





Re: Summer appointment letters   
 Rose Heckathorn  Thomas Murphy  
 Patricia Hawkins, Sandra Anzalone, Barbara Thomasulo

06/24/2013 06:42 AM

Marg Skura- 7/3 to 8/16/2013  
 Mary Tarasiewicz- 7/3 to 8/16/2013  
 Vincent Vacco- 7/1 to 8/16/2013  
 Kathy Keller- 7/1 to 8/14/2013  
 Janette Bonczar- 7/1 to 8/16/2013  
 Ellen Pullinski- 7/1 to 8/16/2013

} Changed

Judy Gustas-Stoj- 7/8 to 8/16/2013  
 Rose Mary Peters- 7/8 to 8/16/2013  
 Diane Zimmer- 7/8 to 8/16/2013  
 Linda Christ- 7/8 to 8/16/2013

} Same as originally approved

Thomas Murphy      Rose, We will have to adjust this at the next board...      06/21/2013 02:26:36 PM

From: Thomas Murphy/Admin/Eden/Erie1  
 To: Rose Heckathorn/Admin/Eden/Erie1@Eden  
 Cc: Patricia Hawkins/Staff/Eden/Erie1@Eden, Sandra Anzalone/Admin/Eden/Erie1@Eden, Barbara Thomasulo/Staff/Eden/Erie1@Eden  
 Date: 06/21/2013 02:26 PM  
 Subject: Re: Summer appointment letters

Rose,

We will have to adjust this at the next board meeting (Reorg meeting).

Would you get us the list of drivers who are outside of the stated summer school dates.

*Thomas J. Murphy*

**Director of Finance**  
**Eden Central School District**  
**3150 Schoolview Road**  
**Eden, NY 14057**  
**716-992-3613**  
[TMurphy@edencsd.wnyric.org](mailto:TMurphy@edencsd.wnyric.org)

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Rose Heckathorn      Yes, Tom and I discussed this. It will be OK. Th...      06/21/2013 12:21:40 PM



**SECTION VI**

**NYS PUBLIC HIGH SCHOOL ATHLETIC ASSOCIATION, INC.**

355 Harlem Road • West Seneca, NY 14224

[www.section6.e1b.org](http://www.section6.e1b.org)

(716) 821-7092

(716) 821-7299

FAX (716) 821-7352

June 5, 2013

Sandra Anzalone, Superintendent  
Eden Jr./Sr. High School  
3150 Schoolview Rd.  
Eden, NY 14057

Dear Sandra Anzalone,

On behalf of Section VI, NYSPHSAA, I would personally like to congratulate you and your athletes at Eden Jr./Sr. High School for winning the Section VI Class B1 Softball title for the 2012-13 Spring Season.

Your commitment, hard work and dedication to your sport and the continuous journey toward performance excellence is to be commended.

Please accept my personal regards and best wishes for continued success.

Sincerely,

A handwritten signature in black ink that reads "Timm Slade".

Timm Slade,  
Executive Director  
Section VI, NYSPHSAA

# SY 2013-14 Price Adjustment Calculator

[Go to Instructions](#)

SY 2013-14 Weighted Average Price Requirement	
Requirement price to the nearest cent	<i>Optional price requirement</i> ROUNDED DOWN to nearest 5 cent
\$ 1.90	\$ 1.90
<i>Note: Above prices are based on adjusting SY 2012-2013 price requirement by the 2% rate increase plus the Consumer Price Index (2.93%)</i>	

## SY 2012-13 Weighted Average Price Calculator

Enter the paid prices and number of paid lunches sold at each price for **October 2012**.

	Monthly # of Paid Lunches	Paid Lunch Price	Monthly Revenue	SY 2012-13 Weighted Average Price
1.	7,838	\$ 1.90	\$ 14,892.20	
2.	3,048	\$ 1.75	\$ 5,334.00	
3.	2,222	\$ 1.75	\$ 3,888.50	
4.			\$ -	
5.			\$ -	
6.			\$ -	
7.			\$ -	
8.			\$ -	
9.			\$ -	
10.			\$ -	
<b>TOTAL</b>	<b>13,108</b>		<b>\$ 24,114.70</b>	<b>\$ 1.84</b>
<i>Note: SY 2012-13 Weighted Average Price equal to or above \$2.59 are compliant for SY 2013-14. \$2.59 is the difference between the Free and Paid reimbursement rates for SY 2012-13.</i>				

Total Price Increase for SY 2013-14
\$ 0.06

Required price increase for SY 2013-14 (with 10 cent cap)
\$ 1.90

Remaining increase carried forward to SY 2014-15
\$ -

Remaining credit carried forward to SY 2014-15
\$ -

[Go to SY2013-2014 Report](#)

## Step 3 (Optional)

### Pricing Estimation Calculator

Below is a tool allowing users to manipulate prices to achieve the required new weighted average price.

	Monthly # of Paid Lunches	Paid Lunch Price	Monthly Revenue	Weighted Average Price
1.	7,838	\$ 1.95	\$ 15,284.10	
2.	3,048	\$ 1.85	\$ 5,638.80	
3.	2,222	\$ 1.85	\$ 4,110.70	
4.			\$ -	
5.			\$ -	
6.			\$ -	
7.			\$ -	
8.			\$ -	
9.			\$ -	
10.			\$ -	
<b>TOTAL</b>	<b>13,108</b>		<b>\$ 25,033.60</b>	<b>\$ 1.91</b>

Note: This tool is created to allow the user to only enter the number of paid lunches and the related prices. If any other parts of the tool are modified, the user runs the risk of calculating an incorrect new average price. Users should not modify the tool's current functionality.

# Eden Central Schools

*Buildings and Grounds Department*

*3150 School View Road*

*Eden, New York 14057*

(716) 992-3602 FAX: (716) 992-3661

Email: [dmartin@edencsd.wnyric.org](mailto:dmartin@edencsd.wnyric.org)

"Creating and Keeping Spaces Conducive to the Educational Process"

**David P. Martin C.D.F.**  
Certified Director of Facilities  
Superintendent of Buildings and Grounds

Jr. Sr. High School  
Main St. Elementary School  
Grover L. Priess Primary School

June 27, 2013

To: The Board of Education - Eden Central School District

Re: District level Safety Committee update

Recently, I assumed the role of District Safety Committee Coordinator. Carrying through with some of the tasks recently assigned to Miss Menkiena the former Coordinator, I am providing the names of those who committed to sit on the District Safety Committee and the areas represented:

David Martin - Coordinator  
Robert Sauda - Jacob Hauch Insurance Agency  
Michael Centrone - Utica Mutual Insurance Company  
Rose Heckathorn - Eden CSD Transportation Supervisor  
Mary Banko - Eden Support Staff Representative  
John McCarthy - Eden Emergency Services Representative  
Patricia Menkiena - Assistant High School Principal Eden CSD  
Loran Carter - Grover L Priess Elementary Principal  
Lucinda Karstedt - Technology Coordinator Eden CSD  
Thomas Murphy - Director of Finance Eden CSD  
Glenn Nellis - Town of Eden Supervisor and Community Representative  
TBD - Eden Board of Education  
TBD - Eden Teachers Representative

As you can see we have the need of a person from The Board of Education to sit on this committee. If you could collectively discuss who that person is and let me know, I will then make sure they are invited to future meetings and are included to receive the minutes on behalf of the Board.

Should you have any further questions or need of information please do not hesitate to contact my office at the number above.

Respectfully submitted,  
*David P Martin*

Enc.

June 19, 2013


Dear Mrs. Anzalone,

I am writing because I did not want the school year to end without taking the time to let you know how much I appreciate the work of our GLP Principal, Loran Carter.

As you know, this has been a very challenging year. Administrators, teachers, parents, and students have all had to adjust to changes in our requirements, curriculum, funding, staffing, and evaluations.

Loran has lead by example. The teachers here have been supported by her positive attitude and strong commitment to making these changes work. She has been approachable and understanding throughout the year while maintaining high expectations of her staff. Her knowledge and experience have helped ease our minds as we have started to navigate the Common Core and our teacher evaluations. Her strong leadership has helped develop a team dynamic that is committed to student achievement and professional growth.

I believe it is important for you to know that all of her effort and dedication has not gone unnoticed. I feel very fortunate to work with her and the entire staff here at GLP.

Sincerely,  
  
Linda Schwanz

Reading Specialist




# EDEN CENTRAL SCHOOLS

EDEN JUNIOR/SENIOR HIGH SCHOOL  
3150 SCHOOLVIEW ROAD  
EDEN, NEW YORK 14057  
(716) 992-3600  
FAX (716) 992-3652

Marc P. Graff  
Principal  
mgraff@edencsd.wnyric.org

Patricia A. Menkiena  
Assistant Principal  
pmenkiena@edencsd.wnyric.org

Date: July 1, 2013  
To: Sandra Anzalone, Superintendent  
From: Marc Graff, Principal   
RE: Excessed Textbooks – Special Education Department

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Please excess the attached list of books from the Special Education Department as they are damaged beyond repair and/or contain outdated information.

Thank you.



# EDEN CENTRAL SCHOOLS

Business Office  
3150 Schoolview Road  
Eden, NY 14057  
716-992-3613

To: BETTY DUNWOODIE  
From: Tom Murphy  
Re: Notice of Continued Employment  
Date: June, 2013

Please be advised that the Eden Central School District is continuing your employment for the 2013-14 school year.

If it is your intention to resume your normal duties beginning in September 2013, please acknowledge by signing below and returning one copy to the Business Office by June 20, 2013.

Employee Signature: \_\_\_\_\_

Date: 6/17/13

I WILL NOT BE RETURNING  
THANK YOU.

*[Handwritten signature]*



**EDEN CENTRAL SCHOOL  
DISTRICT**

**CODE OF CONDUCT**

**EDEN CENTRAL SCHOOL DISTRICT  
CODE OF CONDUCT**

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**EDEN CENTRAL SCHOOL DISTRICT  
CODE OF CONDUCT**

**I. INTRODUCTION**

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

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

The Board recognizes the need to clearly define these expectations for acceptable conduct on school property, to 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. DIGNITY FOR ALL STUDENTS ACT (DASA) BUILDING COORDINATORS**

Jr./Sr. High School  
Patricia Menkiena  
992-3600  
pmenkiena@edencsd.wnyric.org

Eden Elementary School  
Tammy Orcutt  
992-3685  
TOrcutt@edencsd.wnyric.org

G.L.P. School  
Loran Carter  
992-3638  
lcarter@edencsd.wnyric.org

**EDEN CENTRAL SCHOOL DISTRICT  
CODE OF CONDUCT**

**III. DEFINITIONS**

For the purposes of this Code, the following definitions apply:

***Disruptive Student*** means an elementary or secondary student under the age of 21 who is substantially disruptive to the educational process or substantially interferes with the teacher's authority over the classroom.

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

***School Property*** means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus (*Educational Law Section 11 [1]*).

***School Bus*** means every 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 (*Educational Law Section 11 [1] and Vehicle and Traffic Law Section 142*).

***School Function*** means any school-sponsored event or activity, including but not limited to interscholastic athletic or extracurricular events or activities.

***Disability*** means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques, or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (*Education Law Section 11 [4] and Executive Law Section 292 [21]*).

***Employee*** means any person receiving compensation from a school district or employee or 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's 11[4] and 1125 [3]*).

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

***Gender*** means actual or perceived sex and includes a person's gender identity or expression (*Education Law Section 11 [6]*).

## EDEN CENTRAL SCHOOL DISTRICT CODE OF CONDUCT

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

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

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

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

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

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

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

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

***Harassment/Bullying*** means the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance or opportunities. 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. All cases of harassment will subject the student to a type of intervention directed by the school district.

***Cyber Bullying*** means communicating, by misuses of technology on or off school property: harassing, teasing, intimidating, threaten or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory e-mails, instant messages, text messages, digital pictures or images, or web site postings including blogs.

***Threats & Rumors*** means harmful words can inflict pain, induce fear and panic and cause damage. Unfortunately, rumors often start and grow in proportion as they are passed from person to person. We will thoroughly investigate any rumors which are brought to our attention and act upon any upon any treats to the school, its personnel or students. If rumors are being spread maliciously, we will pursue those who originate and/or embellish rumors with vigor and resolve. Threats are not taken lightly and those who decide to make threats will meet with the most severe disciplinary consequences.

## EDEN CENTRAL SCHOOL DISTRICT CODE OF CONDUCT

**Hazing** means any conduct or method of initiation into any student organizations or school team, whether on school property or off-campus; in school buildings, on school buses, school sponsored events and or/activities. Hazing willfully or recklessly endangers the physical or mental health of any student or another person and is strictly prohibited.

**Violent Student** means a student under the age of 21 who:

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

**Weapon** means a firearm as defined in 18 U.S.C. §921 for purposes of the Gun-Free School Act, and dangerous weapon under 18 U.S.C. §923 (g)(w) which includes a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, sling shot, metal knuckle knife, box 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.

### IV. ESSENTIAL PARTNERS

#### A. Board of Education

1. Collaborate with student, teacher, administrator, and parent organizations, school safety personnel and other school personnel to develop a Code of Conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
2. Adopt and review at least annually the district's Code of Conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
4. Confront issues of discrimination and harassment or situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
5. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
6. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention in a timely manner.

**EDEN CENTRAL SCHOOL DISTRICT  
CODE OF CONDUCT**

7. Lead by example by conducting board meetings in a professional, respectful, courteous manner.

**B. Superintendent**

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
3. Confront issues of discrimination and harassment or situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
4. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
5. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention in a timely manner.
6. Review with district administrators the policies of the Board of Education and State and Federal laws relating to school operations and management.
7. Inform the Board about educational trends relating to student discipline.
8. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
9. Work with district administrators in enforcing the Code of Conduct and ensuring that all cases are resolved promptly and fairly.

**C. Principals**

1. Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
2. Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principals for redress of grievances.
3. Evaluate on a regular basis all instructional programs.
4. Support the development of and student participation in appropriate extracurricular activities.
5. Be responsible for enforcing the Code of Conduct and DASA (Dignity for All Students Act) to ensure that all cases are resolved promptly and fairly.
6. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
7. Confront issues of discrimination and harassment or situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
8. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
9. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention in a timely manner.
10. Review Code of Conduct with all staff at District orientation.

**D. Guidance Counselors**

1. Assist students in coping with peer pressure, emerging personal, social and emotional problems.
2. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.

**EDEN CENTRAL SCHOOL DISTRICT  
CODE OF CONDUCT**

3. Confront issues of discrimination and harassment or situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
4. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
5. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention in a timely manner.
6. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
7. Regularly review with students their educational progress and career plans.
8. Provide information to assist students with career planning.
9. Encourage students to benefit from the curriculum and extracurricular programs.

**E. Teachers**

1. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
2. Confront issues of discrimination and harassment or situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
3. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
4. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention in a timely manner.
5. Be prepared to teach.
6. Demonstrate interest in teaching and concern for student achievement.
7. Know school policies and rules, and enforce them in a fair and consistent manner.
8. Communicate to students and parents:
  - a. Course objectives and requirements
  - b. Marking/grading procedures
  - c. Assignment deadlines
  - d. Expectations for students
  - e. Classroom discipline plan
9. Communicate regularly with students, parents and other teachers concerning growth and achievement.

**F. Parents**

1. Recognize that the education of their children is the joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time.
4. Ensure absences are excused.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, which will strengthen students' confidence and promote learning.
8. Confront issues of discrimination and harassment or situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.

**EDEN CENTRAL SCHOOL DISTRICT  
CODE OF CONDUCT**

9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention in a timely manner.
11. Know school rules and help their children understand them.
12. Convey to their children a supportive attitude toward education and the district.
13. Build good relationships with teachers, other parents and their children's friends.
14. Help their children deal effectively with peer pressure.
15. Inform school officials of changes in the home situation that may affect student conduct or performance.
16. Provide a place for study and ensure homework assignments are completed.

**V. 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 free of discrimination and harassment, all district students have the right to:

1. Take part in all district activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation or disability.
2. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
3. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

**STUDENT RESPONSIBILITIES**

All district students have the responsibility to:

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

**VI. STUDENT CIVILITY**

All student interaction and communication among themselves, teachers, district administrators, other district personnel and visitors on district property will be appropriate, civil and respectful. Students are expected to behave with dignity and treat others with respect and courtesy. Students should respect their peers, teachers, and school staff. Individual behavior should not

## EDEN CENTRAL SCHOOL DISTRICT CODE OF CONDUCT

interfere with the rights of others. Students are expected to use language that is appropriate in demonstrating respect for self and others. Profanity, vulgar language including, but not limited to, negative comments based on race or ethnicity and obscene comments or gestures toward others will not be tolerated. Appropriate disciplinary action will be taken.

**This is a K-12 document, but due to the age appropriateness of some of the topics, final decision will be given to the building Principal. Administrative regulations will further define general guidelines of appropriate school conduct in the student handbook.**

### VII. STUDENT DRESS CODE

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

The dress code includes, but is not limited to the following and the final decision is that of the school administration.

A student's dress, grooming and appearance, includes hair style/color, jewelry, make-up and nails.

1. Clothing, hairstyles and all jewelry worn must be safe and not disrupt or interfere with the educational program.
2. Students must wear footwear at all times. Slippers are not allowed.
3. Skirts, dresses and shorts must be an appropriate length.
4. Coats and jackets (outerwear) are not to be worn in the building.
5. Hats, hoods, bandanas, visors, non-functional headgear and sunglasses are not to be worn inside the school building, except for religious or medical purposes.
6. All underwear must be completely covered with outer garments. No pajama bottoms allowed, except on days designated by the school (ex: Spirit Week, team unity days).
7. Tube tops, halter-tops, spaghetti straps, backless tops, one-shoulder tops, strapless tops and low-cut tops are not allowed. Tank tops must have an appropriate strap width.
8. See through clothing is not allowed.
9. Bare midriffs are not allowed. Shirts or tops must cover the waistband of pants, shorts or skirts.
10. The wearing of chains and jewelry that may be used or construed as a weapon is prohibited. (No spikes, pins or chains.)
11. Clothing and accessories must not display (1) racial or ethnic slurs, (2) gang affiliations, (3) vulgar, subversive, or sexually suggestive language or images; nor should they promote messages including alcohol, tobacco and other drugs.
12. Backpacks are not allowed to be carried during school hours, however sports packs of an appropriate size will be allowed.

Each building principal or his or her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year. Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item and, if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

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**VIII. TRANSPORTATION RULES**

1. The bus driver has complete charge of pupils while they are entering, leaving and riding on any bus. Pupils are expected to conduct themselves so that they do not distract the driver. Any pupil who is a behavior problem will be reported to the Principal or Assistant Principal. Bus reports could result in the pupil being denied transportation. In such cases, parents will be notified.
2. Be on time at your scheduled stop. Stand back from the road a safe distance and stand still when the bus is approaching your stop. No pushing or horseplay.
3. Students are required to pass in front of the school bus when crossing the road to board or get off a bus, after being signaled by the driver.
4. All students should board their bus immediately at dismissal time and take their seats. They must stay in their seats until the bus comes to a complete stop at the unloading point.
5. There is to be no use of tobacco products or lighting of matches on the bus.
6. There is to be no shouting, loud talking or whistling, bullying and harassment.
7. Head, hands, arms or other parts of the body are not allowed out of the windows at any time. No articles are permitted to be thrown from the bus.
8. All students will ride their regularly scheduled bus to and from school unless permission to deviate has been given by the Principal or Assistant Principal.
9. Students taking late buses must have a late bus pass signed by a teacher. The pass is only good at the time stated and will be honored only at the high school.
10. No live animals or items of a dangerous nature (i.e. glass, sharp edges, etc.) will be allowed on the bus.
11. No large items such as musical instruments and sporting equipment will be allowed on the bus unless it is in a case or sport bag and adhere to N.Y. D.O.T., S.E.D., and D.M.V.
12. Inappropriate behavior on the bus could result in a loss of transportation.
13. Coaches must accompany their teams on the bus to and from all events.

**IX. PROHIBITED STUDENT CONDUCT**

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

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

The Board recognizes the need to make its expectations for students conduct while on school property or engaged in school functions specific and clear. The rules listed below are intended to do that and focus on safety and respect for the rights and property of others, students who will not accept responsibility for their own behavior and who violate school rules will be required to accept the penalties for their conduct.

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

- A. Engage in conduct that is disorderly and/or disruptive. Examples of disorderly and/or disruptive conduct include but are not limited to:
  1. Running in hallways.
  2. Making unreasonable noise.
  3. Using language or gestures that are profane, lewd, vulgar, or abusive.
  4. Obstructing vehicular or pedestrian traffic.

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5. Engaging in any willful act that disrupts the normal operation of the school community.
  6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
  7. Misusing computer/electronic communications devices, including any unauthorized or inappropriate use of computers, software, or internet/intranet account; accessing inappropriate websites; evading the district's content filter; using an outside wireless network; or any other violation of the District Acceptable Use Policy.
  8. Unauthorized use of personal electronic devices/equipment (i.e. cell phones, MP3 devices, cameras, and other personal electronic devices deemed inappropriate by the administration). Pre-K – 6<sup>th</sup> grades the use of electronic devices of any kind are prohibited. At the Jr./Sr. High School no cell phone use is permitted in instructional settings unless directed by the teacher. Cell phones must be set in silent mode. Cell phone use is permitted in the hallway only during passing time (not during instructional time once classes are underway). Cell phone use is permitted in the cafeteria during lunch period. The use of other electronic devices in the classroom is with an administrator.
  9. Unauthorized use of personal computer, laptop, tablet or e-reader and/or other computerized information resources.
- B. Engage in conduct that is insubordinate. Examples of insubordinate conduct include but not limited to:
1. Failing to comply with the reasonable directions of teachers, school administrations other school personnel in charge of students or otherwise demonstrating disrespect.
  2. Lateness for, missing or leaving class or school without permission.
  3. Skipping detention.
- C. Engage in conduct that is violent. Examples of violent conduct include:
1. Committing an act of violence (such as hitting, kicking, punching, and/or scratching) upon any other person on school property or attempting to do so.
  2. Brings a weapon onto School District property or to a school function.
  3. Possessing a weapon.
  4. Displaying what appears to be a weapon.
  5. Threatening to use any weapon.
  6. Intentionally damaging or destroying the personal property of a student, teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
  7. Intentionally damaging or destroying school district property.
  8. Engaging in verbal threats, intimidation, or abuse that reasonably causes or would reasonably be expected to cause a student, teacher, administrator, other district employee or any person lawfully on school property to fear for his or her physical wellbeing.
- D. Engage in any conduct that endangers the safety, morals, health or welfare of others. Examples of such conduct include:
1. Lying to school personnel.
  2. Forgery.

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3. Stealing the property of other students, school personnel or any other person lawfully on school property or attending a school function.
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 video, audio recordings or pictures (written material, cell phones, internet, YouTube, etc.).
5. Discrimination, which includes the use of a person's actual or perceived race, age, sexual orientation, use of recognized guide dog, hearing dog or service dog, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation, gender or gender identity, marital or veteran status, or disability as a basis for treating another in a negative manner.
6. Harassment, which includes the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse. Harassment includes behavior 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 based on the student'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. Intimidation/extortion, which includes engaging in actions or statements that put an individual fear.
8. "Internet bullying" (also referred to as "cyber bullying") including the use of instant messaging, email, websites, chat rooms, text messaging, or by any other electronic means, when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of students or employees.
9. Hazing, which includes any intentional or reckless act directed against another for the purpose of initiation into, affiliation with or maintaining membership in any school sponsored activity, organization, club or team.
10. Selling, using or possessing any obscene material.
11. Using vulgar or abusive language, cursing or swearing.
12. Smoking a cigarette, cigar, pipe or using chewing or smokeless tobacco.
13. Possessing, consuming, selling attempting to sell, distributing or exchanging alcoholic beverages and/or controlled substances, counterfeit and designer drugs, or paraphernalia for use of such drugs or be under the influence of any such substances on school property or at a school function. "Controlled substances" include, but are not limited to inhalants, marijuana, synthetic cannabinoids, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-a-like drugs, drug paraphernalia and any substances commonly referred to as "designer drugs."
14. Inappropriately using or sharing prescription and/or over-the-counter drugs.
15. Sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, taking, sending, or receiving sexually explicit videos, pictures or auditory recordings and other verbal or physical conduct or communication of a sexual nature.
16. Gambling.
17. Indecent exposure, that is, exposure to sight of the private parts of the body in a lewd or indecent manner.

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18. Initiating a report, warning of fire or other catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
- E. Engage in misconduct while on the school bus. It is crucial for students to behave appropriately while riding on the district buses to ensure their safety and that of other passengers and to avoid distracting the bus driver. Students are required to remain seated and conduct themselves on the bus in a manner consistent with established standards for the classroom behavior.
- F. Engage in any form of academic misconduct. Example of academic misconduct include:
1. Plagiarism.
  2. Cheating.
  3. Copying.
  4. Altering records.
  5. Assisting another student in any of the above action.

**X. REPORTING VIOLATIONS**

All students are expected to promptly report to school staff, chaperones, or other appropriate adult, all violations of the Code of Conduct, including but not limited to, threats of violence; possession of a weapon, alcohol, illegal substance.

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

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 written communication in a timely manner. The notification must identify the student and explain the conduct that violated the Code of Conduct and constituted a crime.

**XI. DISCIPLINARY PENALTIES, PROCEDURES, MINIMUM PERIODS OF SUSPENSION 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.

Disciplinary action, when necessary, will be firm, fair and consistent. School personnel authorized to impose disciplinary penalties will consider the following:

1. The student's age.
2. The nature of the offense and the circumstances which led to the offense.
3. The student's prior disciplinary record.

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4. The effectiveness of other forms of discipline.
5. Information from the parents, teachers and/or others, as appropriate.
6. Other extenuating circumstances.

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

**A. Penalties**

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

1. Oral and written warnings: any member of the district staff.
2. Written notification to parent: counseling staff, teachers, principal, superintendent, or any other member of the district staff, in consultation with the building principal or his/her designee.
3. Classroom detention: teachers.
4. School detention: principal or his/her designee.
5. Suspension from transportation: principal or his/her designee.
6. Suspension from athletic participation: coaches, principal or his/her designee
7. Suspension from social or extracurricular activities: activity director, principal, or his/her designee.
8. Suspension from or loss of other privileges: principal or his/her designee.
9. In-school suspension: principal or his/her designee.
10. Removal from classroom: teachers (under circumstances defined in the Code), principal or his/her designee.
11. Short-term (five days or less) suspension from school: principal or his/her designee.
12. Long-term (more than five days) suspension from school: superintendent
13. Permanent suspension from school: superintendent

**B. Procedures**

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

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

1. Detention

Teachers, principals and the superintendent may use before or after-school detention as a penalty for student misconduct in situations where removal from the

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classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified of the penalty and the student has appropriate transportation home following detention or to detention.

### 2. Suspension from transportation

If a student does not conduct himself/herself properly on a bus the bus driver is expected to bring such misconduct to the 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 amount to a suspension from attendance; the district will make appropriate arrangements to provide for the student's education.

A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Educational Law §3214. 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 penalty involved.

### 3. Suspension from athletic participation, extracurricular activities and other privileges as per the Athletic and Extracurricular Code of Conduct.

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

### 4. 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 the building principals and the superintendent to place students who would otherwise be suspended from school as of the code of conduct violation in "in-school suspension".

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

### 5. Teacher disciplinary Removal of Disruptive Students

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances, the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her

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composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term “timeout” 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.

For the 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 the teacher’s authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher’s instructions or repeatedly violates the teacher’s classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only. If the disruptive student does not pose a danger or on-going threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

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

The teacher must complete a district-established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the secretary and meet with the principal or designee prior to the beginning of classes on the next school day.

Within 24 hours after the student’s removal, the principal or another district administrator designated by the principal must notify the student’s parent’s, 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 reason 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 a telephone number(s) for the purpose of contacting parents.

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

If at the informal meeting the student denies the charges, the principal or the principal 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

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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 Educational Law §3214 and a suspension will be imposed.

The principal or his or 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 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 the final determination, or the period of removal expires, whichever comes first.

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

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

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

### 6. Suspension from school

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

The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals. The administrator will send the parent/guardians of the student a letter that explains the days of suspension and the incident that led to the suspension.

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.

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The Superintendent or principal, upon receiving a recommendation or referral for suspension or when processing a case of 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 Educational Law §3214 (3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student’s parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

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

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

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent’s decision, they must file a written appeal to the board of education with the district clerk within 10 business days of the date of the superintendent’s decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the board may be appealed to the Commissioner 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

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

An appeal of the decision of the superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of superintendent's decision. 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.

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

### **c. Permanent Suspension**

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

## **C. Minimum Periods of Suspension**

1. A student with a disability may be suspended only in accordance with the requirements of state and federal law.
2. Students who bring a weapon to school.

Any student, other than a student with a disability, found guilty of bringing a weapon to school is subject to Educational Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-to-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:

1. The student's age.
2. The student's grade in school.
3. The student's prior disciplinary record.
4. The superintendent's belief that other forms of discipline may be more effective.

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5. Input from parents, teachers, and/or others.
  6. Other extenuating circumstances.
3. Students who commit violent acts other than bring a weapon to school.

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

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

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

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**XII. ATTENDANCE**

**ATTENDANCE POLICY FOR JR./SR. HIGH SCHOOL**

**GENERAL INFORMATION**

1. Students who are absent from any of their classes or school at least 10% of the school days will be in danger of losing academic credit for that class or classes. Students, who exceed twenty (20) absences in a 1 credit course or ten (10) absences in a ½ credit course, will remain in the course without receiving credit. By law, all absences, excused or unexcused, will be recorded.
2. Students taking additional vacation days while school is in session will be charged with one absence for each school day missed.
3. Parents will be notified by mail when a student accumulates 5 (five) absences in a ½ credit course and /or 10 (ten) absences in a 1 credit course. Notification will also be given when the limit is exceeded.
4. Students who violate the attendance regulations and believe special consideration should be given in their situation may appeal in writing or in person to the Building Principal. This must be done within five (5) school days from the date of notification. The Assistant Principal will convene an appeal panel (STAGE 1) comprised of faculty members to decide on the appeal.
5. Subsequent appeals may be made in writing to the Principal or his/her designee (STAGE 2) five (5) school days after notification of the STAGE 1 decision.

**Special Note on Appeals:** It will be the student's responsibility to see that all the data is filled in and that the attendance record is attached at all stages. Any supporting data is to be obtained by the student and presented with the appeal.

**SPECIAL CONDITIONS**

1. New Entrants: Attendance of students entering a class after the start of the school year will be handled on a pro-rated basis.
2. Re-entrants: The attendance of students leaving and re-entering during the same school year will be cumulative.
3. Home Teaching: Home teaching may be assigned for long-term illness and does not count against the student. A doctor's note is needed when applying for this service.
4. Physical Education: Students are reminded that special requirements must be met for Physical Education classes as per instructions from your Physical Education teacher.

**ARRIVAL AT SCHOOL**

Students should normally arrive at the Jr./Sr. High School between 7:15 a.m. and 7:25 a.m. and are marked tardy at 7:30 a.m. At the G.L. Priess School students arrive at 8:30 a.m. and are marked tardy at 8:45 a.m. At the Eden Elementary School student arrive at 8:25a.m. and are marked tardy at 8:45a.m. Because there is no supervision, students should not be in the building earlier than 15 minutes before the start of school unless they are dropped off by the bus or unless they are here for a teacher supervised activity. Students must go directly into school. Students are not allowed to leave school grounds without prior permission. A secondary student arriving at school after 7:30 a.m. during homeroom should report directly to the attendance office.

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### **ABSENTEES**

Whenever it is necessary to be absent from school, a parent or guardian must call the Attendance Office to explain the reason for the absence. If no call is received, the Attendance Office will call the student's parents or guardians to obtain the reason for the absence.

A student in the Jr./Sr. High School will be excluded from participation in any extra-curricular activity (sports, clubs, field trips, or any other related functions) on a day he/she is absent from school, or not present by 9:45 a.m. Any exception to this would require verification from parent/guardian as to the presence of unusual circumstances. Any medical or court appointments will require written verification from the official source.

Students with special transportation arrangements must contact the transportation department at 992-3633 if transportation is not needed for the day.

### **TARDINESS**

The law recognizes only a few legitimate excuses for being late to school, such as personal illness, illness in the family, requirement of students at home in an emergency, impassable roads, weather making travel unsafe, quarantine and attendance at clinics or court. Excuses noted as "personal reasons" are not acceptable. Examples of personal reasons are: missing the bus, oversleeping, visiting with a neighbor or friend, etc

### **EARLY DISMISSAL**

New York State Education Law stipulates that no student can be off campus for any reason unless parental permission has been given. Further, it is always necessary to gain permission from the Principal or Assistant Principal to leave campus during school hours. An off-campus pass is required.

A written note explaining the reason for the off campus or a telephone call to the Attendance Office by 8:00 a.m. is required before an off-campus pass will be granted.

The general reasons for which an off-campus pass will be issued are:

1. Medical and dental appointments which cannot be scheduled at any other time.
2. A funeral, when either a member of the family or student is acting as a representative of the school.
3. Job or college interviews, with appointment, which cannot be scheduled at any other time.

It would be the option of the Principal or Assistant Principal's Office not to issue an off-campus pass for these reasons: If the student is in danger of failing a subject or is in any danger, in the case of seniors, of not graduating. This would be done by personal contact with parents. Any student off campus without permission will be considered truant and discipline will follow.

### **ACADEMIC PROBATION/ELIGIBILITY FOR JR./SR. HIGH SCHOOL STUDENTS**

A student's first responsibility is to their academic achievement before all other activities.

Participation in our comprehensive student activity program and interscholastic athletic program is a privilege that comes along with being academically successful. In order to ensure that students place a priority on a well-rounded education, the following Academic Probation policy has been developed by the building-level Shared Decision Making Team.

1. Students taking four or more classes will be placed on the Academic Probation list if they fail two (2) or more classes or they fail one (1) class and are borderline (65%-69%) in two other classes.
2. Students taking three or less classes will be placed on the Academic Probation list if they fail one (1) or more classes.
3. The teachers will report weekly progress for the students on the Academic Probation list each Friday afternoon. The report will be posted on the Parent Portal and a copy will be given to the students during homeroom on Monday morning informing them of their eligibility status for the upcoming week. The updated list will be in effect from the beginning of the school day on Monday through the end of the day on Sunday.

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4. Students who do not meet the requirements to be removed from the list each week will be unable to participate in any school sponsored activities. This includes (but is not limited to): dances, club/organization activities, class trips, the musical, and all athletic events (either as a team member or spectator). Music department requirements for class grading purposes are exempt for this policy.
5. Students who are placed on the Academic Probation list **may** still practice or participate in club activities if they do the following each day:
  - Meet with one of the teachers of the courses they have failed or received an unsatisfactory weekly academic update.
  - These meetings may take place during advisement or before/after school
  - After meeting with the teacher, the teacher will then issue a pass for the student to participate that particular day.
  - Note: Students on the Academic Probation list are still ineligible to participate in athletic contests, music competitions, the school musical or any school sponsored events until such time they are removed from the list.
6. It is the responsibility of all faculty advisors/coaches to enforce the Academic Probation list and to prohibit the participation of students whose names appear on the list in all school extra-curricular activities.
7. The Eligibility Committee will have the authority to remove students from the ineligibility list if it is determined by a majority vote of the members present at a meeting, that there is adequate cause for such action. For example, students of very low ability who are working to capacity, or students who have experienced recent and serious difficulty could fall into this category.

### **TRUANCY**

Truancy may result in in-school suspension. Any exception to the above will be determined by the Principal or Assistant Principal in accordance with the student's individual circumstances.

### **VACATION PROCEDURE**

#### **Policy for Student Voluntary Absences during School Time:**

Vacation time requests cannot be granted and are ill-advised; it must become the parents' decision. If parents choose to do so, it is recorded on the student's permanent record as an unexcused absence with parental permission. **STUDENTS ARE RESPONSIBLE FOR ALL WORK MISSED DURING THEIR TIME OF ABSENCE.**

For school students:

1. Parents must make request at least two weeks in advance to either the Principal or Assistant Principal.
2. Parents must also inform the Attendance Office or Principal as to the length and date of absence, grades K-12.
3. Refer to attendance section for rules on excessive absences.

## **XIII. ALTERNATIVE INSTRUCTION**

When a teacher removes a student of any age from a class or a student of compulsory attendance age is suspended from school pursuant of Education Law §3214, the District will provide alternative means of instruction for the student. When possible, alternative instruction will be provided within one school day.

## **XIV. 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 disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. The Code of Conduct affords students with disabilities subject to disciplinary actions

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no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

**A. Authorized Suspensions or Removals of Students with Disabilities**

1. For purposes of this section of the Code of Conduct, the following definitions apply.

A “suspension” means a suspension pursuant to Education Law § 3214.

A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than a suspension and change in placement to an interim alternative educational setting (IAES) ordered by an impartial hearing officer because the student poses a risk of harm to himself or herself or others.

An “IAES” means a temporary educational placement determined by the committee on special education, other than the student’s current placement at the time the behavior precipitating the IAES placement occurred, that enables the student to continue to progress in the general curriculum, although in another setting, progress toward the goals set out in the student’s IEP; and receive, as appropriate, a functional behavior assessment and behavioral intervention services, and modifications that are designed to address the behavior violation so that it does not recur.

2. School personnel may order the suspension or removal of a student with a disability from his or her current educational placement as follows:

- a. The Board, the District (BOCES) superintendent of schools or a building principal may order the placement of a student with a disability into an IAES, another setting or suspension for a period not to exceed five (5) consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
- b. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to ten (10) consecutive school days, inclusive of any period in which the student has been suspended or removed under the subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
- c. The superintendent may order additional suspensions of not more than ten (10) consecutive school days in the same school year for separate 26 incidents of misconduct, as long as those removals do not constitute a change of placement.
- d. The superintendent may order the placement of a student with a disability into an IAES, to be determined by the committee on special education (CSE), the period of suspension or removal ordered by the superintendent may not exceed the amount of time that a non-disabled student would be suspended for the same behavior. If a student with a disability has inflicted serious bodily injury, upon another person while at school, on school premises or at a school function under the jurisdiction of the educational agency, possess a weapon at school or at a school function, or the student knowingly possess or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.

- i. “Weapon” means a firearm as defined in 18 U.S.C. §921 for purposes of the Gun-Free Schools Act, and dangerous weapon under 18 U.S.C. §930(g)(w) which includes a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, pocket knives, gravity knife, brass knuckles, sling shots, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu

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- 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.
- ii. "Controlled substance" means a drug or other substance identified in certain provisions of the Federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.
  - iii. "Illegal drugs" means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.
  - iv. "Serious bodily injury" which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.
  - v. "Manifestation Team" includes a representative of the school district knowledgeable about the student and the interpretation of information about child behavior, the parent and relevant members of the committee on special education as determined by the district and the parent.
3. Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a 27 student with disabilities in an IAES setting for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others.

**C. Change of Placement Rule**

1. A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:
  - a. for more than 10 consecutive school days; or
  - b. for a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed, and the proximity of the suspensions or removals to one another.
2. School personnel may not suspend or remove a student with disabilities if imposition of the suspension or removal would result in a disciplinary change in placement based on a pattern of suspension or removal. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change. However, the District may impose a suspension or removal, which would otherwise result in a disciplinary change in placement, based on a pattern of suspensions or removals if the CSE has determined that the behavior was not a manifestation of the student's disability, or the student is placed in an IAES for behavior involving weapons, illegal drugs or controlled substances.

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

1. The District's Committee on Special Education shall:
  - a. a student with a disability is suspended or removed from the student's current placement for more than 10 consecutive school days or when a suspension or removal constitutes a disciplinary change of placement and student's conduct is a manifestation of the student's disability, the committee on special education shall:
    - i. conduct a functional behavior assessment and implement a behavior intervention plan for such student. Provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that results in the change in placement; or
    - ii. if the student already has a behavior intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the CSE shall meet to review such plan and its implementation and modify the plan

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and its implementation as necessary, to address the behavior that results in the change in placement.

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

The Manifestation Team shall review:

- i. all relevant information in the student's file including:
  - a) the student IEP;
  - b) any teacher observations, and
  - c) any relevant information provided by the parents.

The Manifestation Team must make a determination whether:

- i. the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or
- ii. the conduct in question was the direct result of the school District's failure to implement the IEP.

The parents must receive written notification prior to any manifestation team meeting to ensure that the parent has the opportunity to attend. Notification shall inform the parents of the purpose of the meeting, the names of the individuals expected to attend and inform the parents of their right to have relevant members of the committee on special education participate at the parents' request.

- b. The CSE shall, following a determination that the student's conduct was a manifestation of the student's disability:
  - i. conduct a functional behavioral assessment and implement a behavioral intervention plan for such student: and
    - a) except where the student is found guilty of the sale/solicitation of an illegal drug, the student has caused serious bodily injury or the student brought a weapon to school or to a school function, return the student to the placement where the student was removed, unless the parent and the school district agree to a change in placement as part of the modification of the behavior intervention plan.
  - ii. deficiencies in the IEP or placement. If while conducting the manifestation determination, the school identifies deficiencies in the student's IEP or placement or in their implementation, it must take immediate steps to remedy those deficiencies.
- c. A student with a disability may not be removed from class if imposition of the five (5) school day or ten (10) school day suspensions or removal would result in a disciplinary change of placement based on a pattern of suspensions or removals as determined by school personnel in accordance with regulation, except where the manifestation team has determined that:
  - i. the behavior was not a manifestation of such student's disability,  
or
  - ii. the student is placed in an IAES as authorized by law or regulation.
- d. The interim alternative educational setting and the services to be provided to a student placed in an interim alternative educational setting shall be determined by the CSE. Such setting shall:
  - i. be selected so as to enable the student to continue to progress in the general curriculum, although in another setting, and to continue to receive those modifications that will enable the student to meet the goals set out in that IEP; and
  - ii. include, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications to address the behavior that is subject

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to disciplinary action, that are designed to prevent the behavior from recurring.

- e. During subsequent suspensions or removals for periods of ten (10) consecutive school days, or less that in the aggregate total more than ten (10) school days in a school year but do not constitute a disciplinary change in placement, regardless of manifestation determination, students with disabilities shall be provided with services necessary to enable the student:
  - i. to appropriately progress in the general education curriculum;
  - ii. appropriately advance toward achieving the goals set out in the student's IEP; and
  - iii. to receive, as appropriate, a functional assessment and behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur.
  
- f. the parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if in accordance with federal and statutory and regulatory criteria. Except as provided below, a school district shall be deemed to have knowledge that such student has a disability if prior to the time the behavior occurred.
  - i. the parent of such student has expressed in writing to supervisory or administrative personnel of the appropriate educational agency or to a teacher of the student that the student is in need of special education, provided that such expression of concern may be oral if the parent does not know how to write or had a disability that prevents a written statement.
  - ii. the parent of the student has request an evaluation of the student pursuant to the regulations
  - iii. a student's teacher, or other personnel of the district, expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the director of special education of the district in accordance with the district's established child find or special education referral system.

Exception: A student is not presumed to have a disability for discipline purposes if, as a result of receiving the information specified above:

- i. it was determined that the student is not a student with a disability pursuant to this Part.
- ii. the parent of the student is not allowed an evaluation of the student pursuant to regulations; or
- iii. the parent of the student has refused services under this Part;

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

- g. Change in placement to an IAES for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances, up to 45 school days, but not to exceed the period of suspension ordered by the superintendent in accordance with Educational Law §3214(3), where the student:
  - i. has inflicted serious bodily injury, upon another person while at school, on school premises or at a school function under the jurisdiction of the educational agency;

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- ii. carries or possesses a weapon to or at school, on school premises, or at a school function; or
  - iii. knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substances while at school or a school function.
- h. The District shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current education setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
- i. The parents of a student with disabilities subject to a suspension of five consecutive school days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Educational Law.

The period of suspension or removal ordered by the superintendent may not exceed the amount of time that a non-disabled student would be suspended for the same behavior.

- j. Superintendent hearings on disciplinary charges against students with disabilities and students presumed to have a disability for discipline purposes shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
- k. The removal of a student with disabilities other than the suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that the school personnel may not impose such removal for more than ten (10) consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE determined that the behavior is not a manifestation of the student's disability.
- l. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.
- m. Nothing in this section shall be construed to authorize the suspension or removal of a student with a disability from his or her current educational placement for violation of school rules following a determination by the manifestation team that the behavior is a manifestation of the student's disability, except where the student is placed in an IAES for behavior involving serious bodily injury, weapons, illegal drugs or controlled substances or the student is placed in an IAES by an impartial hearing officer.

**E. Expedited Due Process Hearing**

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

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- b. If the parent request a hearing regarding the change of placement to an IAES by a superintendent of schools or regarding a change in placement by an impartial hearing officer where the district maintains that it is dangerous for the student to remain in his or her current educational placement, or regarding a determination that the behavior is not a manifestation of the student’s disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until the expiration of the time period determined by regulation whichever occurs first, unless the parents and the district agree otherwise.
  - i. If school personnel propose to change the student’s placement after expiration of an IAES placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the placement prior to removal to the IAES, except where the student is again placed in an IAES.
- c. An expedited due process hearing shall be completed within fifteen (15) business days of receipt of the request for a hearing. Although an impartial hearing officer may grant specific extensions of such time period he or she must mail a written decision to the district and the parents within five (5) days after the last hearing date, and in no event later than 45 school days after receipt of the request for a hearing, without exceptions or extensions.
- d. IHO may order a change of placement to an appropriate IAES for not more than 45 school days, if the hearing officer:
  - i. determines that the district has demonstrated by substantial evidence that maintaining the current placement of the student is substantially likely to result in harm themselves or to others;
  - ii. considers the appropriateness of the student’s current placement;
  - iii. considers whether the school district has made reasonable efforts to minimize the risk of harm in the student’s current placement, including the use of supplementary aids and services; and
  - iv. determines that the IAES proposed by school personnel meets the definition set forth above.

For purposes of this section, “substantial evidence” shall mean beyond a preponderance of the evidence.

An IAES ordered pursuant to this section shall be determined by the CSE.

**F. Referral to law enforcement and judicial authorities**

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

- 1. The District may report a crime committed by the child with a disability to the appropriate authorities, and such action will not constitute a change of the student’s placement.
- 2. The superintendent shall ensure that copies of the special education and disciplinary records of a student with disabilities are transmitted for consideration to the appropriate authorities to which a crime is reported.

**XV. CORPORAL PUNISHMENT**

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

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

- 1. Protect oneself, another student, teacher or any person from physical injury.
- 2. Protect the property of the school or others.

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3. Restrain or remove a student whose behavior interferes with the orderly exercise and performances of school or District functions, power 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 the Commissioner's regulations.

**XVI. STUDENT SEARCHES AND INTERROGATIONS**

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

In addition, the Board authorizes the superintendent, building principals, the school nurse and district employees to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district Code of Conduct.

An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag so long as the school official has a legitimate reason for the very limited search.

An authorized school official may search a student or the student's belongings based upon information received from a reliable informant.

Unless a crime has been committed on school premises, school office will contact the student's parents or guardians to arrange for their presence or obtain their consent in order for their child to be questioned by police officials.

**Student Lockers, Desks, Data Files, and other School Storage Places**

The rules in this Code of Conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent. For additional information on Searches and Interrogations, including information pertaining to the questioning or interviewing of students by law enforcement officials, and requirements associated with these actions, please refer to Board of Education Policy 7330.

**XVII. VISITORS TO THE SCHOOLS**

The following rules apply to visitors to the schools:

1. Anyone who is not a regular staff member or student of the school will be considered a visitor.
2. All visitors to the school must report to the main office upon arrival at the school and state the purpose of their visit. Visitors will be required to sign the visitors register and follow specific building procedures. Signs notifying visitors to report first to the school office shall be prominently posted in each school building in the District.
3. Visitors attending school functions that are open to the public, such as parent-teacher organization meetings or public gatherings are not required to register.

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4. Parents or citizens who wish to observe a classroom while school is in session are required to obtain permission in advance from the building principal.
5. Visitors are expected to refrain from taking class time to discuss individual matters with teachers. Visitation will occur in a way that avoids or minimizes disruption to the normal learning process and the ordinary classroom routine. The building administrator may accompany visitors during the visit when appropriate. Visitors are expected to maintain confidentiality regarding information acquired during the course of the visit.
6. 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. Before a child may be released from the building to a visitor, the visitor must be approved by the building principal or designee as one having the legal right to take the child. The visitor will wait in the main office for the child to come from the classroom and/or follow other duly approved procedures for that building.
7. All visitors are expected to abide by the rules for public conduct on school property contained in this Code of Conduct.

**XVIII. 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. The restrictions on public conduct on school property and at school functions contained in this Code are not intended to limit freedom of speech or peaceful assembly. The purpose of this Code is to maintain public order and prevent abuse of the rights of others. All persons (students, teachers, administrators, parents, other guests) on school property or attending a school function shall conduct themselves in a respectful and orderly manner.

**Penalties**

Persons who violate this Code shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.

**Enforcement**

The building principal or his/her designee shall be responsible for enforcing the conduct required by this Code. In addition, the District reserves its right to pursue a civil or criminal legal action against any person violating the Code.

**XIX. DISSEMINATION AND REVIEW**

**Dissemination of Code of Conduct**

The Board of Education will review this Code of Conduct every year and update it as necessary. The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption. The Board will work to ensure that the community is aware of this Code of Conduct by:

1. Providing copies of a summary of the Code to all students, in an age appropriate, plain language version, at a general school assembly held at the beginning of each school year.
2. Making copies of the Code available for review by students, parents and other community members and provide opportunities to review and discuss this Code with the appropriate personnel.
3. Providing all current teachers and other staff members with a copy of the Code and any amendments to the Code as soon as practicable after adoption.

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4. Providing all new employees with a copy of the current Code of Conduct when they are first hired.

The board will sponsor an in-service educational 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.



**RECOMMENDATION: Substitute Clerical Appointment**

**Marc Graff** to Sandra Anzalone

Barbara Thomasulo

06/27/2013 01:31 PM

Please appoint Dorothy (Dottie) Bauer to the substitute Clerk Typist list. Thank you.

**Marc P. Graff**

Principal

Eden Junior/Senior High School

3150 Schoolview Road

Eden, NY 14057

Phone: (716)992-3600

Email: [mgraff@edencsd.wnyric.org](mailto:mgraff@edencsd.wnyric.org)

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**Subbing**

**Dottie Bauer**

Barbara Thomasulo

06/27/2013 01:26 PM

Please add my name to the list for subbing for clerical.

Art Department Chairperson	Alessi-Nicastro	Lisa	DC	10	\$ 3,077.00	6-
Business Department Chairperson	Ramaekers	Joann	DC	1	\$ 2,184.00	6-
English Department Chairperson	Costanzo	Amber	DC	1	\$ 2,382.00	7+
Foreign Language Department Chairperson	Janowsky	Nicole	DC	3	\$ 2,581.00	6-
Health & FACS Department Chairperson	Klopp	Kathy	DC	15	\$ 3,077.00	6-
Mathematics Department Chairperson	Feasley	Laura	DC	12	\$ 3,277.00	7+
Music Department Chairperson	Jeffers	Cathy	DC	2	\$ 2,581.00	7+
Physical Education Department Chairperson	Kot	Colleen	DC	13	\$ 3,077.00	6-
Science Department Chairperson	Kwas	Keith	DC	5	\$ 2,977.00	7+
Social Studies Department Chairperson	Pierce	Robert	DC	1	\$ 2,382.00	7+
Technology Department Chairperson	Jones	Stevan	DC	11	\$ 3,077.00	6-
Guidance Department Chairperson			DC		XXX	
Math Department Associate			DA		XXX	
ELA Department Associate			DA		XXX	
Science Department Associate			DA		XXX	
Social Studies Department Associate			DA		XXX	

2013-14 Extra Curricular Activities							Updated: 6/24/13	
Sports								
BOE Date	Code	Sport	Last Name	First Name	Level	Step	Budgeted Amount	Notes
7/1	2855	Girls Varsity Basketball	Fallacaro	Marisa	1	8	\$ 5,562.00	
	2855	Boys Varsity Basketball			1			
7/1	2855	Varsity Cross Country*	Huber	Lawrence	1	14	\$ 5,562.00	
	2855	Varsity Football			1			
7/1	2855	Boys Varsity Swimming	Millson	Larry	1	6	\$ 5,162.00	
	2855	Varsity Wrestling			1			
7/1	2855	Interscholastic Sports Coordinator	Fallacaro	Marisa	1	4	\$ 5,162.00	
7/1	2855	Boys Basketball Assistant	Porter	Amy	2	1	\$ 3,572.00	
	2855	Girls Basketball Assistant			2			
7/1	2855	Boys Swimming Assistant	Minton	Scott	2	3	\$ 4,068.00	
	2855	Boys Varsity Lacrosse			2			
7/1	2855	Boys Varsity Soccer	Wall	Thomas	2	5	\$ 4,376.00	
7/1	2855	Boys Varsity Tennis	Pierce	Robert	2	1	\$ 3,572.00	
7/1	2855	Boys Varsity Track	Wall	Thomas	2	8	\$ 4,776.00	
7/1	2855	Boys Varsity Volleyball**	Pierce	Robert	2	16	\$ 4,776.00	
	2855	Girls Varsity Field Hockey			2			
7/1	2855	Girls Varsity Lacrosse	Archabald	Phil	2	3	\$ 4,068.00	
7/1	2855	Girls Varsity Soccer	Keller	Jill	2	18	\$ 4,776.00	
7/1	2855	Girls Varsity Softball	Fallacaro	Marisa	2	3	\$ 4,068.00	
7/1	2855	Girls Varsity Swimming	Kot	Colleen	2	23	\$ 4,776.00	
7/1	2855	Girls Varsity Track	Perison	Randall	2	5	\$ 4,376.00	
	2855	Girls Varsity Tennis			2			
	2855	Girls Varsity Volleyball			2			
	2855	Football Assistant			2			
	2855	Football Assistant JV (asst)			2			
	2855	Football Assistant JV Head			2			
7/1	2855	Varsity Baseball	Cooper	Eric	2	11	\$ 4,776.00	
	2855	Baseball Assistant			3			
7/1	2855	Boys Soccer Assistant	Witman	Kevin	3	3	\$ 3,377.00	
7/1	2855	Boys Varsity Bowling	Bernardone	Jason	3	5	\$ 3,572.00	
	2855	Boys Volleyball Assistant			3			
	2855	Cheerleading Advisor (Fall)			3			
	2855	Cheerleading Advisor (Winter)			3			
7/1	2855	Girls Field Hockey Assistant	Archabald	Phil	3	2	\$ 3,176.00	
	2855	Girls Soccer Assistant			3			
	2855	Girls Softball Assistant			3			
	2855	Girls Swimming Assistant			3			

BOE Date	Code	Sport	Last Name	First Name	Level	Step	Budgeted Amount	Notes
7/1	2855	Girls Volleyball Assistant	Funke	Johanna	3	9	\$ 3,972.00	
7/1	2855	Girls Varsity Bowling	Crombie	Keith	3	7	\$ 3,972.00	
	2855	Boys Lacrosse Assistant			3			
	2855	Girls Lacrosse Assistant			3			
7/1	2855	Boys Track Assistant	Dobek	Christopher	3	5	\$ 3,572.00	
	2855	Girls Track Assistant			3			
	2855	Varsity Golf			3			
	2855	Wrestling Assistant			3			
	2855	Assistant Cheerleading Advisor (Fall)			4			
	2855	Assistant Cheerleading Advisor (Winter)			4			
	2855	Boys Modified Basketball			4			
7/1	2855	Boys Modified Soccer	Dobek	Christopher	4	13	\$ 3,181.00	
	2855	Girls Modified Track			4			
	2855	Boys Modified Volleyball			4			
	2855	Boys Modified Volleyball			4			
	2855	Girls Modified Basketball			4			
7/1	2855	Girls Modified Field Hockey	Zoll	Vanessa	4	1	\$ 2,184.00	
7/1	2855	Girls Modified Soccer	Bernardone	Jason	4	11	\$ 3,181.00	
7/1	2855	Girls Modified Softball	Bernardone	Jason	4	2	\$ 2,382.00	
	2855	Boys Modified Track			4			
7/1	2855	Girls Modified Volleyball	Steger	Amy	4	3	\$ 2,581.00	
	2855	Girls Modified Volleyball			4			
	2855	Modified Football (asst)			4			
	2855	Modified Football			4			
	2855	Boys Modified Baseball			4			
	2855	Boys Modified Lacrosse			4			
	2855	Girls Modified Lacrosse			4			
	2855	Diving Coach Girls			5			Split stipend
	2855	Diving Coach Boys			5			Split stipend
7/1	2855	Sporting Event Workers	Burgstahler	Brenda	9			\$61.00 per person/per event
7/1	2855	Sporting Event Workers	Dobek	Christopher	9			\$61.00 per person/per event
7/1	2855	Sporting Event Workers	Ersing	Jennifer	9			\$61.00 per person/per event
7/1	2855	Sporting Event Workers	Fallacaro	Marisa	9			\$61.00 per person/per event
7/1	2855	Sporting Event Workers	Funke	Johanna	9			\$61.00 per person/per event
7/1	2855	Sporting Event Workers	Gianiodis	Susan	9			\$61.00 per person/per event
7/1	2855	Sporting Event Workers	Klopp	Kathryn	9			\$61.00 per person/per event
7/1	2855	Sporting Event Workers	Kot	Colleen	9			\$61.00 per person/per event
7/1	2855	Sporting Event Workers	Krebs	Gail	9			\$61.00 per person/per event
7/1	2855	Sporting Event Workers	Lauer	Nicole	9			\$61.00 per person/per event
7/1	2855	Sporting Event Workers	McCarthy	Kathy	9			\$61.00 per person/per event





**2013-14 Extra Curricular Activities**  
**High School Musical**

**Updated: 6/24/13**

<b>BOE Date</b>	<b>Code</b>	<b>Activity</b>	<b>Last Name</b>	<b>First Name</b>	<b>Level</b>	<b>Step</b>	<b>Budgeted Amount</b>	<b>Notes</b>
7/1	2850	Jr/Sr HS Musical/Play Director	Tylock	Jennifer	1	6	\$ 5,554.00	
	2850	Orchestra Director Musical (J/S HS)			3			
7/1	2850	Choral Director-Musical - Jr/Sr HS	King	Carol	6	9	\$ 2,321.00	
	2850	Choreographer			7			
	2850	Costumes			7			
	2850	Lights			7			
	2850	Sets			7			
7/1	2850	Accompanist	Neil	Raymond	7	4	\$ 1,281.00	
	2850	Make-up Person 1			HMS			
	2850	Make-up Person 2			HMS			
7/1	2850	Producer	Tylock	Jennifer	HMS		\$ 758.00	
	2850	Program			HMS			
	2850	Publicity			HMS			
7/1	2850	Sound	Berman	Dan	HMS		\$ 455.00	
	2850	Stage Manager			HMS			
7/1	2850	String Advisor	Martella	Ashly	HMS		\$ 153.00	
	2850	Tickets			HMS			
	2850	Tickets			HMS			
		Adult Musician			HMS			
		Adult Musician			HMS			
		Adult Musician			HMS			
		Total						
		Volunteer						
		Choreographer						
<p>Note - Anything with XXX is not funded by the budget.</p>								



2013-14 Extra Curricular Activities							Updated: 6/24/13	
Clubs/Other								
BOE Date	Code	Club/Other	Last Name	First Name	Level	Step	Budgeted Amount	Notes
7/1	2850	Yearbook Advisor (HS)	Wilhelm	Susan	1	3	\$ 4,763.00	
7/1	2850	Senior Class Advisor	Cooper	Eric	2	14	\$ 4,776.00	
7/1	2850	Family Support Counselor (3)	Orcutt	Tammy	4	5	\$ 1,854.00	Split stipend \$2,781 x 2 /3 =
7/1	2850	Family Support Counselor (3)	Banks	Amy	4	5	\$ 1,854.00	1854 per person
7/1	2850	Family Support Counselor (3)	Weis	Joseph	4	5	\$ 1,854.00	Split 2 person stipend 3 ways
7/1	2850	FBLA	Nowicki	Mary	5	6	\$ 2,382.00	
7/1	2850	School Store 7-12	Carriero	Daniel	5	12	\$ 2,782.00	
7/1	2850	Jazz Ensemble Director	Roberts	Sarah	5	7	\$ 2,782.00	
7/1	2850	Swing Choir Director	Tylock	Jennifer	5	14	\$ 2,782.00	
7/1	2850	Technology Club	Jones	Stevan	5	7	\$ 2,782.00	
7/1	2850	High School Student Council Advisor	Kean	David	6	9	\$ 2,186.00	
7/1	2850	Junior Class Advisor	Alessi-Nicastro	Lisa	6	5	\$ 1,786.00	
7/1	2850	Jr/Sr HS Newspaper	Thomasulo	Barbara	6	11	\$ 2,186.00	
7/1	2850	7 <sup>th</sup> & 8 <sup>th</sup> Grade Student Council	Doctor	Olivia	6	13	\$ 2,186.00	
	2850	AFS			7			
7/1	2850	Elementary Computer Club	Schnaufer	Susan	7	5	\$ 1,190.00	
7/1	2850	Elementary Newspaper	Kindley	Ellen	7	5x.5	\$ 595.00	
7/1	2850	Elementary Newspaper	Maynard	Judy	7	15x.5	\$ 795.00	
7/1	2850	FFA	Millson	Lawrence	7	6	\$ 1,190.00	
	2850	Grade 8 Class Advisor			7		XXX	
7/1	2850	Mentoring of Teachers w/initial certification	Crombie	Keith	7	1		Must have initial t's to mentor
7/1	2850	Mentoring of Teachers w/initial certification	Donovan	Monica	7	1		Must have initial t's to mentor
7/1	2850	Mentoring of Teachers w/initial certification			7			
7/1	2850	Mock Trial	Huber	Lawrence	7	4	\$ 1,190.00	
	2850	Model U.N. Advisor			7			
	2850	Weight Training B&G 7-12 (3) F/S/W			8		XXX	16-20 Sessions / Not funded*
	2850	Weight Training B&G 7-12 (3) F/S/W			8		XXX	16-20 Sessions
7/1	2850	Piano Accompanist – Concerts	Tylock	Jennifer	9			\$61 per person/per event
7/1	2850	Piano Accompanist – Concerts	Vona	Mark	9			\$61 per person/per event
	2850	Piano Accompanist – Concerts			9			\$61 per person/per event
	2850	Piano Accompanist – Concerts			9			\$61 per person/per event
7/1	2850	PSAT Proctor – Jr/Sr HS	Banks	Amy	9			\$61 per person/per event
7/1	2850	PSAT Proctor – Jr/Sr HS	Crinnin	Kerstin	9			\$61 per person/per event
7/1	2850	PSAT Proctor – Jr/Sr HS	Gianiodis	Susan	9			\$61 per person/per event
7/1	2850	PSAT Proctor – Jr/Sr HS	Hassett	David	9			\$61 per person/per event
7/1	2850	PSAT Proctor – Jr/Sr HS	Lauer	Nicole	9			\$61 per person/per event
7/1	2850	PSAT Proctor – Jr/Sr HS	Minton	Scott	9			\$61 per person/per event
7/1	2850	PSAT Proctor – Jr/Sr HS	Schnaufer	Susan	9			\$61 per person/per event
	2850	PSAT Proctor – Jr/Sr HS			9			

	2850	PSAT Proctor – Jr/Sr HS			9		
	2850	PSAT Proctor – Jr/Sr HS			9		
7/1	2850	Music Competition Chaperones	Bahun	Annette	MS		\$55.12 per person/per event
7/1	2850	Music Competition Chaperones	Jeffers	Cathleen	MS		\$55.12 per person/per event
7/1	2852	Music Competition Chaperones	Krebs	Gail	MS		\$55.12 per person/per event
7/1	2853	Music Competition Chaperones	Roberts	Sarah	MS		\$55.12 per person/per event
	2850	Music Competition Chaperones			MS		\$55.12 per person/per event
	2850	Music Competition Chaperones			MS		\$55.12 per person/per event
	2850	Music Competition Chaperones			MS		\$55.12 per person/per event
	2850	Music Competition Chaperones			MS		\$55.12 per person/per event
	2850	Music Competition Chaperones			MS		\$55.12 per person/per event
	2850	Music Competition Chaperones			MS		\$55.12 per person/per event
	2850	Music Competition Chaperones			MS		\$55.12 per person/per event
	2850	Music Competition Chaperones			MS		\$55.12 per person/per event
	2850	Music Competition Chaperones			MS		\$55.12 per person/per event
7/1	2850	J/S HS All County Band	Roberts	Sarah	MS		\$55.12 per person/per event
7/1	2850	J/S HS All County Orchestra	Martella	Ashly	MS	\$	300.00
7/1	2850	J/S HS All County Chorus	Tylock	Jennifer	MS	\$	300.00
7/1	2850	Elem All County Band	Bahun	Annette	MS	\$	300.00
7/1	2850	Elem All Orchestra	Martella	Ashly	MS	\$	300.00
	2850	Elem All County Chorus			MS		
	2850	Elementary Homework Club (EE-3)			10		XXX
7/1	2850	Freshmen Class Advisor	Archabald	Phil	10	\$	542.00
7/1	2850	GAA	Kot	Colleen	10	\$	542.00
	2850	Grade 7 Class Advisor			10		XXX
7/1	2850	Jr. High School National Honor Society	Porter	Amy	10	\$	542.00
7/1	2850	Jr/Sr High Homework Club Advisors (2)	Gianiodis	Susan	10	\$	542.00
	2850	Jr/Sr High Homework Club Advisors (2)			10		
7/1	2850	Math Olympiad	DeGroat	Kathy	10	\$	542.00
7/1	2850	Math Olympiad	Meredith	Joanne	10	\$	542.00
7/1	2850	National Honor Society Co-Advisors	Hamlett	Carrie	10	x.5 \$	271.00
7/1	2850	National Honor Society Co-Advisors	Janowsky	Nicole	10	x.5 \$	271.00
7/1	2850	Peer Listening Advisor	Donovan	Monica	10	\$	542.00
	2850	SADD Advisor			10		XXX
	2850	SAFE Advisor			10		XXX
7/1	2850	Senior Class Co-Advisor	Carriero	Daniel	10	\$	542.00
	2850	Sophomore Class Advisor			10		
	2850	Sophomore Class Advisor			10		
7/1	2850	Varsity Club	Pierce	Robert	10	\$	542.00
7/1	2850	Music Director – Memorial Day	Roberts	Sarah	MS		\$61 per person/per event
7/1	2850	Music Events (Monitoring) Security/Supervision	Bahun	Annette	MS		\$61 per person/per event
7/1	2850	Music Events (Monitoring) Security/Supervision	Ersing	Jennifer	MS		\$61 per person/per event
7/1	2850	Music Events (Monitoring) Security/Supervision	Gianiodis	Susan	MS		\$61 per person/per event
7/1	2850	Music Events (Monitoring) Security/Supervision	Krebs	Gail	MS		\$61 per person/per event
7/1	2850	Music Events (Monitoring) Security/Supervision	Lauer	Nicole	MS		\$61 per person/per event
7/1	2850	Music Events (Monitoring) Security/Supervision	Martella	Ashly	MS		\$61 per person/per event





**Volunteer Swimming Coach**

**Marc Graff**     Sandra Anzalone

   Barbara Thomasulo, Marisa Fallacaro

06/27/2013 09:29 AM

Please appoint Cheryl Carpenter as a Volunteer Swimming Coach for the 2013-14 school year. All information is on file in the Athletic Office. Thank you.

**Marc P. Graff**

Principal

Eden Junior/Senior High School

3150 Schoolview Road

Eden, NY 14057

Phone: (716)992-3600

Email: mgraft@edencsd.wnyric.org

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## By-Laws

REVISED 5-29-13

**SUBJECT: EXECUTIVE SESSIONS**

Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the **general** area or areas of the subject or subjects to be considered, the Board of Education may conduct an executive session for discussion of the below enumerated purposes only, provided, however, that no action by formal vote shall be taken except on an Education Law Section 3020-a probable cause finding. For all other purposes, the action by formal vote shall be taken in open meeting and properly recorded in the minutes of the meeting. **Attendance at an executive session shall be permitted to any Board member and any persons authorized or requested to attend by the Board.**

- a) Matters that will imperil the public safety if disclosed;
- b) Any matter that may disclose the identity of a law enforcement agent or informer;
- c) Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed;
- d) Discussions regarding proposed, pending or current litigation;
- e) Collective negotiations pursuant to Civil Service Law Article 14;
- f) Medical, financial, credit or employment history of any particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of any particular person or corporation;
- g) Preparation, grading or administration of examinations;
- h) Proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

**Motions for executive sessions should state the subject or subjects to be discussed in executive session. It is insufficient to merely recite statutory language.**

The Commissioner of Education has observed that, in the course of their duties, school boards are required to discuss and debate difficult and sensitive issues. Moreover, as public officers, school board members take an oath of office to uphold the law and faithfully discharge their duties (N.Y. State Constitution Art. XIII, §1; Public Officers Law §10). Among other things, school boards are responsible for educational standards, budget matters, management issues and health and safety. In carrying out these duties, individual board members have a fiduciary obligation to act constructively to achieve the best possible governance of the school district. The law specifically recognizes the delicacy of these matters by permitting them to be discussed in private, in executive session (see Public Officers Law §105). The purpose of this exception to the open meetings rule is to enable public officers to deliberate freely and speak frankly. (continued)

## By-Laws

REVISED 5-29-13

**SUBJECT: EXECUTIVE SESSIONS (continued)**

Accordingly, it is the Policy of the Board that matters discussed in executive session must be treated by Board members and invitees as confidential. Participants may not make any audio, visual or written recordings of the discussion or content of executive session. In addition, General Municipal Law §805-a(1)(b) provides that no municipal officer or employee (including a school board member) shall “disclose confidential information acquired by him/her in the course of his official duties or use such information to further his personal interests.” Thus, Board members and executive session invitees may not discuss the content of executive session outside of the session, other than is provided for in this Policy. It is well settled that a board member’s disclosure of confidential information obtained at an executive session of a board meeting violates General Municipal Law §805-a(1)(b).

This policy also does not prohibit the disclosure of executive session material where a board collectively decides to release such information, or where an individual board member is compelled to disclose such material pursuant to law in the context of a judicial proceeding, or where a referral to an appropriate law enforcement authority for investigation is warranted.

Matters discussed in executive sessions must be treated as confidential; that is, never discussed outside of that executive session.

Education Law Section 3020-a  
Public Officers Law Article 7

1<sup>st</sup> Reading: 6/17/13  
Adoption:

ok per  
Sandy  
5/8/13

2013

7640  
1 of 7

Students

**SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP):  
DEVELOPMENT AND PROVISION**

**Development of Individualized Education Program**

The Board of Education directs that the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) shall have prepared a written statement (program) for each child with a disability.

Such an Individualized Education Program (IEP) will be developed by the CSE or CPSE upon referral, and reviewed or revised, whichever is appropriate, for every child with a disability at least annually or in the event that the program no longer appears to be appropriate to meet the student's needs and ability level.

The District shall ensure that each student with a disability has an IEP in effect at the beginning of each school year.

Functional Behavioral Assessments/Behavioral Intervention Plans

A functional behavioral assessment (FBA) is an integral part of the evaluation and reevaluation of a student with a disability which should be used throughout the process of developing, reviewing and revising a student's IEP when the student's behavior impedes learning of the child or others. The FBA is the process of determining why a student engages in challenging behavior and how the student's behavior relates to the environment. An FBA for a student with a disability is an evaluation requiring parental consent, pursuant to Commissioner's Regulation 200.5(b).

The FBA provides a baseline of the student's problem behaviors with regard to frequency, duration, intensity and/or latency across activities, settings, people and times of the day and includes:

- a) The identification of the problem behavior,
- b) The definition of the behavior in concrete terms,
- c) The identification of the contextual factors that contribute to the behavior (including cognitive and affective factors), and
- d) The formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

The FBA must, as appropriate, be based on multiple sources of data such as structured interviews, behavior ratings scales, standardized assessments and checklists. It must include, but is not limited to:

- a) Information obtained from direct observation of the student;

(Continued)

Students

**SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP):  
DEVELOPMENT AND PROVISION (Cont'd.)**

- b) Information from the student, the student's teacher(s) and/or related service providers; and
- c) A review of available data and information from the student's record and other sources including any relevant information provided by the student's parent.

The FBA cannot be based solely on the student's history of presenting problem behavior.

The CSE/CPSE will ensure that functional behavioral assessments, when appropriate, are conducted and reviewed to:

- a) Identify supplementary aids and services, modifications and/or related services appropriate to address the identified behaviors to promote the student's involvement and progress in the general curriculum;
- b) Determine a student's eligibility for special education services;
- c) Develop the IEP which includes behavioral goals and objectives and positive behavioral supports and strategies.

In the case of a student whose behavior impedes his/her learning or that of others, the CSE/CPSE shall consider strategies, including positive behavioral interventions and supports and other strategies to address that behavior. The need for a behavioral intervention plan (BIP) shall be documented on the IEP and such plan shall be reviewed at least annually by the CSE/CPSE. In addition, regular progress monitoring of the frequency, duration and intensity of the behavioral interventions shall be conducted at scheduled intervals, documented and reported to the parents and CSE/CPSE.

A behavioral intervention plan may not include the use of aversive interventions or time out rooms except in accordance with specific Board policy regulating these techniques.

**Individual Evaluations**

Parental consent must be provided for an initial evaluation. If such consent is not received within thirty (30) calendar days of receipt of the referral, the CSE/CPSE Chairperson will document all attempts made to obtain the consent and, if appropriate, advise the Board of its right to utilize the due process procedures to conduct an evaluation without parental consent.

Unless a referral is withdrawn, an individual evaluation at no cost to the parent will be completed by the CSE/CPSE within sixty (60) calendar days after written parental consent has been obtained or a parental refusal to consent is overridden, unless:

(Continued)

Students

**SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP):  
DEVELOPMENT AND PROVISION (Cont'd.)**

- a) An extension is mutually agreed to by the parent and the CSE/CPSE for the following situations:
  - 1. Transfer students: A student enrolls in the District after sixty (60) days and prior to a determination by the student's previous school district as to whether the student has a disability, but only if the new school district is making sufficient progress to ensure a prompt completion of the evaluation and the parent and the new district agree in writing to a specific timeframe for completion; or
  - 2. Students suspected of having learning disabilities; or
- b) The parent or student repeatedly fails or refuses to produce the student for evaluation.

No student shall be required to obtain a prescription for a drug or other substance identified as a controlled substance by the federal Controlled Substances Act as a condition of receiving an evaluation.

The individual evaluation will include a variety of assessment tools and strategies, including information provided by the parent. The purpose of the evaluation is to gather relevant functional, developmental and academic information that may assist in determining whether the student is a student with a disability and the content of the student's IEP. This shall include information relating to enabling the student to participate and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities).

As part of any evaluation, a group that includes the CSE/CPSE and other qualified professionals, as appropriate, shall review existing evaluation data on the student including evaluations and information provided by the parents of the student, current classroom-based assessments, local or state assessments, classroom-based observations, and observations by teachers and related services providers. In addition, the group will consider information about the student's physical condition, social or cultural background, and adaptive behavior.

On the basis of that review, and input from the student's parents, the group shall identify what additional data, if any, are needed to determine:

- a) Whether the student has or continues to have a disability;
- b) The present levels of academic achievement and related developmental needs of the student, including:
  - 1. Academic achievement, functional performance, and learning characteristics;
  - 2. Social development;

(Continued)

Students

**SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP):  
DEVELOPMENT AND PROVISION (Cont'd.)**

3. Physical development; and
  4. Management needs.
- c) In the case of a reevaluation of a student, whether the student continues to need special education; and
  - d) Whether any additions or modifications to the special education services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general education curriculum.

If additional data are not needed, the District must notify the parents of that determination and the reasons for it and of the right of the parents to request an assessment to determine whether, for purposes of services provided in accordance with law and Commissioner's Regulations, the student continues to be a student with a disability and to determine the student's educational needs. The District is not required to conduct the assessment unless requested to do so by the student's parents.

The determination that a student has a learning disability will be made in accordance with the procedures outlined in Section 200.4(j) of Commissioner's Regulations.

**Individual Re-evaluations**

A CSE/CPSE shall arrange for an appropriate re-evaluation of each student with a disability:

- a) If the District determines that the educational or related services needs, including improved academic achievement and functional performance of the student warrant re-evaluation;
- b) If the student's parent or teacher request a re-evaluation;
- c) At least once every three (3) years, unless the District and the parent/person in parental relation agree in writing that such re-evaluation is unnecessary.

A re-evaluation shall not be conducted more frequently than once a year unless the parent and the District representative appointed to the CSE/CPSE agree otherwise.

The re-evaluation will be conducted by a multi-disciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of the student's disability. The re-evaluation shall be sufficient to determine the student's individual needs, educational progress and achievement, the student's ability to participate in instructional programs in regular education and the student's continuing eligibility for special education. The results of any re-evaluations must be addressed by the CSE/CPSE in reviewing, and as appropriate, revising the student's IEP.

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To the extent possible, the District shall encourage the consolidation of re-evaluation meetings for the student and other CSE/CPSE meetings for the student.

**Amendments to the IEP**

Amendments to the IEP made after the annual review by the CSE/CPSE may be made by reconvening the CSE/CPSE and rewriting the IEP or by developing a written document to amend or modify the student's current IEP, provided that:

- a) The parents/persons in parental relation request an amendment to the IEP and the District and parents/persons in parental relation agree to the amendment in writing; or
- b) The District provides the parents/persons in parental relation a written proposal to amend a provision or provisions of the IEP conveyed in language understandable to the parents/persons in parental relation in their native language or other dominant mode of communication, informs and allows the parents/persons in parental relation the opportunity to consult with the appropriate personnel or related service providers concerning the proposed changes, and the parents/persons in parental relation agree in writing to the amendments.

If the parents/persons in parental relation agree to amend the IEP without a meeting, they shall be provided prior written notice (notice of recommendation) of the changes to the IEP and the Committee notified of the changes. If the changes are made by rewriting the entire IEP, the District shall provide the parents/persons in parental relation a copy of the rewritten IEP. If the amendment is made without rewriting the entire document, the District shall provide a copy of the document that amends the IEP or, upon request, a revised copy of the entire IEP with the amendments incorporated.

**Use of Recording Equipment at IEP Meetings**

The Board of Education shall allow recording equipment to be used at meetings regarding individualized education programs for students with disabilities.

**Provision of Individualized Education Program**

The Board of Education directs that the Superintendent/designee(s) establish administrative practices and procedures to ensure that each regular education teacher, special education teacher, related service provider and/or other service provider who is responsible for the implementation of a student's IEP is *provided with either a paper copy of the IEP or is able to access a ~~or electronic copy~~ of such student's IEP electronically (including amendments to the IEP) prior to the implementation of such program. Such individuals responsible for the implementation of a student's IEP shall be notified and trained on how to access such IEP electronically.* For purposes of this policy, "other service provider" means a representative of another public school district, charter school, Board of Cooperative Educational

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Services (BOCES) or school enumerated in Education Law Articles 81, 85 or 89 where the student receives or will receive IEP services. Further, the District will designate at least one school official who shall be responsible for maintaining a record of the personnel who have received IEP copies for each student.

Any copy of a student's IEP shall remain confidential in compliance with the Individuals with Disabilities Education Act, the Family Educational Rights and Privacy Act, and District policy regarding confidentiality of student records; and shall not be disclosed to any other person other than the parent of such student, except in accordance with federal and state laws and/or regulations. Appropriate training and information will be provided to designated school personnel, as applicable, to ensure the confidentiality of such information. Procedures will be established to ensure that copies of students' IEPs are stored in secure locations and retrieved or destroyed when such professionals are no longer responsible for implementing a student's IEP.

The Chairperson of the CSE, CSE subcommittee, or CPSE shall designate for each student one or, as appropriate, more than one professional employee of the School District with knowledge of the student's disability and education program who will be responsible to, prior to the implementation of the IEP, inform each regular education teacher, special education teacher, related service provider, other service provider, supplementary school personnel (i.e., a teaching assistant or a teacher aide as defined in Commissioner's Regulations), and other provider and support staff person of his/her responsibility to implement the recommendations on a student's IEP, including the responsibility to provide specific accommodations, program modifications, supports and/or services for the student in accordance with the IEP. In selecting the professional staff person(s), the Chairperson could select him/herself for this responsibility, another administrator, or a teacher, related service provider or other professional based on the particular circumstances of the student's disability and education program.

The School District shall also ensure that each teaching assistant, teacher aide and each other provider responsible for assisting in the implementation of a student's IEP has the opportunity to review a copy of the student's IEP (including amendments) prior to the implementation of such program. Further, each teaching assistant, teacher aide and such other provider responsible for assisting in the implementation of a student's IEP shall have ongoing access to a copy of the IEP, which may be the copy provided to the student's special education teacher or the teacher or related service provider under whose direction the supplementary school personnel or other provider works. However, the District may, at its discretion, provide a copy of the IEP to teaching assistants and/or teacher aides.

A copy of a student's IEP shall be provided to the student's parents at no cost to the student's parents.

The District's practice is to follow CSE guidelines for student's with (Continued) 504's, whenever practicable.

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**SUBJECT: STUDENT INDIVIDUALIZED EDUCATION PROGRAM (IEP):  
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Individuals with Disabilities Education Improvement Act of 2004, Public Law 108-446 Section 615(k)(1)  
Individuals with Disabilities Education Act (IDEA), 20 USC Section 1400 et seq.

21 USC Section 812(c)

Education Law Articles 81, 85 and 89 and Sections 207, 3208 and 4402(7)

8 NYCRR Sections 200.1(hh), 200.2(b)(11), 200.4(b)(4), 200.4(d)(3)(i), 200.4(e)(3), 200.4(f), 200.4(j),  
200.16(e)(6) and 200.22

~~NOTE: Refer also to Policy #7618 -- Use of Time Out Rooms~~

Adoption Date