

CONTENTS

2016

3000

Community Relations

Caledonia-Mumford Central School District

NUMBER

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SUBJECT: MEDIA/MUNICIPAL GOVERNMENTS/SENIOR CITIZENS**School District Media**

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

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

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

Municipal Governments

It is the policy of the Board to establish and maintain a positive working relationship with the governing bodies of the municipality. The Board shall also cooperate with municipal, county and state agencies whose work affects the welfare of the children of the District, including but not limited to the County Social Service Department, the Board of Health, the Recreation Department, the Public Library, and all community emergency service agencies.

Senior Citizens

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

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

Adopted: 8/13/13

SUBJECT: SCHOOL DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING**General Criteria**

The availability of Internet access in the School District provides an opportunity for staff and students to access information and contribute to the School District's presence on the World Wide Web. The District/school/classroom websites must relate to curriculum or instructional matters, school authorized activities, or general information of interest to the public pertaining to the District or its schools. Staff and students are prohibited from publishing personal home pages or links to personal home pages as part of the District/school/classroom Web Page(s). Similarly, no individual or outside organization will be permitted to publish personal Web Pages as part of the District/school/classroom Web Page(s).

Internet access for the creation of Web Pages is provided by the District and all information must be reviewed by the Website Manager prior to publishing it on the Web. Personnel designing information for the Web Pages must familiarize themselves with and adhere to District standards and procedures. Failure to follow District standards or responsibilities may result in disciplinary sanctions in accordance with law and/or the applicable collective bargaining agreement.

The District will ensure that any and all notifications and documents required by law, regulation, or District policy to be posted on its website will be so published.

Content Standards

- a) Approval for posting a Web Page must be obtained from the Website Manager or his/her designee(s). If at any time, the Website Manager/designee(s) believes the proposed material does not meet the standards approved by the District, it will not be published on the Web. Decisions regarding access to active Web Pages for editing content or organization will be the responsibility of the Website Manager/designee(s).
- b) A Web Page must be sponsored by a member of the District faculty, staff or administration who will be responsible for its content, design, currency and maintenance. The sponsor is responsible for ensuring that those constructing and maintaining the Web Page have the necessary technical training and that they fully understand and adhere to District policies and regulations. The Web Page must include the name of the sponsor.

(Continued)

SUBJECT: SCHOOL DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING (Cont'd.)

- c) Staff or student work should be published only as it relates to a school/classroom authorized project or other school-related activity, and in compliance with any and all relevant laws, rules, and regulations.
- d) The review of a Student Web Page (if considered a school-sponsored student publication) shall be subject to prior District review as would any other school-sponsored student publication.
- e) An authorized teacher who is publishing the final Web Page(s) for himself/herself or for a student will edit and test the Page(s) for accuracy of links and check for conformance with District standards and practices.
- f) Commercial advertising or marketing on the District/school/classroom Web Page(s) (or the use of school-affiliated Web Pages for the pursuit of personal or financial gain) shall be prohibited unless otherwise authorized in accordance with law and/or regulation. Decisions regarding website advertising must be consistent with existing District policies and practices on this matter. School-affiliated Web Pages may mention outside organizations only in the context of school programs that have a direct relationship to those organizations (e.g., sponsorship of an activity, student community service project).
- g) Web Pages may include faculty or staff names; however, other personal information about employees including, but not limited to, home telephone numbers, addresses, email addresses, or other identifying information such as names of family members may be published only with the employee's written permission.
- h) All Web Pages must conform to the standards for appropriate use found in the District's Acceptable Use Policy(ies) and accompanying Regulations regarding standards of acceptable use; examples of inappropriate behavior; and compliance with applicable laws, privacy, and safety concerns.
- i) All staff and/or students authorized to publish material on the District/school/classroom Web Page(s) shall acknowledge receipt of the District's Web Page Standards and agree to comply with same prior to posting any material on the Web.

(Continued)

SUBJECT: SCHOOL DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING (Cont'd.)

Release of Student Education Records/Directory Information

The District will not permit students' personally identifiable information to be posted on any District Web pages unless such action is consistent with the Family Educational rights and Privacy Act (FERPA) and District Policy.

Bus Schedules

Online posting of school bus schedules and/or other specific activity schedules detailing dates/times/locations (e.g., field trips) is prohibited on school-affiliated websites as such information can pose risks of child abduction or other security concerns. Password protected websites may be authorized by the Superintendent/designee.

Use of Copyrighted Materials and "Fair Use" Exceptions

Copyrighted Materials

All employees and students are prohibited from copying materials not specifically allowed by the copyright law, "Fair Use" guidelines, licenses or contractual agreements, or the permission of the copyright proprietor. Web Page publications must include a statement of copyright when appropriate and indicate that permission has been secured when including copyrighted materials or notice that such publication is in accordance with the "Fair Use" provisions of the Copyright Law.

Consequences for Non-Compliance

Web Pages that do not comply with the above criteria are subject to revocation of approval and removal from the District/school/classroom websites.

Staff

Faculty or staff posting non-approved or inappropriate material on a school-affiliated website are subject to discipline, including possible suspension or revocation of access to the District's computer network, in accordance with law and applicable collective bargaining agreements. In the case that a violation may constitute a criminal offense, it will be reported to the appropriate authorities.

(Continued)

SUBJECT: SCHOOL DISTRICT STANDARDS AND GUIDELINES FOR WEB PAGE PUBLISHING (Cont'd.)

Students

Students posting non-approved or inappropriate material on a school-affiliated website are subject to discipline, including possible suspension or revocation of access to the District's computer network, in accordance with applicable due process procedures and the District Code of Conduct. In the case that a violation may constitute a criminal offense, it will be reported to the appropriate authorities.

Oversight

The Superintendent of Schools or his/her designee shall have the authority to approve or deny the posting of any proposed Web Pages on school-affiliated websites based upon compliance with the terms and conditions set forth in this policy as well as applicable District practices and procedures.

Digital Millennium Copyright Act (DMCA), 17 USC Sections 101 et seq., 512 and 1201 et seq.

Family Educational Rights and Privacy Act of 1974, 20 USC Section 1232(g)
34 CFR Parts 99 and 201

NOTE: Refer also to Policies #7241 – Student Directory Information
#7411 – Censorship of School-Sponsored Student Publications and Activities
#8350 – Use of Copyrighted Materials

Adopted: 6/10/14

POLICY

2013

3140

Community Relations

SUBJECT: FLAG DISPLAY

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

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

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

4 United States Code (USC) Section 6

Education Law Sections 418 and 419

Executive Law Sections 402 and 403

8 New York Code of Rules and Regulations (NYCRR) Sections 108.1-108.3

Adopted: 8/13/13

SUBJECT: SCHOOL VOLUNTEERS

The Board recognizes the need to develop a school volunteer program to support District instructional programs and extracurricular activities. The purpose of the volunteer program will be to:

- a) Assist employees in providing more individualization and enrichment of instruction;
- b) Build an understanding of school programs among interested citizens, thus stimulating widespread involvement in a total educational process;
- c) Strengthen school/community relations through positive participation.

Volunteers are persons who are willing to donate their time and energies to assist Principals, teachers, and other school personnel in implementing various phases of school programs. Volunteers shall serve in that capacity without compensation or employee benefits except for liability protection under the District's insurance program.

An application shall be filled out by each prospective volunteer and forwarded to the District Office for evaluation. The Building Principal will forward his/her decisions concerning selection, placement and replacement of volunteers to the Superintendent for final evaluation. Following approval from the Superintendent of Schools, volunteers selected for work in the District shall be placed on the list of approved volunteers. However, the Superintendent retains the right to approve or reject any volunteer applications submitted for consideration.

Administrative regulations will be developed to implement the terms of this policy.

Volunteer Protection Act of 1997, 42 United States Code (USC) Section 14501 et seq.
Education Law Sections 3023 and 3028
Public Officers Law Section 18

NOTE: Refer also to Policy #6540 -- Defense and Indemnification of Board Members and Employees

Adopted: 8/13/13

POLICY

2013

3210

Community Relations

SUBJECT: VISITORS TO THE SCHOOL

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

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

Education Law Section 2801
Penal Law Sections 140.10 and 240.35

Adopted: 8/13/13

POLICY

2013

3230

Community Relations

SUBJECT: PUBLIC COMPLAINTS

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

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

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

NOTE: Refer also to Policies #3420 -- Non-Discrimination and Anti-Harassment in the School District
#8330 -- Objection to Instructional Materials
#8331 -- Controversial Issues
District Code of Conduct

Adopted: 8/13/13

POLICY

2013

3240

Community Relations

SUBJECT: STUDENT PARTICIPATION

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

Adopted: 8/13/13

POLICY

2013

3250

Community Relations

SUBJECT: PARENT-TEACHER ORGANIZATION

The Board of Education recognizes that the goal of the Parent-Teacher Organization is to develop a united effort between educators and the general public to secure for every child the highest achievement in physical, academic and social education. Therefore, staff members and parents are encouraged to join the Parent-Teacher Organization and to participate actively in its programs.

Adopted: 8/13/13

SUBJECT: SOLICITATION OF CHARITABLE DONATIONS**School Children**

Direct solicitation of charitable donations from children in the District schools on school property during regular school hours shall not be permitted. It will be a violation of District policy to ask District school children directly to contribute money or goods for the benefit of a charity during the hours in which District students are compelled to be on school premises.

However, this policy does not prevent the following types of fund raising activities:

- a) Fund raising activities which take place off school premises, or outside of regular school hours during before-school or after-school extracurricular periods;
- b) Arms-length transactions, where the purchaser receives a consideration for his/her donation. For example, the sale of goods or tickets for concerts or social events, where the proceeds go to charity, shall not be prohibited as the purchaser will receive consideration - the concert or social event - for the funds expended;
- c) Indirect forms of charitable solicitation on school premises that do not involve coercion, such as placing a bin or collection box in a hallway or other common area for the donation of food, clothing, other goods or money. However, collection of charitable contributions of food, clothing, other goods or funds from students in the classroom or homeroom is prohibited.

The Board of Education shall ultimately decide which organizations, groups, etc. can solicit charitable donations and for what purposes, as long as the activities comply with the terms of this policy and the Rules of the Board of Regents.

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

School Personnel

Soliciting of funds from school personnel by persons or organizations representing public or private organizations shall be prohibited. The Superintendent of Schools shall have the authority to make exceptions to this policy in cases where such solicitation is considered to be in the District's best interest. The Board of Education shall be notified of these instances.

Distribution of information about worthwhile area charities may be made through the Office of the Superintendent of Schools as a service to School District personnel.

New York State Constitution Article 8, Section 1

Education Law Section 414

8 New York Code of Rules and Regulations (NYCRR) Section 19.6

Adopted: 8/13/13

SUBJECT: ADVERTISING IN THE SCHOOLS

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

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

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

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

Adopted: 8/13/13

POLICY

2013

3280
1 of 2

Community Relations

SUBJECT: USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT

School Facilities

It is the policy of the Board that community groups shall be permitted and encouraged to use school facilities for purposes in accordance with established administrative regulations and procedures. This is meant to include those uses by New York State law. Groups wishing to use the school facilities must secure written permission from the Board of Education or its designee and abide by the rules and regulations established for such use.

The District reserves the right to charge a fee for the use of its facilities in a manner consistent with law, and on terms specified in regulation or by agreement with such organizations.

Use of the Hamilton Field Sports Complex - All Weather Track

Community residents are permitted to use the all weather track for running, jogging, and walking. Residents are to follow the Hamilton Field Sports Complex rules that are prominently displayed on the fences. The facility will be closed for community use between the hours of sunset to sunrise. Residents are not permitted to use the track during any interscholastic competition scheduled for the Hamilton Field Sports Complex. The District reserves the right to change the hours of access for community use of the track.

Community Groups Use of the Hamilton Field Sports Complex - Synthetic Turf Field

Use of the Hamilton Fields Sports Complex requires additional measures of management, security, supervision, and maintenance. All groups must follow the regulations set forth in this policy. Representative of the community groups are responsible for assuring that all participants follow the Hamilton Field Sports Complex rules that are prominently displayed on the fences. Community organizations outside-of-the-District shall pay a different fee than local community youth groups. A separate fee structure shall exist for Sectional and league use. Use of the lights, scoreboard, press box and concession stand requires District personnel to be present. Therefore, an additional cost will be added to the fee for field use.

The approval for community groups to use the Hamilton Field Sports Complex must take into consideration the ability of the District to provide appropriate personnel to be on site for scheduled activities. The availability of District personnel is an important factor in the decision-making process.

(Continued)

SUBJECT: USE OF SCHOOL FACILITIES, MATERIALS AND EQUIPMENT (Cont'd.)**Materials and Equipment**

Except when used in connection with or rented under provisions of Education Law Section 414, school-owned materials or equipment may be used for school related purposes only. Private and/or personal use of school-owned materials and equipment is strictly prohibited. The loan of equipment and materials for public purposes that serve the welfare of the community is allowed, as long as the equipment is not needed at that time for school purposes and that the proposed use will not disrupt normal school operations.

The Board will permit school materials and equipment to be loaned to staff members when such use is directly or peripherally related to their employment and to students when the material and equipment is to be used in connection with their studies or extracurricular activities. Community members will be allowed to use school-owned materials and equipment only for educational purposes that relate to school operations. The Board will also allow the loan of equipment to local governments and other entities that benefit the welfare of the surrounding community. The Board supports such inter-municipal cooperation as it saves taxpayer monies and is a more efficient use of scarce or costly equipment and resources.

The District will develop administrative regulations to assure that use of school-owned materials and/or equipment complies with the letter and spirit of this policy, including a description of the respective rights and responsibilities of the School District/lender and borrower in relation to such materials and equipment.

Education Law Section 414
NY Constitution Article 8

NOTE: Refer also to Policies #3281 – Use of Facilities by the Boy Scouts of America and Patriotic Youth Groups

#3410 -- Code of Conduct on School Property

#5640 -- Smoking/Tobacco Use

#7320 -- Alcohol, Tobacco, Drugs and Other Substances (Students)

#7410 – Extracurricular Activities

District Code of Conduct on School Property

Adopted: 1/28/14

**SUBJECT: USE OF FACILITIES BY THE BOY SCOUTS OF AMERICA AND
PATRIOTIC YOUTH GROUPS**

To the extent the District receives funds made available through the United States Department of Education and maintains a "designated open forum" or a "limited public forum," as those terms are defined in federal regulation, it will not deny any group officially affiliated with the Boy Scouts of America or any other patriotic youth group listed in Title 36 of the United States Code equal access or a fair opportunity to meet. Likewise, the District will not discriminate against any such group that requests to conduct a meeting within the District's designated open forum or limited public forum, including denying such access or opportunity or discriminating for reasons based on the group's membership or leadership criteria or oath of allegiance to God and country.

The District will provide groups officially affiliated with the Boy Scouts of America or other Title 36 patriotic youth group access to facilities and the ability to communicate using school-related means of communication on terms that are no less favorable than the most favorable terms provided to other outside youth or community groups.

The District is not required to sponsor any group officially affiliated with Boy Scouts or any other Title 36 patriotic youth group.

20 USC Section 7905

36 USC Subtitle II

34 CFR Parts 75, 76 and 108

Refer also to Policy #3280 -- Use of School Facilities, Materials and Equipment

Adoption Date: 2/11/2014

SUBJECT: OPERATION OF MOTOR-DRIVEN VEHICLES ON DISTRICT PROPERTY

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

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

Motor vehicles, not licensed for highway use, are prohibited from driving on school property.

In addition, skateboards are also prohibited from recreational use on school grounds. Students riding bicycles to school are required to secure their bicycle to the bicycle rack with a lock and chain in order to prevent theft or vandalism.

The District will seek to recover damages resulting from the unauthorized use of such vehicles to the fullest extent allowed by law.

Student Vehicles on School Property

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

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

Adopted: 8/13/13

SUBJECT: PUBLIC ACCESS TO RECORDS

Access to records of the District shall be consistent with the rules and regulations established by the State Committee on Open Government and shall comply with all the requirements of the New York State Public Officers Law Sections 87 and 89.

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

The District shall provide copies of records in the format and on the medium requested by the person filing the Freedom of Information Law (FOIL) request if the District can reasonably do so regardless of burden, volume or cost of the request.

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

Requests for Records via Email

If the District has the capability to retrieve electronic records, it must provide such records electronically upon request. The District shall accept requests for records submitted in the form of electronic mail and respond to such requests by electronic mail using the forms supplied by the District. This information shall be posted on the District website, clearly designating the email address for purposes of receiving requests for records via this format.

When the District maintains requested records electronically, the response shall inform the requester that the records are accessible via the internet and in printed form either on paper or other information storage medium.

Board of Education Meetings and Records

District records subject to release under the FOIL, as well as any proposed rule, regulation, policy or amendment, that are on the Board agenda and scheduled to be discussed at a Board meeting, shall be made available upon request, to the extent practicable, prior to the meeting. Copies of such records may be made available for a reasonable fee. If the District maintains a regularly updated website and utilizes a high speed internet connection, such records shall be posted on the website to the extent practicable, prior to the meeting. The District may, but is not required to expend additional funds to provide such records.

Education Law Section 2116
Public Officers Law Sections 87 and 89
21 New York Code of Rules and Regulations (NYCRR) Parts 1401 and 9760

Adopted: 8/13/13

SUBJECT: CONFIDENTIALITY OF COMPUTERIZED INFORMATION

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

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

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

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

SUBJECT: CODE OF CONDUCT ON SCHOOL PROPERTY

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

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

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

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

- a) Provisions regarding conduct, dress and language deemed appropriate and acceptable on school property and at school functions, and conduct, dress and language deemed unacceptable and inappropriate on school property; provisions regarding acceptable civil and respectful treatment of teachers, school administrators, other school personnel, students and visitors on school property and at school functions; the appropriate range of disciplinary measures which may be imposed for violation of such Code; and the roles of teachers, administrators, other school personnel, the Board of Education and parents/persons in parental relation to the student;
- b) Provisions prohibiting discrimination, bullying and/or harassment against any student, by employees or students on school property, at a school function, or off school property when the actions create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property, that creates a hostile environment by conduct, with or without physical contact, threats, intimidation or abuse (verbal or non-verbal), of such a severe nature that:
 - 1. Has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; or
 - 2. Reasonably causes or would reasonably be expected to cause a student to fear for his/her physical safety.

(Continued)

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

When the term "bullying" is used, even if not explicitly stated, such term includes cyberbullying, meaning such harassment or bullying that occurs through any form of electronic communication.

Such conduct shall include, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender as defined in Education Law Section 11(6), or sex; provided that nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a person's gender that would be permissible under Education Law Sections 3201-a or 2854(2) (a) and Title IX of the Education Amendments of 1972 (20 USC Section 1681, et seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under 504 of the Rehabilitation Act of 1973;

- c) Standards and procedures to assure security and safety of students and school personnel;
- d) Provisions for the removal from the classroom and from school property, including a school function, of students and other persons who violate the Code;
- e) Provisions prescribing the period for which a disruptive student may be removed from the classroom for each incident, provided that no such student shall return to the classroom until the Principal (or his/her designated School District administrator) makes a final determination pursuant to Education Law Section 3214(3-a)I or the period of removal expires, whichever is less;
- f) Disciplinary measures to be taken for incidents on school property or at school functions involving the use of tobacco, the possession or use of illegal substances or weapons, the use of physical force, vandalism, violation of another student's civil rights, harassment and threats of violence;
- g) Provisions for responding to acts of discrimination, bullying and/or harassment against students by employees or students on school property, at a school function, or off school property when the actions create or would foreseeable create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property, pursuant to clause (b) of this subparagraph;
- h) Provisions for detention, suspension and removal from the classroom of students, consistent with Education Law Section 3214 and other applicable federal, state and local laws, including provisions for school authorities to establish procedures to ensure the provision of continued educational programming and activities for students removed from the classroom, placed in detention, or suspended from school, which shall include alternative educational programs appropriate to individual student needs;

(Continued)

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

- i) Procedures by which violations are reported and determined, and the disciplinary measures imposed and carried out;
- j) Provisions ensuring the *Code of Conduct* and its enforcement are in compliance with state and federal laws relating to students with disabilities;
- k) Provisions setting forth the procedures by which local law enforcement agencies shall be notified of Code violations which constitute a crime;
- l) Provisions setting forth the circumstances under and procedures by which parents/persons in parental relation to the student shall be notified of Code violations;
- m) Provisions setting forth the circumstances under and procedures by which a complaint in criminal court, a juvenile delinquency petition or person in need of supervision ("PINS") petition as defined in Articles 3 and 7 of the Family Court Act will be filed;
- n) Circumstances under and procedures by which referral to appropriate human service agencies shall be made;
- o) A minimum suspension period for students who repeatedly are substantially disruptive of the educational process or substantially interfere with the teacher's authority over the classroom, provided that the suspending authority may reduce such period on a case-by-case basis to be consistent with any other state and federal law. For purposes of this requirement, as defined in Commissioner's Regulations, "repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom" shall mean engaging in conduct which results in the removal of the student from the classroom by teacher(s) pursuant to the provisions of Education Law Section 3214(3-a) and the provisions set forth in the *Code of Conduct* on four (4) or more occasions during a semester, or three (3) or more occasions during a trimester, as applicable;
- p) A minimum suspension period for acts that would qualify the student to be defined as a violent student pursuant to Education Law Section 3214(2-a)(a). However, the suspending authority may reduce the suspension period on a case-by-case basis consistent with any other state and federal law;
- q) A Bill of Rights and Responsibilities of Students which focuses upon positive student behavior and a safe and supportive school climate, which shall be written in plain-language, publicized and explained in an age-appropriate manner to all students on an annual basis; and

(Continued)

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

- r) Guidelines and programs for in-service education programs for all District staff members to ensure effective implementation of school policy on school conduct and discipline, including but not limited to, guidelines on promoting a safe and supportive school climate while discouraging, among other things, discrimination, bullying and/or harassment against students by students and/or school employees; and including safe and supportive school climate concepts in the curriculum and classroom management.

The District's *Code of Conduct* shall be adopted by the Board of Education only after at least one (1) public hearing that provided for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties.

The *Code of Conduct* shall be reviewed on an annual basis, and updated as necessary in accordance with law. The District may establish a committee pursuant to Education Law Section 2801(5)(a) to facilitate review of its *Code of Conduct* and the District's response to *Code of Conduct* violations. The School Board shall reapprove any updated *Code of Conduct* or adopt revisions only after at least one (1) public hearing that provides for the participation of school personnel, parents/persons in parental relation, students, and any other interested parties. The District shall file a copy of its *Code of Conduct* and any amendments with the commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.

The Board of Education shall ensure community awareness of its *Code of Conduct* by:

- a) Posting the complete *Code of Conduct* on the Internet website, if any, including any annual updates and other amendments to the Code;
- b) Providing copies of a summary of the *Code of Conduct* to all students in an age-appropriate version, written in plain language, at a school assembly to be held at the beginning of each school year;
- c) Providing a plain language summary of the *Code of Conduct* to all parents or persons in parental relation to students before the beginning of each school year and making the summary available thereafter upon request;
- d) Providing each existing teacher with a copy of the complete *Code of Conduct* and a copy of any amendments to the Code as soon as practicable following initial adoption or amendment of the Code. New teachers shall be provided a complete copy of the current Code upon their employment; and
- e) Making complete copies available for review by students, parents or persons in parental relation to students, other school staff and other community members.

(Continued)

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Community Relations

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

Privacy Rights

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

Education Law Sections 11(8), 801-a, 2801 and 3214
Family Court Act Articles 3 and 7
Vehicle and Traffic Law Section 142
8 NYCRR Section 100.2

NOTE: Refer also to *District Code of Conduct*

Adopted: 8/13/13

SUBJECT: PROHIBITION OF WEAPONS ON SCHOOL GROUNDS

With the exception of law enforcement officers, as permitted by law, and individuals who have the express written permission of the Board of Education or its designee, no person may have in his/her possession any weapon on school grounds, in any District building, on a school bus or District vehicle, or at any school sponsored activity or setting under the control and supervision of the District. This prohibition shall include, but not be limited to: any of the objects or instruments referred to in Section 265.01 of the New York State Penal Law; any air-gun, spring-gun or other instrument or weapon in which the propelling force is a spring, air, piston or CO2 cartridge; and any object that could be considered a reasonable facsimile of a weapon.

Penal Law Sections 265.01-265.06, 265.20

NOTE: Refer also to Policies #3410 – Code of Conduct on School Property
#7313 – Suspension of Students
#7360 -- Weapons in School and the Gun-Free Schools Act

Adopted: 6/10/14

SUBJECT: THREATS OF VIOLENCE IN SCHOOL

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

Any person who commits an act or threatens an act of violence, including bomb threats, whether made orally, in writing, by email, or by any other electronic format, shall be subject to appropriate discipline in accordance with applicable law, District policies and regulations, as well as the *Code of Conduct on School Property* and collective bargaining agreements, as may be necessary.

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

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

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

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

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

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

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

The Board of Education is committed to providing an environment free from discrimination and harassment. Accordingly, the Board prohibits discrimination and harassment on the basis of race, color, religion, national origin, sex, sexual orientation, age, disability or other legally protected category. Such actions and occurrences are prohibited regardless of whether they take place on School District premises or at school-sponsored events, programs, or activities held at other locations.

Prohibited Conduct

Determinations as to whether conduct or occurrences constitute discrimination or harassment for the purposes of this Policy and its implementing Administrative Regulations will be made consistent with applicable law. Such determinations may depend upon a number of factors, including but not limited to: the particular conduct or occurrence at issue, the ages of the parties involved, the context in which the conduct or occurrence takes place, the relationship of the parties to one another, the category or characteristic that is alleged to have been the basis for the action or occurrence, and other considerations as are necessary and consistent with law. The characterizations and examples below are intended to serve as a general guide for individuals in determining whether to file a complaint of discrimination or harassment, and should not be construed to add or limit the rights individuals and entities possess as a matter of law.

Discrimination is, generally, the practice of conferring or denying privileges on the basis of membership in a legally protected class. Discriminatory actions may include, but are not limited to: refusing to promote or hire an individual on the basis of his/her membership in a protected class, denying an individual access to facilities or educational benefits on the basis of his/her membership in a protected class, or impermissibly instituting policies or practices that disproportionately and adversely impact members of a protected class.

Harassment generally consists of subjecting an individual, on the basis of his/her membership in a protected class, to conduct and/or communications that are sufficiently severe, pervasive, or persistent as to have the purpose or effect of: creating an intimidating, hostile, or offensive environment; substantially or unreasonably interfering with an individual's work or a student's educational performance, opportunities, benefits, or well-being; or otherwise adversely affecting an individual's employment or educational opportunities.

Harassment can include unwelcome verbal, written, or physical conduct which offends, denigrates, or belittles an individual because of his/her membership in a protected class. Such conduct includes, but is not limited to: derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting, or the display or circulation of written materials or pictures.

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

Civil Rights Compliance Officer

The District will designate one or more individuals to serve as Civil Rights Compliance Officer. The Civil Rights Compliance Officer will be responsible for coordinating the District's efforts to comply with and carry out its responsibilities regarding non-discrimination and anti-harassment, including investigations of complaints alleging discrimination, harassment, or the failure of the District to comply with its obligations under relevant non-discrimination and anti-harassment laws and regulations (e.g., the Americans with Disabilities Act, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973).

Prior to the beginning of each school year, the District shall issue an appropriate public announcement or publication which advises students, parents/guardians, employees and other relevant individuals of the District's established grievance procedures for resolving complaints of discrimination and harassment. Included in such announcement or publication will be the name, address, telephone number, and email address of the Civil Rights Compliance Officer(s).

The Civil Rights Compliance Officer(s) for the District is/are:

Superintendent of Schools

Investigation of Complaints and Grievances

The School District will act to promptly, thoroughly, and equitably investigate all complaints, whether verbal or written, of discrimination and/or harassment based on any of the characteristics described above, and will promptly take appropriate action to protect individuals from further discrimination or harassment. In the event an anonymous complaint is filed, the District will respond to the extent possible.

It is essential that any individual who is aware of a possible occurrence of discrimination or harassment immediately report such occurrence. All reports will be directed or forwarded to the District's designated Civil Rights Compliance Officer(s). Such complaints are recommended to be in writing, although verbal complaints of discrimination or harassment will also be promptly investigated in accordance with applicable law and District policy and procedure. In the event the Civil Rights Compliance Officer is the alleged offender, the report will be directed to another Civil Rights Compliance Officer, if the District has designated another individual to serve in such a capacity, or to the Superintendent.

(Continued)

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

To the extent possible, all complaints will be treated as confidential. Disclosure may, however, be necessary to complete a thorough investigation of the charges and/or notify law enforcement officials.

If an investigation reveals that discrimination or harassment has occurred, the District will take immediate corrective action as warranted. Such action will be taken in accordance with applicable laws and regulations, as well as any and all relevant codes of conduct, District policies and administrative regulations, collective bargaining agreements, and/or third-party contracts.

Knowingly Makes False Accusations

Any employee or student who *knowingly* makes false accusations against another individual as to allegations of discrimination or harassment will face appropriate disciplinary action.

Prohibition of Retaliatory Behavior

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination and/or harassment. Complaints of retaliation may be directed to the Civil Rights Compliance Officer. In the event the Civil Rights Compliance Officer is the alleged offender, the report will be directed to another Civil Rights Compliance Officer, if the District has designated another individual to serve in such a capacity, or to the Superintendent.

Where appropriate, follow-up inquiries will be made to ensure that discrimination and/or harassment has not resumed and that those involved in the investigation have not suffered retaliation.

Additional Provisions

Regulations will be developed for reporting, investigating, and remedying allegations of discrimination and/or harassment.

In order to promote familiarity with issues pertaining to discrimination and harassment in the schools, and to help reduce incidents of prohibited conduct, the District will provide appropriate information and/or training to staff and students. As may be necessary, special training will be provided for individuals involved in the investigation of discrimination and/or harassment complaints.

A copy of this policy and its accompanying regulations will be available upon request and will be posted and/or published in appropriate locations and/or school publications.

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

This policy should not be read to abrogate other District policies and/or regulations or the *District Code of Conduct* prohibiting other forms of unlawful discrimination, harassment, and/or inappropriate behavior within this District. It is the intention of the District that all such policies and/or regulations be read consistently to provide protection from unlawful discrimination and harassment. However, different treatment of any individual which has a legitimate, legal, and nondiscriminatory reason shall not be considered a violation of District policy.

Age Discrimination in Employment Act, 29 USC Section 621
Americans with Disabilities Act, 42 USC Section 12101 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.
Title VI of the Civil Rights Act of 1964, 42 USC Section 2000d et seq.
Title VII of the Civil Rights Act of 1964, 42 USC Section 2000e et seq.
Title IX of the Education Amendments of 1972, 20 USC Section 1681 et seq.
Education Law Section 2801(1)
Executive Law Section 290 et seq.

NOTE: Refer also to Policies #6120 -- Equal Employment Opportunity
#6121 -- Sexual Harassment of District Personnel
#6122 -- Employee Grievances
#7550 -- Dignity For All Students Act
#7551 -- Sexual Harassment of Students
District Code of Conduct

Adoption Date: 12/16/2014

SUBJECT: UNIFORM VIOLENT AND DISRUPTIVE INCIDENT REPORTING SYSTEM (VADIR)

In compliance with the Uniform Violent and Disruptive Incident Reporting System (VADIR), the District will record each violent or disruptive incident that occurs on school property or at a school function. School property shall mean in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus as defined in Vehicle and Traffic Law Section 142. A school function shall mean a school-sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

In accordance with the manner prescribed, the District will submit an annual report of violent and disruptive incidents (on the *Summary of Violent and Disruptive Incidents* form) from the previous school year to the Commissioner of Education. Summary data will be used to determine the rate of violent and disruptive incidents in each school and to identify schools as persistently dangerous, as required by the No Child Left Behind Act.

The District will utilize the *Individual Violent and Disruptive Incident Report* form for the reporting of individual incidents by each building and/or program under its jurisdiction and for the tally count of incidents into the Summary Form. Copies of such incident reports will be retained for the time prescribed by the Commissioner in the applicable records retention schedule. These reports will be available for inspection by the State Education Department upon request.

All personally identifiable information included in a violent or disruptive incident report will be confidential and will not be disclosed to any person for any purpose other than that specified in Education Law Section 2802, except as otherwise authorized by law.

The District will include a summary of the District's annual violent or disruptive incident report in its School District Report Card in the format prescribed by the Commissioner.

Reporting Guidelines

The District will utilize the New York State Education Department's website to obtain copies of the forms, directions, glossary and additional information at website: <http://www.emsc.nysed.gov/irts/>

Education Law Sections 2801(1) and 2802
Vehicle and Traffic Law Section 142
8 New York Code of Rules and Regulations (NYCRR) Section 100.2 (gg)

Adopted: 8/13/13

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Community Relations

SUBJECT: EMERGENCY SCHOOL CLOSINGS

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

When school is closed, all related activities, including athletic events and student activities, will be cancelled for that day and evening.

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

Education Law Section 3604(7)

Adopted: 6/10/14

**SUBJECT: EMERGENCY SCHOOL CLOSINGS: EXTRAORDINARY CONDITION
DAYS/STUDENT ATTENDANCE****Days of Session**

School districts must be in session for all students, including students with disabilities, for not less than 180 days. Included in the 180 days are days on which attendance is taken; days on which Regents examinations, State Assessments or local examinations are given; and days on which Superintendent's Conference Days are held.

Legal Holidays

District officials may not schedule days of session on a Saturday or a legal holiday except Election Day, Washington's Birthday and Lincoln's Birthday (however, driver education classes may be conducted on a Saturday).

Legal holidays include: New Year's Day; Dr. Martin Luther King, Jr. Day; Lincoln's Birthday; Washington's Birthday; Memorial Day; Flag Day (second Sunday in June); Independence Day; Labor Day; Columbus Day; Election Day; Veterans' Day; Thanksgiving Day; and Christmas Day.

Length of School Day

The minimum length of the school day for purposes of generating state aid is 2.5 hours for half-day kindergarten, 5.0 hours for full-day kindergarten through grade 6, and 5.5 hours for grades 7 through 12. These hours are exclusive of the time allowed for lunch. If the School District establishes a school calendar in excess of 180 required days, the excess days need not comply with the mandated daily time requirements.

Extraordinary Conditions

The length of the school day requirement does not apply if schools open late or close early due to extraordinary circumstances beyond their control. Similarly, because of circumstances beyond its control, the School District may lose whole days of instruction due to emergency school closings.

Pursuant to Education Law Section 3604(7), if the Commissioner of Education finds that the schools of the District were not in session for 180 days because of extraordinarily adverse weather conditions, impairment of heating facilities, insufficiency of water supply, shortage of fuel, lack of electricity, natural gas leakage, unacceptable levels of chemical substances, or the destruction of the school building either in whole or in part, the Commissioner is authorized to excuse up to five (5) days under certain circumstances.

For the District to receive such a "waiver" from the Commissioner, the Commissioner must find that those "lost days" of instruction could not have been made up by using, for the secondary grades, all scheduled vacation days which occur prior to the first scheduled Regents examination day in June;

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**SUBJECT: EMERGENCY SCHOOL CLOSINGS: EXTRAORDINARY CONDITION
DAYS/STUDENT ATTENDANCE (Cont'd.)**

and, for the elementary grades, all scheduled vacation days which occur prior to the last scheduled Regents examination day in June. Scheduled vacation days that may be used include days of religious observance associated with Passover, Easter and other religious holidays. Only Saturdays, Sundays, and legal holidays are excluded from days that may be used for this purpose.

Requests for excusal must be made in writing to the State Education Department at the close of the school year. If scheduled vacation days and days waived by the Commissioner are insufficient and the School District still remains one (1) or more days short of the 180 days, the District may schedule additional sessions after Regents examinations, through June 30, to satisfy the length of session requirement.

In the event that only one (1) building in the District will be short the required days of session because of some extraordinary condition, the day(s) for only that building must be made up by using all scheduled vacation days before an excusal can be given.

The rescheduling/make up of "lost days" of instruction will take into consideration collective bargaining agreements as may be applicable.

A declaration of a State of Emergency by the Governor due to adverse weather conditions does not authorize the school districts affected to operate an annual session of less than 180 days.

Reporting

Pursuant to Commissioner's Regulations Section 155.17(h), each Superintendent shall notify the Commissioner of Education as soon as possible whenever the emergency plan or building-level school safety plan is activated and results in the closing of a school building in the District; and shall provide such information as the Commissioner may require. School districts within a Supervisory District shall provide such notification through their District Superintendent, who shall be responsible for notifying the Commissioner. Such information need not be provided for routine snow emergency days.

Education Law Sections 3210, 3602(4), 3604(7), and 3604(8)

General Construction Law Section 24

General Municipal Law Section 92-c

8 New York Code of Rules and Regulations (NYCRR) Sections 155.7 and 155.17 and Part 175

Adopted: 8/13/13