal, Superintendent, Board
16. Permanent suspension from school – Superintendent, Board.

Procedures

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

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

1. Detention

Teachers, Principals, or their designees, and the Superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate.

2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the administrative aide or Assistant Principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the Principal or the Superintendent or their designees.

In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance; the district will make appropriate arrangements to provide for the student's education.

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

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

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

4. Restitution – Students and their parent/guardians will be responsible to give an equivalent or compensation for loss, damage, or injury caused.
5. Restorative Justice – Students are responsible for taking an active role to make amends for any wrongdoing, "to repair the harm they've done by apologizing and providing community service"
6. Alternative-to-Suspension (tobacco violations only)

In light of scientific evidence that the use of tobacco is hazardous to health, students may be allowed to participate in an Alternative-to-Suspension program. Student participation in a tobacco cessation program and/or tobacco education class may be allowed as an alternative to discipline. Parent will be notified of violations involving their child and subsequent action taken by the school.

7. Teacher Disciplinary Removal of Disruptive Students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by exercising good classroom management. Unfortunately behavior challenges occasionally require techniques at the extreme end of the behavioral management continuum. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an administrator's office; (2) sending a student into the hallway briefly; (3) sending a student to the Principal's office for the remainder of the class time only; or (4) sending a student to a guidance counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

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

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

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

The teacher must complete a district-established disciplinary removal form and meet with the Principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form.

If the Principal or designee is not available by the end of the same school day, the teacher must leave the form with the administrative assistant and meet with the Principal or designee prior to the beginning of classes on the next school day.

Within 24 hours after the student's removal, the Principal or another district administrator designated by the Principal must notify the student's parent that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the Principal or his/her designee 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 or his/her designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and Principal.

The Principal or his/her designee may overturn the removal of the student from class if he/she finds any one of the following:

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

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

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

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

Removal of a student with a disability, under certain circumstances, may constitute a change in the student's placement. Accordingly, any removals of a student with a disability will promptly be reviewed by the Principal or the chairperson of the Committee on Special Education to ensure that the removal will not violate the student's rights under state and federal law or regulation. If such a removal would result in a change in placement, the student with a disability will be afforded due process as provided under Federal and State Law and Regulation, which may include a manifestation determination or an impartial hearing, as appropriate.

8. Suspension from School

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

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the Principals.

Any staff member may recommend to their respective Principal that a student be suspended. All staff members must immediately report and refer a violent student to the Principal or his/her designee 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, Principal, or their designee, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

a. Short term (five days or less) Suspension from School

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

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

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

After the conference, the Principal shall promptly advise the parents in writing of his or her decision. The Principal or designee shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The Superintendent

shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the Superintendent's decision, they must file a written appeal to the Board of education with the District Clerk within 10 business days of the date of the Superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

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

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

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

An appeal of the decision of the Superintendent may be made to the Board that will make its decision based solely upon the record before it. All appeals to the Board must be in writing and submitted to the district clerk within 10 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The Board may adopt in whole or in part the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

c. Permanent suspension

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

Minimum Periods of Suspension

1. Students who bring a weapon to school

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

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

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

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

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

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

D. Referrals

1. Counseling

The guidance counselors and/or social workers shall handle all referrals of students to counseling. A student found guilty of alcohol or drug use and/or possession shall be scheduled for a minimum of three remedial sessions with a school counselor. Students found guilty of harassment or discrimination may be referred for counseling.

2. PINS Petitions

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

- b. 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.

A PINS Petition may be brought against a student with a disability only after a manifestation determination has been held to rule out the misconduct leading to the filing of the petition is a manifestation of the student's disability.

3. Juvenile Delinquents and Juvenile Offenders

The Superintendent, or his designee, is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

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

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

Alternative Instruction:

When a teacher removes a student of any age from class or a student of compulsory attendance age is suspended from school pursuant to Education Law §3214, the district will act promptly to provide alternative means of instruction for the student.

Discipline of Students with Disabilities:

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

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

A. Authorized Suspensions or 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/herself or others.

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

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:
 - a. The Board, the district (BOCES) Superintendent of Schools or a Principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
 - b. The Superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
 - c. The Superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
 - d. The Superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 school days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
 - (1) "Weapon" means the same as "dangerous weapon" under 18 U.S.C. § 930(g)(w) which includes "a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 1/2 inches in length."
 - (2) "Controlled substance" means a drug or other substance identified in certain provisions of the federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
 - (3) "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional

or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

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

B. Change of Placement Rule

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

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

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

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

If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 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 the CSE finds that modifications to the student's current IEP, program and services are needed, the committee shall convene a meeting 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.

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, 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. A basis of knowledge exists if, prior to the time the behavior occurred:
 - (1) The Parent of such student expressed concern in writing to supervisory or administrative personnel of the District or to a teacher of the student that the student may be in need of special education. Expression of such concern may be oral when the parent does not know how to write or has a disability that prevents a written statement.
 - (2) The parent of the student has requested an evaluation of the student which is pending; or
 - (3) A teacher of the student, or other personnel of the District, have expressed specific concerns about a pattern of behavior demonstrated by the student directly to the Director of Special Education of the District or to other supervisory personnel (Building Administrator, Superintendent, etc.) of the District.
 - 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.
 - (3) The Parent of the student has not allowed an evaluation of the student pursuant to Section 200.4 of the Commissioner's Regulations; or
 - (4) The Parent of the student refused services under the IDEA and Article 89 of the Education Laws of New York.

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 his/her 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 divided into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearings

1. An expedited due process hearing shall be conducted in the manner specified by the Commissioner's regulations incorporated into this code, if:
 - a. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
 - b. The parent requests 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.
 - (1) 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.

- (2) 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 conducted in accordance with the procedures specified in Section 200.5(j) of the Regulations of the Commissioner pursuant to the following timelines unless the Parent and District agree in writing to waive the resolution meeting or agree to use mediation:

- a. A resolution meeting shall occur within seven (7) days of receiving notice of the due process complaint.
- b. The expedited due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within fifteen (15) days of receipt of the due process complaint.
- c. The expedited due process hearing shall occur within twenty (20) school days of the date the complaint requesting the hearing is filed.
- d. The impartial hearing officer shall make a determination within ten (10) school days after the hearing is completed.
- e. No extension to an expedited impartial hearing timeline may be granted.
- f. The impartial hearing shall mail a copy of the written (or at the option of the Parents) electronic findings of fact and the decision to the Parents, to the Board of Education and to the Office of Special Education of the State Education Department within ten (10) school days after the hearing is completed.

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 ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to whom a crime is reported.

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. The District has existing policy and procedures related to this topic.

Student Searches and Interrogations:

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

In addition, the Board authorizes the Superintendent of Schools, Building Principals or his/her designee, the school nurse and district security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct.

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

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

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

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

A. Student Lockers, Desks and other School Storage Places

Each student is assigned a locker. Lockers are not to be shared and they are to be kept locked at all times. All personal items and books not in use are to be kept in lockers. The school is not responsible for the loss of items from any locker. Therefore, it is in the student's best interest to avoid bringing valuables to school.

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

B. Documentation of Searches

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

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

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

C. Police Involvement in Searches and Interrogations of Students

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

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

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

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

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

D. Child Protective Services Investigations

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

property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

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

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

Visitors to the Schools:

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

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

Public Conduct on School Property:

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code,

“public” shall mean all persons when on school property or attending a school function including students, teachers and district personnel.

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

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

A. Prohibited Conduct

No person, either alone or with others, shall: Intentionally injure any person or threaten to do so. 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. Disrupt the orderly conduct of classes, school programs or other school activities. 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. Intimidate, harass, bully or discriminate against any person on the basis of actual or perceived race, color, creed, national origin, religion or religious practices, age, gender, gender identity or expression, sexual orientation or disability on school grounds or at a school function. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed. Obstruct the free movement of any person in any place to which this code applies. Violate the traffic laws, parking regulations or other restrictions on vehicles. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function.

1. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
2. Loiter on or about school property.
3. Gamble on school property or at school functions.
4. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
5. Willfully incite others to commit any of the acts prohibited by this code.
6. Violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function.

B. Penalties

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

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

have.

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

C. Enforcement

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

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

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

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: Providing copies of a summary of the code to all students in an age-appropriate plain-language version at a general school assembly held at the beginning of each school year. Making copies of the code available to all parents at the beginning of the school year. Mailing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request. 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.

1. Providing all new employees with a copy of the current code of conduct when they are first hired.
2. Making copies of the code available for review by students, parents and other community members.
3. Mailing a copies of the code of conduct or distributing them in a format determined by the District, which may include electronic format or sending a copy home with the student, at the beginning of school each year.
4. Providing all current teachers and other staff members with a copy of the code and a copy of any amendments to the code as soon as practicable after adoption.
5. Making the Code of Conduct available on the District's website.
6. All parents and persons in parental relation will receive notice, at least annually, of the Dignity Act Coordinator and the name of designated building officials to whom complaints of alleged harassment, discrimination and/or bullying may be made. Information will be provided, in a manner determined by the school (which may include through electronic information or sending information home with students). This information will also be posted in highly visible areas of the school building and will also be made available at district and school-level administrative offices.

7. Information about the Dignity for All Students Act and its interrelation with the District's Code of Conduct shall be contained in the plain language summary of the Code of Conduct provided to all Parents and Persons in Parental relation to students before the beginning of each school year; or by providing this information at least once per year in a manner determined by the District which may include sending information home with students or electronic communication. In addition, this information will be posted in highly visible areas of the building and shall be available in district and school level administrative offices.

The Board will sponsor an in-service education program for all district staff members to ensure the effective implementation of school policy on school conduct and discipline, including but not limited to, guidelines for promoting a safe and supportive school climate while discouraging, among other things, bullying, discrimination and/or harassment against students by students and/or school employees, and including safe and supportive school climate concepts in the curriculum and classroom. Such training shall be designed to raise staff awareness and sensitivity to potential acts of discrimination, bullying and/or harassment and provide strategies and responses to assist staff in responding to reports and incidents of discrimination and harassment and to help discourage their re-occurrence. Training will be designed to make school employees aware of the effects of harassment, bullying, cyberbullying and/or discrimination on students. Staff shall also receive training to assist in addressing the social patterns of harassment, bullying and/or discrimination to identify and mitigate acts of harassment, bullying and/or discrimination and to use strategies to effectively address problems of exclusion, bias and aggression in the school setting. 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 District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website.

B. Review of Code of Conduct

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

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

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

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

Board Approved August 2017