

# HALDANE CENTRAL SCHOOL DISTRICT



## Code of Conduct 2019-2020

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# Haldane Central School District Code of Conduct

## Table of Contents

I. Statement of Purpose	4
II. Definitions	4
III. Student Rights and Responsibilities	7
IV. Essential Partners	8
A. Parents	8
B. Teachers	9
C. Guidance Counselors and/or Social Workers	10
D. Principals	10
E. Support Staff	11
F. Substitute Teachers	12
G. Other School Staff	12
H. Superintendent	12
I. Board of Education	13
J. School Resource Officer	13
V. Student Dress Code	13
VI. Student Use of Electronic Communication Devices	14
VII. Prohibited Student Conduct	14
VIII. Reporting Violations	20
IX. Disciplinary Consequences, Procedures, and Referrals	20
X. Alternative Instruction	28
XI. Corporal Punishment	28
XII. Physical Restraint	28
XIII. Student Searches and Interrogations	29
XIV. Visitors to the School	31
XV. Public Conduct on School Property	32
XVI. Dissemination and Review	33
XVII. Discipline of Students with Disabilities	34
XVIII. Comprehensive Attendance Plan	34

# Code of Conduct

## I. Statement of Purpose

### **Mission**

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

### **Pro-Social Interactions**

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

### **Haldane Expectations**

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

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

## II. Definitions

For purposes of this Code, the following definitions apply:

**Disruptive student** - an elementary or secondary student under the age of 21 who is substantially disruptive of the educational process or substantially interferes with the teacher’s authority over the classroom or with activities affecting the school community.

**Parent** - a guardian, or person in parental relation to a student as defined by NY State law.

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

**School function**- any school-sponsored event or activity.

**Activities affecting the school community** - any off-campus activity that may endanger the health or safety of pupils within the educational system, or that may adversely affect the educational process.

**Violent student** - a student under the age of 21 who while on school property or at a school function:

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

**Weapon** - a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade, knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material, or substance that can cause physical injury or death when used to cause physical injury or death.

Additional definitions in accordance with the 2011 Dignity for All Students Act:

In accordance with the **Dignity for All Students Act**, School District policy and practice must ensure that no student is subject to discrimination or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex by school employees or students on school property, on a school bus, or at a school function.

**School Bus** - any motor vehicle owned 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 Section 11[1] and Vehicle and Traffic Law Section 142).

**Disability** - (a) a physical, mental or medical impairment that limits one or more major life activities or an educational disability recognized under the Individuals with Disabilities Education Act (IDEA).

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

**Sexual Orientation** - actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law Section 11[5]).

**Gender** - actual or perceived sex and includes a person's gender identity or expression (Education Law Section 11[6]). Gender means the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for men and women. (MASCULINE and FEMININE denote "gender".)

**Harassment** - the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex (Education Law Section 11[7]).

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

**Color** - refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

**Weight** - reference to a person's physical size in addition to the standard scientific definition.

**National Origin** - a person's country of birth or ancestor's country of birth.

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

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

**Religious Practice** - a term including practices and observances such as but not limited to attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing.

**Sex** - the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)

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

**Disability** - any restriction or impairment of ability to perform an activity in a manner considered to be typical.

### III. Student Rights and Responsibilities

#### 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. Attend school in the district in which their parent or legal guardian resides. In the event of a shared custodial arrangement, the student is entitled to attend school in the district of the parent with whom he or she resides for more than 50% of the time or as otherwise determined in accordance with law.
2. Express their opinions verbally or in writing in accordance with the Code of Conduct.
3. Dress in such a way as to express individual choice, provided that it doesn't interfere with the educational process or violate the Dress Code within this Code of Conduct.
4. Expect that the school will be an orderly place for all students to gain an education.
5. Be afforded due process in the event of disciplinary action brought against him/her, including suspension and/or expulsion.
6. Be represented by an active student government selected by free school elections.
7. Be afforded equal and appropriate educational opportunities.
8. Be afforded channels of communication to the Board of Education. A student has the right to discuss any decisions related to this Code of Conduct by following proper channels of communication beginning first with the staff member who initiated the referral, followed by the principal or designee, followed by the Superintendent, and then the Board of Education.
9. Be afforded the opportunity to develop school communications.
10. Be afforded the opportunity to participate on athletic teams for which the student is otherwise eligible, regardless of sex, in accordance with regulations of the State Education Commissioner.
11. Have the opportunity to participate in available extracurricular activities for which the student is eligible.
12. Have student records available for inspection by their parent or legal guardian upon request, or if 18 years of age or attending a post secondary institution, directly by the student.
13. Be free of illegal intrusion upon one's person or property by school personnel or police agencies.
14. Be given ways to express and solve problems that cannot be solved by informal discussion.
15. Be respected as an individual, free from discriminatory practices, with personal dignity and integrity.
16. To have an accurate record of one's school performance.
17. Take part in all district activities on an equal basis regardless of actual or perceived race, color, weight, creed, national origin, ethnic group, religion, religious practice, disability, gender, sexual orientation, or sex.
18. Present their version of the relevant events to school personnel as it relates to incidents that may result in disciplinary action.
19. Access to all district rules, policies, guidelines and regulations and, when necessary, receive an explanation of those rules from school personnel.
20. Be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function or activity.

## Student Responsibilities

All district students have a responsibility to:

1. To maintain a safe and orderly school environment conducive to learning and respect of others and to property.
2. Understand and abide by all district policies, rules, and regulations dealing with student conduct.
3. Attend school every day unless they are excused, and be in class on time and prepared to learn.
4. Work to the best of their ability in all academic and school 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. Maintain their composure and develop mechanisms to control their anger.
7. Ask questions and seek clarity when they do not understand.
8. Seek help in solving problems that might lead to discipline.
9. Dress appropriately and in accordance with the Student Dress Code.
10. Accept responsibility for their actions.
11. Conduct themselves as representatives of the district when participating in or attending school-sponsored events or wearing school uniforms and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
12. Accurately report any circumstances pertaining to school related issues.
13. Respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act.
14. Conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination, and to report and encourage others to report any incidents of intimidation, harassment, or discrimination.

## **IV. Essential Partners**

Parents, teachers, administrators and other school employees share the responsibility of developing positive student behavior. When adults are clear in their expectations, children respond by meeting their responsibilities. Administrators and teachers will continue to work with students to correct behaviors not conducive to a positive school environment.

### ***A. Parents***

Parents play an important role in maintaining a positive school environment. A positive environment with clear guidelines will allow their children to approach their school experience with a clear understanding of the expectations with respect to the rights of others and positive, appropriate behavior.

All parents are expected to:

1. Recognize that education is a joint responsibility of the parents and the school community.



2. Ensure their children are ready to participate and learn.
3. Ensure regular and on-time attendance and that absences are excused.
4. Monitor children for appropriate dress and grooming in a manner consistent with the Student Dress Code.
5. Help their children understand that appropriate rules are required to maintain a safe, positive environment where cooperation and collaboration are possible.
6. Understand and support school rules and help their children understand them.
7. Convey to their children a supportive attitude toward education and the district.
8. Establish positive relationships with teachers.
9. Help their children deal effectively with peer pressure.
10. Inform school officials of changes in the home situation that may affect the student's well being.
11. Provide a place for study and ensure homework assignments are completed to the best of their student's ability.
12. Teach their children respect and dignity for themselves and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, in order to strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act.

## ***B. Teachers***

Teachers are responsible for maintaining a positive classroom and school environment. Teachers will achieve this goal by serving as role models for school and community citizenship and through the use of positive, effective and consistent classroom management techniques designed to engage and motivate students.

The teacher will work in cooperation with the principal, school counselors, psychologist, or other school personnel, to develop appropriate strategies for addressing the students' needs. In cases where discipline must be handled beyond the classroom, the teacher will complete a misconduct report, describing the inappropriate behavior. This report will be forwarded to the school principal or designee. Copies of this report and the record of the action taken are available to the parent and maintained as a part of the student's record. .

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity for all students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen students' self-concept and promote confidence to learn.
2. Demonstrate a love for the teaching profession and concern for student growth and achievement.
3. Understand school policies and rules, and enforce them in a fair and consistent manner.
4. Communicate to students and parents:
  - a. Course objectives and requirements
  - b. Marking/grading procedures
  - c. Assignment deadlines
  - d. Expectations for students
5. Communicate regularly with students, parents, and other teachers regarding growth and achievement.

6. Confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee, or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
8. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

### ***C. Guidance Counselors and/or Social Workers***

All guidance counselors are expected to:

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, 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 school 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/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 incidents of discrimination and harassment that are witnessed or otherwise brought to the counselor's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

### ***D. Principals***

The principal is ultimately responsible for all the activities that occur in and around the school building. It is their leadership and degree of concern that sets the tone of the school.

The principal has the responsibility of receiving and acting upon disciplinary reports submitted by staff members. The principal may delegate the authority for disciplinary actions, other than suspensions, to other staff members as appropriate. In order that principal/designee may reach a disciplinary decision, it will be necessary to gather facts from the teacher submitting the report, from the student, or from other individuals. Upon gathering relevant information the principal/designee will determine an appropriate course of action based on the disciplinary measures outlined in this Code of Conduct.

The principal or designee will be guided by the provisions of the Code of Conduct, as well as by their professional judgment, in reaching a determination of an appropriate disciplinary action. The resources of the school counselors, school psychologist, and other school personnel will also be considered in setting a course of action where deemed necessary and/or appropriate by the principal. It will be the responsibility of the principal or designee to communicate their actions to the staff member completing the report and to the

student. The parent will receive notification of the report. The principal will also be responsible for the maintaining of records regarding student discipline.

All principals are expected to:

1. Promote a safe, engaging, and positive school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal.
3. Evaluate all instructional programs and staff on a regular basis.
4. Support the development of and student participation in appropriate school activities.
5. Be responsible for enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.
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/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. Follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the principal's attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC).

### ***E. Support Staff***

Support staff, including school psychologists, nurses, therapist, and Pupil Personnel Services play an important role in maintaining a positive educational environment. By their own example, staff members are expected to serve as models of exemplary school and community citizenship. They must work closely with appropriate faculty members to ensure that each student understands all rules and regulations. Support staff will work in cooperation with the principal, teachers, school counselors, psychologist, or other school personnel to develop appropriate strategies for addressing students' needs. When appropriate, support staff will complete a misconduct report that describes the inappropriate behavior. This report will be forwarded to the principal.

Support Staff are expected to:

1. Support educational and academic goals.
2. Understand, abide by and enforce all district rules in a fair and consistent manner.
3. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
4. Serve as a role model for students and colleagues by demonstrating dependability, integrity, and other standards of ethical conduct.
5. Maintain the confidentiality of all personal information and district records pertaining to students and their families.
6. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary or requested, as a way to resolve problems and communicate with parents and other staff regarding student progress and needs.
7. Promote and encourage students to benefit from the curriculum and extra-curricular programs.
8. Maintain and encourage a climate of mutual respect and dignity for all students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.

9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

### ***F. Substitute Teachers***

Substitute teachers that cover a class when a regular teacher is unavailable:

1. Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
2. Assist in promoting a safe, positive and engaging school environment.
3. Maintain and encourage a climate of mutual respect and dignity for all students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
4. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) orally within one school day and in writing within two school days.

### ***G. Other School Staff***

Other school staff including aides, cleaners, cafeteria workers and bus drivers are expected to:

1. Follow the Code of Conduct; know, abide by and enforce school rules in a fair and consistent manner.
2. Assist in promoting a safe, positive and engaging school environment.
3. Maintain and encourage a climate of mutual respect and dignity for all students, regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.
4. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a staff member's attention to the building administrator and/or Dignity Act Coordinator (DAC) in a timely manner.

### ***H. Superintendent***

The superintendent is expected to:

1. Promote a safe, positive and engaging school environment free from intimidation, discrimination, and harassment, supporting active teaching and learning.
2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the Board about educational trends.
4. Work to create instructional programs that maximize student growth and potential, and are sensitive to needs of the members of the learning community.

5. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

## ***I. Board of Education***

All Trustees are expected to:

1. Collaborate with the Code of Conduct committee to clarify 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 and to evaluate the code's effectiveness, relevance and consistency of its implementation.
3. Appoint a Dignity Act Coordinator in each school building. The Dignity Act Coordinator will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, and sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act
4. Lead by example by conducting Board meetings in a professional, respectful, courteous manner.

## ***J. School Resource Officer***

School Resource Officers promote a better understanding of our laws, why they were enacted, and their benefits. They provide a visible and positive image for law enforcement. They serve as a confidential source of counseling to students concerning problems they face. They bring expertise into schools that will help young people make more positive choices in their lives. They also work to protect the school environment and to maintain a safe environment that is conducive to instruction and learning.

## **V. Student Dress Code**

All students are expected to give proper attention to personal hygiene and to dress appropriately for school and school functions. Students and their parents are primarily responsible 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 professional setting.

Students have the right to dress in accordance with their gender identity, within the constraints of the dress codes adopted by the school. School staff shall not enforce a school's dress code more strictly against transgender and gender nonconforming students than other students.

A student's dress, grooming, and appearance shall:

1. Be safe and appropriate, and not disrupt or interfere with the educational process.
2. Be covered from mid-thigh to top of chest in non-see-through material that is connected over the shoulder.
3. Ensure that underwear is completely covered with outer clothing at all times.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Permit hats at the discretion of the teacher within classrooms during school hours, excusing medical and/or religious purposes.

6. Not include items that are vulgar, obscene, and libelous or denigrate others on account of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.
7. Not promote and/or endorse the use of alcohol, tobacco, or illegal drugs and/or encourage other illegal or violent activities.

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

The dress code will be applied and upheld fairly and without discrimination, regardless of race, ethnicity, gender (binary or non), sexual orientation, weight, or any other factor. Proper enforcement of this dress code does not include any form of public discipline or inappropriate remarks regarding a student's body and/or image.

## **VI. Student Use of Electronic Communication Devices**

With permission, students are permitted to use electronic devices during instruction time. While MS/HS students are permitted to possess such devices during the school day, they are prohibited from using them in any manner that invades the privacy of students, employees, volunteers, or visitors. Students are not permitted to use any form of information technology, including their own personal electronic devices, to intimidate, harass, or threaten others. This type of harassment is generally referred to as cyber bullying. If a student violates this prohibition, then they will be subject to discipline under this provision and/or any other provision in the Code of Conduct that may be applicable to the circumstances involved.

It is recognized that students, faculty, and staff may have a reasonable expectation of privacy in an educational setting. Students are, therefore, prohibited from recording any classroom activity without first obtaining permission from the faculty or staff member responsible. In the event that either student-initiated or faculty-initiated recording is authorized, the responsible faculty member shall inform all participants of the recording and the intended purpose. When permitted, recordings for individual use must not be made available to others or posted online without written consent of the faculty member responsible. Any subsequent use of recordings shall be consistent with the originally intended purpose.

Teachers, administrators, support staff, and all other Board personnel should exemplify and reinforce acceptable digital citizenship (including possession/use of electronic devices) and help students develop an understanding of appropriate digital conduct in the school setting.

## **VII. Prohibited Student Conduct**

All students are expected 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 further develop self-discipline.

To ensure clarity with respect to student conduct while on school property or engaged in a school function, the following rules of conduct have been developed with a focus on safety and respect. . Students who will not accept responsibility for their own behavior and who violate these school rules will be required to accept the consequences of their conduct.

Students will be subject to disciplinary action if they:

A. Engage in conduct that is disorderly. Examples of disorderly conduct include, but are not limited to:

1. Running in hallways.
2. Making noise that is disruptive to educational environments.
3. Biting/Spitting.
4. Using language or gestures that are profane, lewd, rude, vulgar, abusive, threatening, or disrespectful in nature.
5. Obstructing vehicular or pedestrian traffic, speeding or driving/parking in unauthorized areas.
6. Engaging in any willful act that disrupts the normal operation of the school community.
7. Unauthorized access or entry to any school building or part of a school building is not permitted. Students are authorized to be on school grounds only during daylight hours or during a school sponsored or other authorized event. Students who are suspended are not authorized to be on school grounds during the suspension period.
8. Misuse/unauthorized use of computer systems, including the unauthorized access or attempts to access systems and software beyond that which is authorized; unauthorized access to information; unauthorized testing of security controls; attempted circumvention of security controls including evading the District's content filter; tampering/falsification of email, documents or electronic records; connecting district systems to unauthorized external or wireless networks; or any other violation of the District's acceptable use policy.
9. Unauthorized use of personal electronic devices/equipment (i.e., cell phones, cameras, and other personal electronic devices deemed inappropriate by the administration).
10. Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources through the District computer system.
11. Intentionally damaging, defacing, or destroying school district property, systems and records, or the personal property of a student, teacher, administrator, other district employee or any person on school property. Infractions may include littering, graffiti, arson, or other damaging actions.
12. Painting the bell. Students must have permission from the high school principal or their designee in order to paint the bell. Students may not deface or paint the rock beneath the bell under any circumstances. All other Code of Conduct policies must be followed, such as those relating to trespassing, school property, and graffiti.
13. Students are not permitted in unsupervised areas, except as authorized by District staff.
14. Only one person is allowed in a bathroom stall at one time. Otherwise students will be considered to be in an unauthorized area.

B. Engage in use of items prohibited in the building or on school grounds during the school day or at school-sponsored events:

1. Handheld electronic games and/or other electronic games, laser pointers, lighters.

2. Toys of any kind brought from home and/or dangling items from backpacks, including water guns.
  3. Pets unless authorized by a teacher and accompanied by an adult.
  4. Food items: soda, gum, candy in the elementary school.
- C. Engage in conduct that is insubordinate. Examples of insubordinate conduct include, but are not limited to:
1. Failing to comply with the reasonable directions of teachers, school administrators, or other school employees in charge of students, or demonstrating disrespect.
- D. Engage in conduct that is disruptive. Examples of disruptive conduct include, but are not limited to:
1. Failing to comply with the reasonable directions of teachers, school administrators or other school personnel in charge of students.
  2. Interfering with the teaching or learning of other students.
- E. Engage in conduct that is violent. Examples of violent conduct include, but are not limited to:
1. Committing an act of violence (such as hitting, biting, shoving, throwing an object, kicking, punching, and scratching) upon another student, upon a teacher, administrator, other school employee, or any other person on school property or attempting to do so.
  2. Engaging in harassment, verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student to fear for their physical well-being.
  3. Possession of 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.
- F. Engage in any conduct that endangers the safety, morals, health, or welfare of others. Examples of such conduct include, but are not limited to:
1. Lying to school personnel. Lying, giving a false name, deception through misrepresentation or omission of facts, tampering with or falsification of information or documents, and similar offenses.
  2. Theft while on school property or attending a school function. This includes illegal entry into a computer file.
  3. Extortion. Knowingly coercing another individual to comply with their wishes.
  4. 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. This can include posting or publishing of information and media regardless of form, e.g. images, audio recordings, video, printed material.
  5. Discrimination based on a person's actual or perceived race, age, sexual orientation, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, or disability as a basis for treating another in a negative manner on school property or at a school function.
  6. Harassment. The creation of a hostile environment through any means; intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities, or benefits, or mental, emotional, or physical well-being based on a person's actual or perceived race, color, weight, national origin, political affiliation, ethnic group, religion, religious practice, marital or veteran status, use of a recognized guide dog, hearing dog or service dog, disability, sexual orientation, gender, or sex.



7. "Internet bullying" (also referred to as "cyber bullying") including the use of instant messaging, email, websites, chat rooms, text messaging, or communication by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety, and welfare of students or employees.
8. Bullying, which includes a pervasive pattern of actions or statements directed at an individual or group which are intended to be intimidating, teasing, taunting, or spreading rumors that cause the person or group to be socially isolated through intentional exclusion in written, physical, verbal, or electronic form.
9. Sexual harassment is defined as unwelcome sexual advances; requests for sexual favors; taking, sending, or receiving sexually explicit videos, pictures, or auditory recordings; and other verbal or physical conduct of a sexual nature when:
10. Students communicate obscene pictures or lewd jokes, make sexual advances, request sexual favors, or engage in other harassing activities of a sexual nature.
11. Such conduct has the purpose or effect of unreasonably interfering with a student's academic performance or participation in an educational or school activity, or creating an intimidating, hostile, or offensive learning environment.
12. Intimidation, which includes engaging in actions or statements that put an individual in fear of bodily harm and/or emotional discomfort; for example: "play" fighting, extortion of money, overt teasing, etc.
13. 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.
14. Selling, using, purchasing, or possessing obscene material.
15. Using vulgar or abusive language, cursing, or swearing.
16. Smoking a cigarette, cigar, pipe, or using chewing or smokeless tobacco. Regardless of percentage of nicotine content, electronic and/or vapor-based devices are prohibited.
17. Possessing, consuming, being under the influence of, selling, distributing, or exchanging alcoholic beverages or illegal substances, or a substance the student believes to be or represents alcohol or an illegal substance or mind-altering substance. Illegal or mind-altering substances include, but are not limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, synthetics, synthetic cannabinoids, and any substances commonly referred to as "designer drugs."
18. Possession of drug-related paraphernalia including, but not limited to pipes, bongs, vials, scales, rolling papers, pill bottles, small zip-lock bags, electronic vapor devices, vapor cartridges, etc.
19. Sale, purchase, possession, use, or sharing of prescription and over-the-counter drugs.
20. Gambling, including "pools" of any kind.
21. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.
22. Displays of affection beyond handholding.
23. Initiating a report warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
24. Interfering with school security protocols, including disrupting a drill or propping a locked door.

#### G. Engaging in Off Campus Misconduct

A student may be subject to discipline for conduct that may constitute a crime which is committed off school premises or at non-school sponsored activities to the extent that the Superintendent of Schools, building principal, or Board of Education reasonably believes that continued attendance by the student would adversely affect the educative process (e.g. disrupts the operation of the school) or constitutes an

endangerment to the health, safety, welfare or morals of the student or others in our schools. In addition, the District may impose discipline for off-campus misconduct constituting a crime.

A student may be subject to discipline for off-campus conduct that does not involve criminality to the extent that the Superintendent of Schools or Board of Education reasonably believes has a nexus to the educative process, i.e., student-student, student-personnel interactions that foreseeably would have a detrimental or disruptive effect upon school programs or activities.

#### H. Bus Transportation Misconduct/Bus Behavior Code

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, fighting, harassment, and discrimination will not be tolerated.

I. Engage in any form of academic misconduct. Examples of academic misconduct include:

1. Plagiarism, including computer generated reports or work products.
2. Cheating.
3. Copying.
4. Tampering with records.
5. Assisting another student in any of the above actions.
6. Any of the above actions using a computer or means of electronic communication, or misuse of electronic systems.

#### J. Exhibit Attendance Issues

Education is a joint responsibility of the parents and the school community. Parents, in particular, play an important role in shaping their child's academic success. Parents/guardians are legally obligated to comply with New York State Education Law, which mandates that children be in attendance every day that school is in session. Please refer to the Comprehensive Attendance Plan for attendance classifications.

**Student Absence** - Parent/guardian must call the attendance office before 9 a.m. on the day the student is absent. After having been absent from school, students are required to bring a note from home on the day they return to school, unless the parent/guardian has called the attendance office. Upon returning, students shall go to the attendance officer to present the excuse note signed by the parent or guardian.

**Illness while home for lunch** - If a high school student goes home for lunch and becomes sick, a parent is to call the school before the start of afternoon classes. A note from the parent or guardian is to be presented to the attendance officer on the next attendance day.

**Exclusion from after school activities** - If a student is absent from school or arrives after 10:30 a.m. to the Middle/High School, after 11:30 a.m. to the Elementary, or leaves school early due to an illness, he/she shall not participate in after school activities. In the case of a weekend activity, an absence or lateness from the last official school day will exclude students from participation in activities. Any exceptions will be at the discretion of the Principal or their designee.

**Illness while at school** - If a student becomes ill during the school day, he/she must report to the nurse. The nurse will contact the parent and determine if the student should remain in school for the remainder of the day. If a student leaves school due to illness, he/she must be dismissed through the nurse's office. Any student leaving school without being released through the nurse's office will be given an unexcused absence from classes missed.

**Doctor's Appointment** - If a student must leave school for a doctor's appointment, he/she must present a note to the attendance office before dismissal. Any student leaving school for an appointment without reporting to the attendance office will be given an unexcused absence from classes missed. A doctor's note must be provided upon return to school.

Absences from class and disciplinary measures:

1. Excused Absence from Class

When a student returns to school after an excused absence, the student is to contact each teacher on the day of return. The teacher and student will establish deadlines for the completion of all work missed. If the work is not completed, a "zero" will be recorded.

2. Truancy

Absences from a full day of school that are unexcused and/or without parental consent are deemed to be cases of truancy. An absence as part of a class "skip day" is unexcused and will be considered truant. Students may not receive credit for any tests/assignments that took place during the truancy.

3. Class Cuts

If a student decides not to attend a scheduled class period, it will be considered a cut. This includes study halls. Students will not receive any credit for any tests/assignments that took place during the cut class. In the case of a student who is 10 or more minutes late to class, the lateness will be regarded as a cut for discipline purposes and consequences will be assigned. However, students arriving late are expected to do the class assignment for that period. Three or more consecutive cuts in one day will be handled as truancy. Accumulation of class cuts will earn students these consequences:

1<sup>st</sup> cut—teacher or administrative detention, documentation in database, parental notification;

2<sup>nd</sup> cut—administrative detention, documentation in database, parental notification;

3<sup>rd</sup> cut—two administrative detentions, documentation in database, parental notification;

4<sup>th</sup> cut —extended detention, documentation in database, parental notification;

5+ cuts—Alternative Learning Environment

These are cumulative cuts for the entire school year.

4. Class Lateness

Teacher will record the number of times that a student is late to class, including period one. If a student is less than ten minutes late to class and is unexcused, consequences will result. Accumulation of class latenesses will earn students these consequences:

1<sup>st</sup> late—teacher warning;

2<sup>nd</sup> late—teacher detention, documentation in database, parental notification;

3<sup>rd</sup> late—teacher detention, documentation in database, parental notification;

4<sup>th</sup> late—administrative detention, documentation in database, parental notification

5+late—Extended detention, documentation in database, parental notification.

These cumulative latenesses to class will be reset for each of the 4 quarters.

#### K. Fail to Obey Driving Regulations

1. All New York State Traffic Laws  
Safe speeds should always be used on school grounds. The speed limit on school property is 10 mph.
2. Vehicles are prohibited on the emergency access road between the Mabel Merritt building and the flagpole circle (parallel to the swings).
3. Students are prohibited from parking on campus during the school day, unless assigned to a parking spot in the Senior Parking Lot. Student parking will be determined by the administration.
4. Unsafe starts or “burning rubber” is not permitted.
5. “Horseplay” or reckless driving is dangerous and will not be allowed.

### VIII. Reporting Violations

All students are expected to promptly report violations of the Code of Conduct to a teacher, guidance counselor, building principal or their designee. Any student with knowledge of 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, building principal, superintendent or their designee.

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

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

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

### IX. Disciplinary Consequences, 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 to effect positive change in student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary consequences will consider the following:

1. The student's age.
2. The nature of the offense and the circumstances that 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 the consequence for misconduct may increase in severity with multiple, repeated, or subsequent violations of the Code of Conduct.

If the student in question has been classified as disabled or is a student suspected of having a disability as defined by law, and the suspension will result in the student being suspended for a period of longer than ten days, the student shall be referred to the Committee on Special Education to ascertain whether the misconduct is related to a disability in accordance 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 be disciplined for behavior related to his or her disability only to the extent permitted by law, and in accordance with the separate requirements of this Code of Conduct for disciplining students with a disability or presumed to have a disability.

## **A. Definitions**

The Code of Conduct defines various areas of student involvement or behavior. It is understood that the administration has the prerogative of exceeding any of the consequences specified in the Code depending on the seriousness of the situation, or reducing the consequence specified in the Code depending upon mitigating circumstances. A record will be kept of a student's infractions and the disciplinary measures incurred. Subsequent infractions of the same regulation will result in the imposition of increasingly severe consequences.

### **Detention**

Teachers, principals, and the superintendent may use after school detention as a consequence for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a consequence only after the student's parents have been notified to confirm that there is no parental objection to the consequence and the student has appropriate transportation home following detention.

#### **1. Elementary Recess Detention**

Depending on the seriousness of the situation, teachers, principals, and the Superintendent may use recess detention as a consequence for student misconduct. Parents will be notified when recess detention has been assigned.

#### **2. Teacher Detention**

Teacher detention consists of a quiet study hall supervised by a staff member. Detentions can be held prior to the beginning of school, after the school day, or during lunch at the discretion of the teacher. One-day notice or parent notification is necessary except for lunch detention. Students will be afforded the opportunity to eat lunch. Students must be present at the beginning of detention period. Any student arriving after the beginning will not be allowed to enter and will be considered cutting. Transportation will be available for these detentions.

### 3. Administrative Detention

Administrative detention will be held after school from 3:00-4:00 PM, to allow students to attend extra help prior to the detention. A student will be notified in writing, or verbally, of the administrative detention. A concerted effort will be made to notify the parents with a phone call followed by a letter prior to the detention. Permission to be excused must be obtained from the dean of students or the principal prior to the detention period. If a student cuts an administrative detention, the student will be assigned to an extended detention. A student with an excused absence from school on the date of an assigned detention will be required to make up the time on the next detention period. Detentions will be scheduled on the first available date according to the school calendar; student school conflicts (i.e. extracurricular activities/sports) will not be considered in the assigning of the detentions. No transportation will be provided.

### 4. Extended Detention

A quiet, supervised study hall will be held from 3:00-6:00 PM depending on the nature of the offense. The building principal or their designee may issue an extended detention. If the extended detention is the same day as the HEART Program (an after school tutorial session), students will be allowed to attend the HEART Program to get help with their work. If a student is asked to leave the HEART Program after being afforded this privilege, they will no longer be eligible to attend the HEART Program. Extended detentions will be held as scheduled and students will be assigned on the first available date. If a student misses an extended detention, or is removed because of disciplinary reasons, the student will be assigned a one day in school suspension. In all cases, students are required to make up the extended detention. Students who repeatedly fail to serve extended detentions will face suspension. If a student misses extended detention due to an excused absence, the extended detention will be rescheduled on the next available date. An extended detention that is not served within one week of the originally scheduled date will be served as a day in the Alternative Learning Environment. Parents will be notified of this extended detention. No transportation will be provided.

### 5. In School Suspension

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

A student assigned to an in school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the District official imposing the sentence to an in school suspension to discuss the conduct and the consequence involved.

Students assigned to an in school suspension will work in a supervised area and will be provided with an opportunity for instruction and assignments to complete throughout the school day. Students who are assigned to an in school suspension will not be permitted to resume their regular schedule until the day has been served. Students removed from an in school suspension for disciplinary reasons will receive an additional

day of an in school suspension. Any student who disrupts an in school suspension or interferes with its progress will be assigned one day in an in school suspension. Students who serve a day in an in school suspension will not be allowed to participate in any extracurricular activities on the same day.

#### 6. Social Suspension

A student subjected to a suspension from athletic participation, school 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 consequence involved.

Social suspension is defined as the removal from co-curricular and extracurricular activities including but not limited to proms, dances, non-academic field trips, and sports for a specific period of time determined by the principal. Social suspension should not be confused with Ineligibility.

#### 7. Suspension from transportation

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

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §32 14. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the consequence involved.

A suspension from transportation may constitute a "change in placement" for a student who has been classified as disabled, if the student's Individualized Educational Program (IEP) specifies that transportation must be provided. In such cases, transportation suspensions for misconduct related to a disability are limited to the same extent as suspensions from school under similar circumstances.

#### 8. Teacher disciplinary removal of disruptive students.

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

On occasion, a student's behavior may become disruptive. For purposes of this Code of Conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial

interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules. A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a continuing 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 continuing 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 referral and meet with the principal or his/her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

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

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

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

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

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

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

The principal or his/her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher



will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

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

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

#### 9. Suspension from school.

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

The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals, or acting principal in the absence of a building principal.

Any staff member may recommend to the superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the Code of Conduct. All recommendations and referrals shall be made in writing unless the conditions underlying the recommendation or referral warrant immediate attention. In such cases, a written report is to be prepared as soon as possible by the staff member recommending the suspension. The superintendent or principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

A. Short-term (5 days or less) suspension from school. When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone.

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 of 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 their decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter. The parents 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 within 30 days of the decision.

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

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

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

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

#### C. Permanent suspension.

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

#### E. Referrals

##### 1. Counseling

All student counseling referrals will be processed by the guidance office, social worker, school psychologist, and/or, when possible, the Child Study Team (CST).

2. PINS Petitions

The District may file a PINS (Person In Need of Supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

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

3. Juvenile Delinquency and Juvenile Offenders

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

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

**B. Consequences**

Students who are found to have violated the District’s Code of Conduct may be subject to one or more of the following consequences. The school personnel identified after each consequence are authorized to impose that consequence, consistent with the student’s right to due process.

	All District Staff	Board of Education	Superintendent	Principals	Dean of Students	Athletic Directors	Teachers	Coaches	Guidance Counselors	Aides	Teacher's Assistants
Oral Warning	●	●	●	●	●	●	●	●	●	●	●
Written notification to parent			●	●	●		●	●	●		
Detention			●	●	●		●				
Loss of cafeteria, recess, free time			●	●	●	●			●		
Suspension - transportation			●	●	●						
Suspension - extracurricular activities			●	●	●	●		●			
Suspension - Other privileges			●	●	●						
Removal from classroom			●	●	●		●				
Alternative learning center			●	●							
Short-term suspension < 6 days		●	●	●							
Long-term suspension > 5 days		●	●								

## **C. Other Interventions**

1. Parent Conference
2. Counseling with school social worker, psychologist, or guidance counselor
3. Peer Mediation
4. Child Study Team Referral
5. District Referral Team
6. Referral for Dialectical Behavioral Therapy

## **D. Procedures**

The amount of due process afforded to a student is commensurate to the severity of the violation and impact of the consequence imposed. In all cases, the student must be informed of the alleged misconduct and is entitled to an investigation by authorized school personnel, to the extent necessary, of the facts surrounding the alleged misconduct. All students will be afforded the opportunity to present their version of the facts to the school personnel responsible for adjudication of the violation.

## **X. 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 take immediate steps to provide alternative means of instruction for the student,

## **XI. 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.

## **XII. Physical Restraint**

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

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

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

### **XIII. Student Searches and Interrogations**

The Board of Education is committed to ensuring a safe and orderly environment. To achieve this environment, 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.

In addition, the Board authorizes the superintendent or their designee, building principals, and building administrators 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 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, so long as the school official has a legitimate reason for the very limited search.

Before searching a student or the student’s belongings, the authorized school official should attempt to 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 with a witness. Students will be present when their possessions are being searched. No District official shall conduct a search that requires the removal of clothing other than outerwear, hats, shoes, and socks.

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

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks, and other school storage places, physical or virtual. 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 documenting 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 item(s) were found).

10. Disposition of item(s) found.
11. Time, manner, and results of parental notification.

The building principal or their designee shall be responsible for the custody, control, and disposition of any illegal or dangerous item taken from a student. The principal or their designee shall clearly label each item taken from the student and retain control of the item(s) until the items is turned over to the police. The principal or their 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; or
4. Are in pursuit of a suspected criminal.

Before police officials are permitted to question or search any student, the building principal or their 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, unless the police indicate that such an interview concerns a student's parent(s) or other household member and it is pursuant to a report regarding suspected child abuse, maltreatment, or neglect. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function.

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

1. They must be informed of their legal rights.
2. They may remain silent if they so desire.
3. They may request the presence of an attorney.
4. They must be protected from coercion and illegal restraint.

### 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 building principal or their designee. The principal or their designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be

present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if the student 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.

#### **XIV. Visitors to The Schools**

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

1. Anyone who is not a staff member or student of the school will be considered a visitor.
2. During the school day, all visitors must enter through one of two main entrances: Elementary/Middle School flagpole entrance or the High School front door. Visitors must report to the reception desk in the lobby of either the ES/MS or HS. 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. When leaving, the visitor must sign out at the same reception desk.
3. Parents or community members who are participating in a classroom activity are required to arrange such visits in advance with the classroom teacher(s) and/or the building administrator, so that class disruption is kept to a minimum. These visitors must register at a reception desk.
4. Visitors attending school functions that are open to the public, such as parent-teacher meetings, school performances, athletic events, or public gatherings are not required to register.
5. Observation by the public of a special education class may raise privacy issues related to the identity and programs of classified students. Therefore, the observation of special education programs, services, classes, or activities is limited to observations by parents of their own children and observations by persons whose presence is authorized by the Committee on Special Education (CSE) or the director of special services or designee. All such observations must be scheduled in advance with the building principal or his/her designee.
6. Teachers are expected not to use class time to discuss individual matters with visitors.
7. 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.
8. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.
9. Students are not permitted to have guests accompanying them during the school day, without prior permission from the building principal or his/her designee.

## **XV. Public Conduct On School Property**

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

The restrictions on public conduct on school property or 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 are expected to be properly attired for the purpose for which they are on school property or attending a school function.

### **A. Prohibited Conduct**

No person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee, or any person on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs, or other school functions.
4. Distribute or wear materials on school grounds or at school functions or activities that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
5. Intimidate, harass, or discriminate against any person on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex.
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
7. Obstruct the free movement of any person in any place to which this Code applies.
8. Violate the traffic laws, parking regulations, or other restrictions on vehicles:
9. Possess, consume, sell, distribute, or exchange alcoholic beverages, controlled substances, or be under the influence of either on school property or at a school function or activity.
10. Use tobacco in or on any building, structure, or school property including the surrounding outdoor grounds as defined by NY State public health law 1399-N.
11. 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 District.
12. Loiter on or about school property.
13. Gamble on school property or at school functions.
14. Refuse to comply with any reasonable order of identifiable school District officials performing their duties.
15. Willfully incite others to commit any of the acts prohibited by this Code.



16. Violate any federal or state statute, local ordinance, or Board policy while on school property or while at a school function.

## **B. Consequences**

Persons who violate this Code shall be subject to the following consequences:

1. Visitors. Their authorization, if any, to remain on school grounds or at the school function or activity 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. Staff members. They shall be subject to disciplinary action as the facts may warrant in accordance with law.

## **C. Enforcement**

The building principal or their designee shall be responsible for enforcing the conduct required by this Code.

When the building principal or their designee sees or is made aware of an individual engaging in prohibited conduct, the District may initiate disciplinary action against any student or staff member, as appropriate, with the Consequences section above. In addition, the District reserves its right to pursue a civil or criminal legal action against any person violating the Code.

## **XVI. Dissemination and Review**

### **Dissemination of Code of Conduct**

The Board will work to ensure that the community is aware of this Code of Conduct by:

1. Making copies of the Code of Conduct and a summary of the Code of Conduct written in plain language available to all parents and at the beginning of the school year via the District website, and in hard copy upon request, as well as a copy of any amendments to the Code as soon as practical after adoption.
2. Making copies of the Code of Conduct and a summary of the Code of Conduct written in plain language available to all current teachers and other staff members, as well as a copy of any amendments to the Code as soon as practical after adoption.
3. Requiring a full understanding of the Code of Conduct by all district employees..
4. Making copies of the Code available for review by students, parents, and other community members in offices district-wide, and on the school website.

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

The Board will appoint an advisory committee to assist in reviewing the Codes. The committee will be made up of representatives of student, teacher, administrator, and parent organizations, school safety personnel, and other school personnel.

The Code of Conduct will be reviewed annually by the Board and updated as necessary under the direction of the superintendent. A Code of Conduct Committee established by the superintendent will facilitate reviews. Changes to the Code of Conduct will be reviewed and approved by the superintendent before submission to the Board. Following submission, the Board will hold at least one public hearing on the revised Code prior to adoption and enactment by the Board.

The District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website, if available. The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

## **XVII. 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 are entitled to 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.

## **XVIII. COMPREHENSIVE ATTENDANCE PLAN**

### **Overall Goals of a Pupil Attendance System**

The Haldane Central School District is required to record and document the attendance of every student. This document emphasizes the following goals:

- Ensure the maintenance of an adequate record verifying the attendance of all children
- Establish a practical mechanism for the school district to account to parents of all children enrolled at Haldane the whereabouts of their children throughout each school day
- Ensure sufficient pupil attendance at all scheduled periods of instruction and supervised study activities so that students succeed
- State Mandate
- Federal Mandate

## **Purpose of the Comprehensive Attendance Policy**

The purpose of the policy is to ensure that the District can maintain adequate attendance records on all students. More specifically, the plan will build capacity

- To inform students and parents of the consequences of unexcused absences
- To be able to track students throughout the day
- To identify patterns of behavior that may require school/parental attention
- To maximize student achievement

## **Required Elements of the Comprehensive Attendance Plan**

### **STATEMENT OF LOCAL OBJECTIVES**

The Haldane Central School District believes that maintaining adequate student records is critical to its educational mission. In addition, the basis for a sound plan begins with these fundamental premises:

- The best way to learn is to be in school
- Parents must share responsibility in this process
- Faculty and staff must be familiar with the plan

Accordingly, the District adopts this policy to ensure that effective strategies are in place to maximize pupil attendance at all scheduled periods of actual instruction or supervised study activities, so that the District's students have the greatest opportunity to succeed. Furthermore, the District will strive to identify patterns of absence, tardiness and early departures from school, and in identifying such patterns, to intervene in a manner that will encourage student attendance and discourage unexcused absences.

### **DESCRIPTION OF STRATEGIES TO MEET OBJECTIVES**

The following incentives will be utilized to encourage attendance and to meet the objectives that are illustrated in this policy:

1. A plain language summary of this policy will be available on the District website.
2. Key components of the attendance policy will be included in the "Code of Conduct Summary" and reviewed with students at the start of the school year;
3. The school newsletters and publications will include periodic reminders of the components of this policy.
4. The district will provide a copy of the attendance policy and any amendments to faculty and staff. New staff will receive a copy upon their employment;
5. Copies of this policy will also be available to any community member, upon request and via the District website.

### **ATTENDANCE CLASSIFICATIONS**

Student absences, tardiness, and early departures from class or school are classified as excused or unexcused. The following chart will be consistent for the elementary, middle, and high schools.

## Full Day Absences

Students who are absent from school shall be denied the privilege of participating in extracurricular events. Students who are absent from school also run the risk of being denied entrance to extracurricular events. The building principal may grant an exception under certain circumstances.

Excused absences, tardiness, and early departures are attributed to one of the following causes and must be accompanied with written confirmation as specified below:

## ATTENDANCE

Excused/Unexcused	Code	Description	Presence
Unexcused	A	Absent	Absent
Unexcused	T	Tardy	Present
Unexcused	U	Unexcused Absence	Absent
Excused	EX	Excused Absence	Absent
Excused	S	Illness	Absent
Excused	TE	Tardy Excused	Present
Unexcused	UT	Unexcused Tardy	Present
Unexcused	UU	Unexcused tardiness/early departure	Present
Excused	SE	School Excused	Absent
Excused	FT	Field Trip	Present
Excused	ET	Excused Student Illness	Present
Excused	M	Medical	Absent
Excused	MT	Medical Tardy	Present
Excused	W	Impassable Roads or Weather	Absent
Excused	F	Family Illness/Funeral	Absent
Excused	R	Religious Observance	Absent
Excused	IS	In-School Suspension	Present
Unexcused	OS	Out-of-School Suspension	Absent
Excused	HI	Home Instruction	Present
Unexcused	C	Cut Class	Absent
Unexcused	TR	Truant	Absent
Unexcused	VA	Vacation	Absent
Excused	AP	Alternate Placement	Present
Excused	CW	Cooperative Work	Present
Excused	CV	College Visit	Absent
Excused	CA	Court Appearance	Absent

If the absence does not fall into one of the specific descriptions listed above, "Absent" will be used. The building principal shall have the discretion to designate an absence, late arrival or early departure as "excused" if the cause of the absence is not among those enumerated in this section, upon determination that the absence was unavoidable and/or otherwise not the fault of the student or the student's parent(s)/legal guardian(s).

## PARENT NOTIFICATIONS

Absence is considered daily in the Elementary, Middle, and High Schools. The Middle and High Schools also track attendance by individual class.

The following procedures will be followed in order to notify parents of absences:

- a. phone call will be made on each absence, unless the parent calls;
- b. after the fifth absence, a notification letter will be mailed to parents.
- c. after the 10<sup>th</sup> absence, a letter will be mailed home to parents and a parent meeting will be scheduled with the building administrator or designee. Ongoing monitoring will take place.
- d. after the 20<sup>th</sup> absence, a notification letter will be mailed home and a parent will meet with the building administrator. Child Protective Services (CPS) may be notified if the building administrator and building team deem appropriate.

These absences are cumulative over the course of the year.

### **DISCIPLINARY ACTIONS**

Unexcused absences, tardiness, and early departures will result in disciplinary action consistent with this Code such as, but not limited to, detention or an in school suspension.

Designated staff member(s) will contact the student's parents and the student's guidance counselor. Staff member(s) shall remind parents of the attendance policy, explain the ramifications of unexcused absences, tardiness, and early departures, stress the importance of class attendance and discuss appropriate intervention strategies to correct the situation.

### **INCOMPLETE GRADES**

When a secondary student (grades 6-12) has six excused absences for a given class during a quarter, the teacher will have the option of issuing an incomplete grade for that marking period. The student will be provided an opportunity to make-up missed work in order to be awarded a passing grade for the quarter. The student will be given two weeks from the end of the quarter to make up missed work in order to receive a passing grade. The building principal, teacher, and guidance counselor will meet to review any extenuating circumstances.

### **IDENTIFICATION OF THE PERSON TO REVIEW ATTENDANCE RECORDS AND TO INITIATE ACTION**

The building principal or his/her designee will be responsible for reviewing pupil attendance records and initiating appropriate actions.

The attendance clerks for the school district (K-12) will maintain the attendance records. These clerks will also be responsible for recording daily attendance as reported to them by individual classroom teachers.