

**Allegheny-Limestone Central School
2025-2026 Formal Code of Conduct
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Allegheny-Limestone Central School Formal 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 longstanding set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. The board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end, the board adopts this code of conduct ("code") which is available online and upon request, from the district office. Unless otherwise indicated, this code applies to all students, school personnel, parents, and other visitors when on school property or attending a school function. The school administration shall have the power to impose a more stringent punishment than the ones outlined in this document, with the approval of the superintendent.

II. DEFINITIONS

For 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 of the educational process or substantially interferes with the teacher's authority over the classroom.

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

"BIT" means Building Intervention Team.

"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; or in or on a school bus (Education Law §11[1]).

"School day" means the time between the arrival to and departure from school property.

"School function" means any school sponsored extracurricular event or activity.

"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 or attempts to commit, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function or attempts to do so.
3. Possesses, while on school property or at a school function, a weapon.
4. Displays, while on school property or at a school function, what appears to be a weapon.
5. Threatens, while on school property or at a school function, to use a weapon.
6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
7. Knowingly and intentionally damages or destroys school district property.
8. Verbally assaults, threatens, or bullies, or uses any form of harassment.

"Weapon" means a firearm as defined in 18 USC §921 for purposes of the Gun Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, 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.

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

“Disability” means (a) a physical, mental, or medical impairment resulting from anatomical, physiological, genetic, or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.

“Employee” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact. (Education Law §11[4] and 1125[6]).

“Sexual orientation” means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law §11[5]).

“Gender” means actual or perceived sex and includes a person’s gender identity or expression (Education Law §11[6]).

“Harassment/bullying” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying as defined in Educational Law § 11(8), that

- (a) has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities, or benefits, or mental, emotional or physical well-being; or
- (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
- (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
- (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

“Cyberbullying” means harassment/bullying, as defined above, through any form of electronic Communication.

Acts of harassment and bullying that are prohibited include those acts based on a person’s actual or perceived membership in the following groups including, but not limited to:

- race
- color
- weight
- national origin
- ethnic group
- religion or religion practice
- disability
- sex

- sexual orientation
- gender (which includes a person's actual or perceived sex, as well as gender identity and expression).

"Discrimination" means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited to, discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

"Emotional harm" that takes place in the context of "harassment or bullying" means harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.

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

"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 in reference to 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 a body of persons adhering to a particular set of beliefs and practices.

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

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

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

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

III. ESSENTIAL PARTNERS

The Allegany-Limestone Central School Essential Partners have the following responsibilities:

A. Parents

All parents are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time
4. Ensure all absences (excused or unexcused) are accompanied by a signed note.
5. Insist their children be dressed and groomed in a manner consistent with the student dress code.
6. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
7. Know school rules and help their children understand them.
8. Convey to their children a supportive attitude toward education and the district.
9. Build good relationships with teachers, other parents, and their children's friends.
10. Help their children deal effectively with peer pressure.
11. Inform school officials of changes in the home situation that may affect student conduct or performance.
12. Provide a place for study and ensure homework assignments are completed.

B. Support Staff and Service Staff

All district support staff and service staff are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Know school policies and rules and enforce them in a fair and consistent manner.
3. Exhibit professionalism in manner of dress.

C. Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
 - i. Course objectives and requirements.
 - ii. Marking/grading procedures.
 - iii. Assignment deadlines.
 - iv. Expectations for students.
 - v. Classroom discipline plan.
6. Communicate regularly with students, parents, and other teachers concerning growth and achievement.
7. Exhibit professionalism in manner of dress.

D. Guidance Counselors

All guidance counselors are expected to:

1. Assist students in coping with peer pressure and emerging personal, social, and emotional problems.
2. Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
3. Regularly review with students their educational progress and career plans.
4. Provide information to assist students with career planning.

5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Inform appropriate staff of student academic and social issues.
7. Assist administrators with staff scheduling of courses for staff and students.
8. Exhibit professionalism in manner of dress.

E. Principals

All principals are expected to:

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 principal 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 ensuring that all cases are resolved promptly and fairly.
6. Exhibit professionalism in manner of dress.

F. Superintendent

The superintendent is expected to:

1. Promote a safe, orderly, and stimulating school environment, supporting active teaching and learning.
2. Review with district administrators the policies of the board of education and state and federal laws relating to school operations and management.
3. Inform the board about educational trends relating to student discipline.
4. Work to create instructional programs that minimize problems of misconduct and are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.
6. Exhibit professionalism in manner of dress.

G. Dignity Act Coordinator

The Dignity Act Coordinators are expected to:

1. The Dignity Act also requires that at least one staff member at every school be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex.
2. Exhibit professionalism in manner of dress.
3. The Dignity Act Coordinators for the Allegany-Limestone Central School District are
P-5: Damon Patrick Bouge, pbouge@alcsny.org, 375-6600, ext. 4115
6-12: Dr. John Wolfgang, jwolfgang@alcsny.org, 375-6600, ext. 2176

H. Board of Education

Board of Education members are expected to:

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

IV. STUDENT RIGHTS AND RESPONSIBILITIES

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

Take part in all district activities on an equal basis regardless of race, color, creed, national origin, religion, gender or sexual orientation or disability.

1. Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty in connection with the imposition of the penalty.
2. Access school rules and, when necessary, receive an explanation of those rules from school personnel.

B. Student Responsibilities - All district students have the responsibility to:

1. Contribute to maintaining a safe and orderly school environment that is conducive to learning and to show respect to other persons and to property.
2. Be familiar with and abide by all district policies, rules and regulations dealing with student conduct.
3. Attend school every day, be in class on time, and be prepared to learn.
4. In accordance with the district school safety plan, carry the school ID/name badge at all times while in school.
5. Work to the best of their ability in all academic and extracurricular pursuits and strive toward their highest level of achievement possible.
6. React to direction given by teachers, administrators, and other school personnel in a respectful, positive manner.
7. Work to develop mechanisms to control their anger.
8. Ask questions when they do not understand.
9. Seek help in solving problems that might lead to discipline.
10. Dress appropriately for school and school functions.
11. Accept responsibility for their actions.
12. Conduct themselves as representatives of the district when participating in or attending school sponsored extracurricular events and to hold themselves to the highest standards of conduct, demeanor, and sportsmanship.
13. Be truthful when questioned by a staff member or law enforcement.
14. Not incite or provoke a conflict among other students.

In order to promote a safe and clean environment, all students should practice the following behavior:

1. Enter the building in a quiet, orderly manner.
2. Remove hat upon entering the building.
3. Move quietly through the halls from one area to another to avoid disturbing others.
4. Help keep the halls clean and free from litter.
5. Quietly leave and enter rooms.
6. Treat displays, bulletin board materials, and school property with respect.
7. Gum chewing may be prohibited.
8. Obtain permission to leave class.
9. Walk to the right.
10. Help keep the lavatories clean.

C. Attendance

As defined by New York Education Law, an excused school absence may be due to sickness, quarantine, sickness or death in the family, observance of certain religious holidays, remedial health treatment, impassable or unsafe roads, appearance in court, or school supervised projects. Family vacations are not recognized as excused absences. The scheduling of family vacations should occur on dates when school is not in session. Administrators, counselors, or teachers may request parent intervention when patterns of truancy, early departure, tardiness, or frequent, unexcused absences persist.

All children between the ages of 6 and 17 must attend school daily as required by New York State Education Law. Daily attendance of the child is the legal responsibility of the parent. **Parents should call school as early as possible each day their child will be absent to report the absence.** Punctual and regular attendance is very important in order for a child to achieve his/her best in school and is a very desirable habit to develop. Notice will be sent to the parents of students whose attendance pattern indicates a possible problem. Attendance records become part of a student's permanent school record. Maintenance of attendance records is strictly regulated by the New York State Education Department. This record is kept with complete biographical information in school files. This data is updated daily by school attendance personnel.

Elementary School- Daily attendance will be taken promptly at 7:50 a.m. in the elementary schools. Elementary school students should be in their assigned homeroom seat ready for the Pledge to the Flag and morning announcements. Students arriving after this time will be considered tardy and must report to the main office to obtain admittance to school. Attendance related matters such as **WRITTEN** excuses for absences and medical releases are to be brought to the main office in the elementary buildings. An early departure will be treated the same as a tardy. Students accumulating five (5) tardies or early departures in one quarter will lose eligibility for perfect attendance for that quarter.

Middle / High Schools- Middle and high school students should be in their 1st assigned location (study hall, homeroom, or class) before announcements begin, at 7:55. Students arriving after this time will be considered tardy and must report to the main office to obtain admittance to school. As per the progressive discipline plan in the Code of Conduct, a detention will be assigned when a student first reaches three unexcused tardies in a quarter. A detention will also be given for every tardy thereafter in that particular quarter. In addition, the student may be placed on extracurricular suspension for a period of no less than two (2) weeks. The student will lose eligibility for perfect attendance for more than one tardy per quarter.

WRITTEN excuses for absences and medical releases are to be brought to the main office or nurse's office in the middle or high school prior to the 1st period of the day.

TELEPHONE EXCUSES, by law, are **NOT** considered legal and will be honored only in emergency situations, with the approval of the building principal. These must be confirmed by a written excuse within 24 hours. A student is **REQUIRED TO PRESENT A WRITTEN EXCUSE** upon returning to school following an absence within seven days. Each excuse must include the date(s) of the absence, the student's name, the parent/guardian's signature, and the reason for the absence(s). **ABSENCES NOT COVERED BY A WRITTEN NOTE ARE, BY LAW, CONSIDERED UNEXCUSED.** School districts are required by regulation to keep all written excuses on file for a period of one full year after the school year in which they are written. **A STUDENT WHO IS ABSENT MORE THAN FIVE PERIODS DURING THE DAY MAY NOT PARTICIPATE IN ANY SCHOOL FUNCTION** (practice session, party, school dance, or other school activity scheduled after regular school hours) **THAT DAY OR EVENING** unless the absence is deemed caused by extenuating circumstances by the Principal.

D. Truancy

Any student who does not supply a note and is absent from school for any reason is truant. A student reported absent from a scheduled class or who leaves the building without permission is also truant. **ANY STUDENT WHO IS TRUANT FROM CLASS (IN THE MS OR HS) WILL BE ASSIGNED TWO DETENTIONS FOR BEING ABSENT 1-3 PERIODS, OR In-School Suspension FOR BEING TRUANT MORE THAN 3 PERIODS.**

E. ARRIVAL AND DEPARTURE

Elementary School Arrival (ALES)

- **Bus Arrival:** Circle in front of school
- **Car Arrival:** Please use the side entrance, no earlier than 7:15 a.m. Parents are asked to wait in cars with family name or automated car tag placed on dashboard. Cars are only allowed in front circle between 8:00 a.m. and 2:00p.m.
- **Walkers:** Cafeteria and front of building entrance no earlier than 7:15 a.m.

Elementary School Dismissal - If a child is to leave school other than in his/her routine manner, he/she must have written permission to be signed by his/her parent. If your child has an appointment during school hours, please send a note stating the place of the appointment, time to be excused, and who will be picking up the child. One permission note is sufficient if the change is on a regular basis (i.e. piano lessons, baby sitter, etc.).

In the event of early dismissal, parents who are away from home during the day should make arrangements in advance. At the beginning of each school year, an information sheet will be sent home to complete with this information. It is important that each child knows what arrangements have been made. In the case of an emergency, parents should notify the school to make arrangements. All phone call requests should be made before 2:00 p.m. Parents are responsible for their children until they board the bus if they are bus riders or until they enter/leave the school building. Children are not allowed to leave the school grounds at any time during the school day without a note from their parents or permission from the office. This is for your protection to prevent unauthorized persons from taking your child.

Middle/High School - Students at the middle/high school should plan to arrive at school no earlier than 7:20 a.m. They may move to the cafeteria for breakfast at 7:20 a.m. They may move to their lockers at 7:45 am. All students are expected to be in their 1st assigned location (study hall, homeroom, or class) before announcements begin at 7:54 a.m. Medical, dental, and business appointments should be scheduled after school.

The education of each student is valued, and we are sure other professionals such as doctors or dentists will be considerate if you explain the circumstances. Any medical/dental appointment will only receive a ½ day medical/dental excusal, unless a Doctor's script specifically states that the child needed to be out all day. The script will need to be brought in with the required written excuse. TELEPHONE EXCUSALS ARE NOT CONSIDERED LEGAL AND MUST BE CONFIRMED BY A WRITTEN EXCUSE WITHIN 24 HOURS. Failure to comply will result in a denial of any subsequent telephone excusals.

F. MINIMUM ATTENDANCE POLICY FOR THE MIDDLE AND HIGH SCHOOL

Student attendance is a necessary and vital ingredient in the learning process. If a student is absent, he or she will be afforded the opportunity to make-up missed assignments, but it is the student's responsibility to contact the teacher about what assignments were missed and when they need to be submitted. Students who have skipped class will not be afforded this opportunity. When a student reaches the number of unexcused absences (below), a student action plan will be developed by a committee consisting of, but not limited to, parent(s)/guardian(s), student, teacher(s), counselor(s), and administration. **Excessive unexcused absences may result in a loss of credit for the course.**

Course Length	Total Attendance Days	Number of Unexcused Absences when actions will be Implemented
Full Year	180	18
Half Year	90	9
Quarter Year	45	4

The following absences will not count against a student’s attendance:

- Approved educational field trips
- Career shadowing experiences
- School music lessons
- Approved athletic competitions
- Other Board approved events
- Religious obligations
- Military obligations
- Court obligations
- School suspensions
- Short-term illness (three days consecutively, or less) accompanied by a written excuse from a parent.
- Long-term illness (four days consecutively, or more) with medical confirmation -- may include approved alternate instruction. Attendance Officers will contact parents if medical confirmation is not provided.

All medical confirmation must be turned into the Health Office within seven days in order to receive a credit for a half or full day absence. Beyond the seven-day limit, such absences will remain “unexcused.” All other absences are deemed “unexcused.” All unexcused absences will count against a student’s attendance.

In the Middle and High School, any student who is tardy to school or class for the 3rd time in a quarter, and for each instance thereafter in that quarter, will be given a disciplinary referral.

Students transferring from outside the district will have their attendance reviewed in accordance with the District’s Minimum Attendance Policy.

G. Policy n Release

Custody - It is necessary that the school records be accurate and current regarding custody and visitation privileges in cases where a student’s parents are divorced or separated. This information should be provided by the first day of each school year. Please notify the school to indicate custody, visitation, access to report cards, and removal of the student from school by parents and others not having custody.

Under special circumstances, county or state agencies such as Family Court, Probation Department, Families & Schools Together, Child Protective Services, etc. will request copies of attendance, disciplinary, and academic records. These records will be released unless a written request not to release has been presented to the Principal by the parent or guardian prior to such requests. All written requests **not** to release information must be submitted annually.

H. Incentives and Disciplinary Sanctions

ALCS views attendance as an important part of a student’s educational process. Students are encouraged to maintain a high attendance rate in order to achieve classroom success and are often recognized for perfect attendance throughout the school year and at graduation.

1. Incentives:

a. Elementary School – Students with perfect attendance receive a certificate quarterly and also at the end of the school year.

b. Middle- High School – Students with perfect attendance in the high school receive a certificate for perfect attendance at the yearly awards ceremony-

Patterns of excessive tardies, excusals, or absences will be noted by office personnel or teaching staff. Students determined to be in jeopardy due to such patterns will be contacted, along with their parents, and additional interventions, including possible referral to the building intervention team, or outside agencies, or filing of PINS petitions, may be initiated if warranted.

Annual Review by the Board of Education - The Board of Education shall annually review the building level student attendance records and if such records show a decline in student attendance, the Board shall make any revisions to the Policy and Plan deemed necessary to improve student attendance.

Community Awareness - The Board of Education shall promote necessary community awareness of the district's Comprehensive Student Attendance Policy by:

1. Providing a plain language summary of the policy to parents or persons in parental relation to students each school year, and promoting the understanding of the policy to students and their parents/persons in parental relation.
2. Providing each teacher, upon employment, with a copy of the policy.
3. Posting the policy on the district web site.
4. Providing copies of the policy to any other member of the community upon request.

I. General Student Rules

1. Hallways: Students should pass quickly and safely through the halls. LITTERING IS NOT PERMITTED. A clean school presents a positive image of the school and the student body to visitors. Locker stops are to be minimized. Any excessive noise in the halls will be addressed and/or reported to the Principal. Book bags and backpacks may NOT be carried through the building during the day and in classrooms. Students are issued

ID/name badges on a yearly basis, and students should be in possession of ID/name badges while in attendance at school. There is to be no consumption of food and/or beverages in the hallways. Food and/or beverages should be consumed in the dining hall. It is the responsibility of the student to obtain a completed hall pass from a faculty/staff member before entering the hall(s). Excessive displays of affection (PDA's) are unacceptable.

- 2. Library Rules:** The Library is open to all students and staff. Students using the Library accept the following responsibilities:
 - a. Work independently and quietly.
 - b. No food, drinks, or gum in the Library.
 - c. Sign in from the correct study hall for no more than 45 minutes per day.
 - d. Sign out materials properly and return them on time. Materials overdue for one month or longer may result in a detention or suspension from extra-curricular activities.
 - e. Restitution will be made for materials that have been damaged or lost.
 - f. Rules of conduct throughout the building are also applicable in the Library. If these responsibilities are not accepted, the right of library use during the school day will be revoked as follows: first offense-5 weeks; second offense-10 weeks; third offense-20 weeks. Students may access the Library only with staff supervision. However, all students will have access to the library, with supervision only, before 8:00 a.m. and after 2:45 p.m.
 - g. Computer use in the MS/HS library requires a student ID card in order to monitor appropriate use of computers through student sign out.
- 3. Computer Access:** Access to school computers carries responsibilities as outlined in the Acceptable Use Policy each user must sign. If these responsibilities are not accepted, the right of computer use will be revoked as follows: first offense-5 weeks; second offense-10 weeks; third offense-20 weeks. Students who have lost computer use, but require computer access to complete assigned work may do so, but only UNDER THE DIRECT SUPERVISION OF THE TEACHER ASSIGNING THE WORK.

4. **Policy on Plagiarism:** Students who submit work that has been plagiarized will automatically receive a grade of zero for that assignment. If a teacher suspects that another source was used in place of a student's own work and can justly provide evidence, that student will be notified and given ample time to provide evidence that the work is original. If the student fails to provide this evidence and does not submit a works cited list, a grade of zero will be given for the assignment. The parents and the National Honor Society (if the student is a member) will also be notified. Additional discipline may also occur.
5. **Health Office & Nurse:** A student who is ill or injured while in school should report to the health office immediately. If the nurse is unavailable, report to the main office for instructions. The school nurse or designee will ensure supervision of the student until a parent or designated emergency person can be contacted to take the student home. Parents are responsible for providing the school with emergency names and telephone numbers at the beginning of each school year and during the school year as changes occur.

Injuries occurring in a school activity after school hours (i.e. athletic contests, dances, concerts) must be reported to the nurse the following morning, being certain that the coach or advisor is aware of the injury. Under New York State Law, the school nurse is permitted to give first aid treatment only to injuries received in any school activity.

Under certain unusual circumstances, when it is necessary for a student to take medication during school hours, the school nurse may administer the medication if a parent submits a written request accompanied by a written request from a physician indicating the frequency and dosage of prescribed medication. Such medication is to be brought to the school health office in its original container by the parent or guardian.

Students who are ill may not leave the building without reporting to the nurse.

Offenders will be considered truant from school and disciplinary action will follow.

A student who is in need of the elevator because of an injury or illness may request an elevator use pass through the nurse. Students without a use-pass from the nurse may **NOT** use the elevator at any time unless accompanied by staff.

6. **Class Preparation:** Students must be prepared for each class by possessing appropriate supplies and materials for class. Homework is due the day of the class at the beginning of the class unless the teacher instructs differently. In grades 3-5, agendas will be used for communication with parents and for students to write down assignments.—Teachers may request students to remain after school for individual help in any subject area. Students may also request extra help from a teacher. Extra-curricular or athletic activities should not interfere with class participation or extra help.
7. **Bus Rules:** Students should be on time at the designated school bus stops and should wait until the bus comes to a complete stop before attempting to enter. Remember that loud talking and laughing will divert the driver's attention and make safe driving difficult. Horseplay is not permitted around or on the school bus.

Follow These Bus Riding Rules:

Allegany Limestone C.S.D. Bus Riding Rules:

- 1) The Bus Driver and Bus Monitor are in charge.
- 2) Seating may be assigned by the Bus Driver or Bus Monitor.
- 3) Be cooperative, courteous, and seated facing forward.
- 4) Follow directions while waiting for, entering, or exiting the bus.
- 5) Classroom rules and conduct apply on the school bus.
- 6) DO NOT eat or drink on the bus.

- 7) Keep the bus clean.
- 8) Do not throw anything on or out of the bus. Use the trash can.
- 9) Riders must not tamper with the bus or its safety devices.
- 10) Remain 100% quiet when approaching Railroad Crossings.
- 11) Never extend **anything** outside the bus windows.
- 12) Dangerous/Hazardous materials must not be brought on the bus.
- 13) Do not forget or leave any personal items on the bus.

Each driver has the authority to maintain proper order and discipline on his/her bus and to arrange the seating of students as he/she sees fit. Drivers are asked to report to the office any student who is discourteous or disorderly.

8. Study halls: Students in the high school are assigned to permanent study halls. It is a regular assignment in each student's schedule, and it should be utilized for homework, class preparation, and overall scholastic improvement. Rules for study halls include the following.

- a. Be in study hall in the seat assigned by the study hall teacher when the bell rings.
- b. Bring homework assignments, pencils, paper, textbooks, etc.
- c. If you want to leave study hall to go to another room, you must either present your study hall teacher with a written pass, or your study hall teacher must have prior notification from the staff member you want to visit.
- d. Bathroom and locker passes will be kept to a minimum.
- e. Students wishing to use the library are to report directly there. Attendance will be verified from the library.
- f. No student will be released from study hall or class to use the telephone, except in cases of an emergency.

9. Make-Up Assignments: Students excused from school for a field trip, sporting event, or any other school related reason are to contact their teachers prior to their departure and submit all work due that day and receive all assignments for the period of time they are excused. Teachers will accept make-up work from students who have been "Excused" absent from school under the following conditions: illness, death in the family, educational excuses with **prior approval** by the Principal or Guidance Office. Prior arrangements are to be made with the teacher whenever possible.

- a. Students will contact their teacher(s) before leaving for an excused absence. If the absence was not anticipated, students must contact their teacher(s) after returning from an appointment.
- b. Students will contact the teacher on the day of return from an all-day absence to determine the nature of the class work and assignments missed.
 - i. Except for extended absences due to illness, students who are absent one day are to complete all work within 24 hours of their return to school.
 - ii. Students who are absent for more than one day are to make up all work within one calendar week from the date of their return to school.
 - iii. Students are expected to be present on the days of their local final exams and state assessments; make-ups will not always be available.
 - iv. Make-up tests will not necessarily be the same as the test taken by students who were in class on test day.
 - v. Students may be required to complete the make-up test at a time other than class time.
 - vi. For students who have been "Unexcused" absent from school, the following conditions may apply: (Example: - Truancy)
 1. No credit will be given for make-up work.
 2. Students will receive a "zero" for all quizzes and tests given during

the absence.

- 10. Cafeteria:** In order to keep the cafeteria clean and attractive, the following rules must be observed, or use of the cafeteria will be denied and an alternate location assigned:
- a. Each student is responsible for keeping his/her eating area clean. Each student must dispose of his/her own trash and return the tray and dishes.
 - b. Students must go to the end of the line. No cutting is permitted.
 - c. Students should speak in a normal voice, no shouting, whistling, or making unnecessary noise.
 - d. Students should remain in their seats and stay at their table. They should only get up to dispose of trash and then return to the table.
 - e. Students are not allowed to roam about the cafeteria.
 - f. Cafeteria monitors are in charge and must be seen for permission to leave the cafeteria.
 - g. Students must conduct themselves courteously with cafeteria monitors and cafeteria employees.
 - h. Students must refrain from inappropriate language or behavior such as horseplay in the lunchroom.
 - i. Students should not throw food.
- 11. Lockers:** Each student at the middle/high school will be assigned a locker at the beginning of the school year. In the interest of protecting students' property and lockers, the following rules should be strictly observed:
- a. Never share combinations with others
 - b. Never pre-set combinations; after the lock is closed, spin the dial.
 - c. Memorize combination and then destroy written records.
 - d. If your lock is tampered with or broken into, report it to the office immediately.
 - e. Kicking or slamming locker doors make them irreparable. Please report mechanical problems to the main office.
 - f. Keep lockers clean and neat.
 - g. LEAVE VALUABLE ITEMS AT HOME.
 - h. Those deliberately jamming lock mechanisms will lose locker privileges for two weeks.

ALL STUDENTS RECEIVE LOCKERS ON A LOAN BASIS. LOCKERS, AS WELL AS ALL PROPERTY OWNED BY THE SCHOOL DISTRICT, WILL BE INSPECTED PERIODICALLY BY AUTHORIZED SCHOOL PERSONNEL. IN CASE OF THEFT, VANDALISM, CONTRABAND, I.E. DRUGS, STOLEN PROPERTY, FIRE ALARMS OR COMMERCIAL ENDANGERMENT, POLICE AGENCIES MAY BE CALLED IN TO INSPECT LOCKERS.

12. Physical Education:

- a. **GENERAL REQUIREMENTS:** Students in grades 4 through 12 will be required to have appropriate gym wear including non-marking sneakers. For the MHS, PE teachers will review what will be required for attire during the first PE class. All middle and high school students will be issued a locker and lock for physical education class. Each student is responsible for the security of the lock and locker. If the lock is not returned at the end of the school year, the student will be charged \$10.00.
- b. **MIDDLE/HIGH SCHOOL PARTICIPATION POLICY:** A student may receive a participation grade of zero for not coming to class with proper physical education attire, for refusing to participate in the class that day, for being disruptive in class or any attitude or behavior the instructor deems detrimental to the physical education class. The student must remain with the class and will participate to the extent they are able to without proper attire. One participation grade of zero each quarter may be eliminated by completing one scheduled after-school session in the weight room (in pool if the zero was earned in swim class). Students with temporary medical excusals for physical education will be expected to participate in a program as outlined by their doctor.

If a student cannot participate in PE per a doctor's note than that student may not participate in any after school sports (games or practices) for the duration of the doctor's note.

- c. **HOMEBOUND STUDENTS:** If a student is on an excused homebound program, s/he will need to complete an approved instructional program for physical education credit. A student with a medical excuse, which prohibits ALL participation in physical education, must have an alternate program approved (ex: physical therapy).

- 13. Field Trips:** A field trip is a carefully planned extension of the instructional program. A combined information-permission form explaining the trip will be sent home by the teacher. No child may go on a field trip without parental permission. Trips to other school buildings within the District do not require written permission. Behavior of students is expected to be mature and respectful. Disruptive behavior will not be tolerated. A child whose behavior is unacceptable prior to the trip will be kept at school or sent home. If a child has a difficult time with self-control, the parent may be requested to assist their child on the trip, or the child may be kept at school, and/or the parents will be notified and the child sent home. On overnight field trips, students are not permitted in the rooms of those of the opposite sex; students in violation may be sent home at their parents' expense. The Code of Conduct applies on all field trips.

Textbooks, Laptops, Library books and any other Electronic Devices: Students are required to treat textbooks with respect and not destroy or misuse them. Textbooks should be covered to prolong the life of the book. Students who damage or lose books, laptops, or other electronic devices will be required to pay for the replacement.

- 14. Fines/Loss of school property:** Students are required to pay for lost or damaged school property. At the middle/high school, those with outstanding fines will be placed on extra-curricular suspension until the fines have been paid. Students are prohibited from attending any functions outside the regular school day while on such a suspension.
- 15. 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. **We strongly encourage parents to play an active role in determining how their children dress for school.**

Student attire and appearance shall:

- a. Be safe, appropriate, and not disrupt or interfere the educational process. At times, classroom activities may dictate what is deemed safe.
- b. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
 1. Roller sneakers worn to school must have the wheels removed.
 2. Flip flops are not allowed PreK -12 as a safety precaution. Flip-flops are "shoes" made of a soft fabric with wear characteristics and usually a plastic coating on the foot side of the shoe (as opposed to the bottom surface). There is a plastic cord fastened at the bottom/front of the shoe with a "button" that is visible on the bottom of the shoe. This cord passes through the shoe and extends between the great toe and the first toe of the wearer. This cord then splits into two cords that wrap around both sides of the foot (below the ankle) and are secured to the side/back of the shoe. ALCS D will not be held responsible for any injuries sustained as a result of a person wearing flip-flops with the button showing through the bottom while on school grounds.
- c. Ensure that underwear/undergarments are completely covered with outer clothing. No outerwear that exposes parts of undergarments should be worn.
- d. Not include see-through garments. Strapless garments are allowed at formal dances only. Modest tanks are appropriate as long as the chest area is covered. There

should be minimal exposure of skin between the bottom of the shirt and the top of the pants, shorts, skirts, kilts, etc., and between the neck and the waist on the back of a person. Cleavage showing is prohibited. Course specific exceptions to the dress code will be provided by the teacher in writing.

- e. Not include any article that poses (or may pose) a threat to the health, safety, and wellbeing of others (including but not limited to decorative chains, wallet chains, studded apparel).
- f. No hats between the student's entrance into their first period and the exit from their last period of the day. This includes the wearing of hats in the classrooms, theater, PE, lunchtime cafeteria, and hallways during the school day except for medical or religious purposes and special events approved by the principal. Safety concerns dictate that the hoods on a sweatshirt or similar clothing will not be worn up around the head while inside the building nor will other headwear that may be deemed a safety concern.
- g. Prohibit excessive use of perfumes and other sprays.
- h. Prohibit backpacks and gym bags during the school day. Backpacks and gym bags must remain in a student's locker during the day.
- i. Not include items that are vulgar, obscene, or libelous or that denigrate others on account of a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.
- j. Not promote and/or endorse the use of alcohol, tobacco, synthetic cannabinoids, or other look-a-like tobacco or drug products or illegal or synthetic drugs and/or encourage other illegal or violent activities, including depicting weapons.
- k. Not include tight fitting garments. Inappropriate length of shorts, skirts, and dresses will be determined by administration when necessary. Visible undergarments are prohibited, as is any clothing promoting drugs, sex, alcohol, and tobacco products.
- l. Not include personal appearance choices that interfere with the educational process.
- m. Carry school identification at all times in the middle/school.
- n. No flag is to be carried around or worn as apparel.

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. This may involve contacting a parent for a replacement item or wearing one provided by the school. Any student who refuses to do so shall be subject to discipline, up to and including 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.

16. Bullying

Reports of Allegations of Bullying/Cyberbullying Behavior:

Any student who believes that he/she is being subjected to bullying/cyberbullying behavior, as well as any other person who has knowledge of or witnesses any possible occurrence of bullying, shall report the bullying, online, the bully box or to any staff member or the Building Principal.

Prevention and Intervention:

Personnel at all levels are responsible for taking corrective action to prevent bullying/cyberbullying behavior of which they have been made aware of. These behaviors should be reported to the DASA coordinator to ensure appropriate responses to bullying will be taken, with discipline assigned according to the level of misconduct. (See Appendix)

17. Vandalism – Theft

Students are responsible for proper use and security of all school property, equipment, and materials loaned to them. Defacing, destroying, or stealing the property of the district will be treated with

disciplinary action. Every effort will be made to apprehend the offender and require repair or restitution by the student or his/her parents. Students found in the act of vandalism or theft also stand the possibility of being turned over to the local law enforcement agencies for prosecution. Students should refrain from bringing valuable items or large sums of money to school whenever possible. If necessary, take all steps to ensure safety and security of these valuables.

18. Alcohol, Drugs, and Smoking

Student possession, use, sale, distribution, promotion, including and social media, or being under the influence of alcoholic beverages, tobacco products, and other drugs, synthetic drugs, edibles, look-a-like drugs, e-cigarettes, vaping devices, oils used in vaping, or any related paraphernalia is banned on school property (including busses) and at school functions. Violation of this regulation by students will result in the following:

- A. Immediate notification of parents and external suspension of the student according to the Progressive Disciplinary Sequence Code and/or
- B. Informing parents/guardians of local evaluation programs.
- C. In cases where a student is found in possession of an illegal substance, local law enforcement will be contacted, and a Superintendent's Hearing will be convened.

Extra-curricular suspensions for these violations apply to all school activities during and outside of the school day (i.e.: dances, athletic events, and field trips). Athletes are also subject to the penalties as stated in the Athletic Code of Conduct.

Smoking and drinking alcohol by adults is prohibited on school property and at school functions. Violators will be asked to cease or leave the premises. Additionally, all adults are prohibited from being in possession, using, selling, distributing, or being under the influence of any illegal substance on school property or at school functions. Violators will be reported to law enforcement and asked to leave the premises.

19. Articles Prohibited on School Property

Problems can arise when students bring articles which are hazardous to the safety of others or interfere with school procedure. Such items include any actual weapons, guns, knives, toy guns, toy knives, water pistols, laser pointers, lighters, slingshots, chains, and aerosol cans. These and similar items are strictly prohibited on school grounds, and individuals will be appropriately disciplined. Skateboards, roller blades, roller shoes, skates, and scooters are not to be used on school property.

20. Weapons

No student is to be in possession of any item that may be determined to be a weapon (see "definitions" section) while on school property. Students found to be in possession will be punished to the fullest extent of the school disciplinary code and reported to the appropriate local police agency.

21. Academic Conduct

All students are expected to display academic honesty and any incidents of academic misconduct such as: copying, cheating, lying, stealing etc. will be viewed as violating academic conduct and subject to discipline.

22. Cell Phones and Internet Enabled Electronic Devices: (Grades 6-12) Rules:

Internet Enabled Devices

Rationale: By removing devices (and their impact) from the school day, ALCSD is committing to increased learning and engagement for all students.

By implementing this plan, ALCSD is prioritizing the safety and well-being of all our students and staff, while promoting the best learning environment possible.

Students (6th grade through 12th grade) are not allowed to have cell phones, wireless headphones/earbuds, smart watches or any other smart devices that possess the ability to send or receive text messages, on their persons for the duration of the school day. If any of these items are brought to school, they must be **turned off and in their lockers** when the second bell rings at 7:54 a.m. until the dismissal bell at 2:54 p.m. Violations of this policy will result in the following:

Violation 1: Device will be confiscated by a staff member and taken to the office. The student will pick up the device in the office at the end of the school day.

Violation 2: Device will be confiscated by a staff member and taken to the office. The student's parent/guardian will be notified; arrangements will be made for the device to be picked up by the parent/guardian.

Violation 3 or more: These will result in the same consequences as Violation 2, and a discipline referral will also be issued to the student, resulting in further consequences per the Code of Conduct and to the discretion of Administration.

Please note that certain medical conditions or emergency situations may warrant the need for flexibility in this policy. Concerns of this nature will be processed through the administrative office in collaboration with the school district's medical director on a case-by-case basis.

23. Harassment

The Board of Education affirms its commitment to nondiscrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation as required by Federal and State law. Harassment is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits all forms of discrimination and harassment on the basis of race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, gender, age, marital status, military status, veteran status, disability, use of a recognized guide dog, hearing dog or service dog, or domestic violence victim status by employees, school volunteers, students, and non-employees such as contractors and vendors as well as any third parties who are participating in, observing, or otherwise engaging in activities subject to the supervision and control of the District.

Sexual orientation is defined as heterosexuality, homosexuality, bisexuality, or asexuality, whether actual or perceived. DASA includes gender as a protected category and defines gender as "a person's actual or perceived sex and includes a person's gender identity or expression."

The Board also prohibits harassment based on individual's opposition to discrimination or participation in a related investigation or complaint proceeding under the anti-discrimination statutes. This policy of nondiscrimination and anti-harassment will be enforced on School District premises and in school buildings; at all school-sponsored events, programs and activities, including those that take place at locations off school premises and in another state.

For purposes of this policy, harassment shall mean communication (verbal, written or graphic) and/or physical conduct based on an individual's actual or perceived race, color, creed, religion, national origin, political affiliation, sex, sexual orientation, gender, age, marital status, military status, veteran status, disability, use of a recognized guide dog, hearing dog or service dog or domestic violence victim status that:

- a.) Has the purpose or effect of substantially or unreasonably interfering with an individual's work performance or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual; and/or creates an intimidating, hostile or offensive work environment;
- b.) Has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creates an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit;

c.) Otherwise adversely affects the employment and/or educational opportunities and benefits provided by the District.

For additional information on: complaints and grievances, investigations, prohibition of retaliatory behavior, findings, false accusations, etc., please see the 2012 Board of Education District Policy #3420.

24. Driving and Parking

All provisions of *ALCS Student Driving and Parking Privileges* – see the High School webpage – are encompassed in this Code.

No one is permitted to drive or park any recreational vehicle on school property, including but not limited to: dirt bikes, snowmobiles, UTVs, and ATVs.

V. Extra-Curricular Activities

Students participating in extra-curricular activities for Allegany-Limestone Central School are expected to carry themselves to a higher standard as they are representing themselves, their fellow classmates, the District, and the community.

Each athlete will participate under the eligibility requirements, rules, and regulations of the New York State Commissioner of Education, the New York State Public High School Athletic Association, and the Board of Education. Each athlete will also observe all training rules written and established by the coach. An athlete may not leave a sport to join another, except under conditions approved by the Athletic Director and coaches involved.

A. Attendance – To be eligible to participate in the next scheduled activity or event, students must be in school at the start of the first period, on the day of and the day following an event. Students must also be in school for a minimum of four periods during the day of an event to participate. Should the student provide a reasonable written excuse that can be substantiated, the student will not be denied the right to participate.

B. Transportation Involving Away Athletic Events - Cheerleaders and players will ride to and from all athletic contests by transportation provided by the school district. An athlete may ride with his/her parent/guardian upon receiving mutual consent of the parent/guardian and coach and a written note personally given to coach from parent/guardian.

C. Dress and Conduct - Students are expected to act as ladies and gentlemen and to dress appropriately when representing the school. The student should always be cognizant that they not only represent themselves, but their family, coach, team, school, and community.

D. Illegal Substances - A student will not manufacture, distribute, possess, procure or use illegal drugs, synthetic drugs, look-a-like drug or tobacco products, controlled substances, alcohol, or tobacco products. Possession means to have physical possession or otherwise to exercise dominance or control over tangible property in accordance with New York State Penal Law, Section 10-#8. Students are encouraged to avoid attending parties or other social gatherings where alcohol and/or drugs are being used.

E. Reporting of Violations - Reports of alleged violations coming from any district employee, any adult acting as a chaperone or assisting with a school activity at the request of a district employee, any law enforcement officer or agency, or a parent/legal guardian of the student involved, having personally witnessed the alleged violation must be investigated. The witness must submit to the Principal a signed report outlining the alleged violations within three (3) business days of the incident in question.

Reports of alleged violations from persons other than those mentioned in (A) above must be made by the person witnessing the incident. Those reports must be documented and considered by the Principal. If the Principal determines that the alleged violation is valid, the witness must submit a signed report to the Principal within three (3) business days.

If the district obtains knowledge of the conviction of a student in a court of law for an offense covered, the investigation procedure will apply with this conviction constituting a violation of these eligibility rules. Procedures upon report of an alleged violation, the Principal shall immediately provide verbal notice, followed by written notice, to the student and his/her parents/guardians, that an investigation of the alleged violation is taking place. The reasons for the investigation and the possibility of suspension or removal from extracurricular activities will be included in the notice. The activity advisor and/or coach shall also be informed immediately.

The student and the student's parents/guardians will meet with the Principal and other staff, as appropriate, within two (2) school days following the initial notification of the alleged violation. Those attending the meeting will be given the opportunity to question the information upon which the alleged violation is based, and to submit additional information or explanations.

The Principal will make a final determination in the matter within three (3) business days, and a verbal and written notice will be given promptly to both students and parent/guardian and the coach or activity advisor.

F. Responses to Violation

1. **First Violation** - Upon determination of a first violation the student shall be removed from participation in any and all extracurricular/interscholastic activities for the period of eight (8) school weeks. This period may be shortened by up to four (4) weeks if the student provides approved documentation of one (1) professional counseling session (at student's expense) each week, for a maximum of four (4) weeks. Professional counseling refers to counseling completed with a licensed/certified drug or alcohol counselor. The student/athlete is required to attend practices and games, non-dress and non-active. This is to maintain team cohesiveness and to keep the student/athlete up-to-date on new changes and team activities.

2. **Second Violation** - Upon determination of any subsequent violation of Article V during that school year, the student shall be removed from participation in all extracurricular/interscholastic activities for the remainder of the school year, or twenty (20) school weeks, whichever is longer. In the event that the school year ends before the full four (4) week removal (first violation), or the full twenty (20) week removal (second violation) is completed, the remaining removal weeks carry over to the next school year and the individual removed from participation remains ineligible until the removal period is completed.

G. Appeals - The in-district appeal process will be scheduled for completion within ten school days.

The following process will be used:

a. The student and/or parent/guardian have the right to appeal any determination made by the Principal to an Appeals Committee. Any individual choosing to begin the appeal process will contact the Athletic Director who will convene an Appeals Committee. All parties are entitled to

be present and address the committee. The decision of the Appeals Committee shall be rendered within two (2) business days and notice given to all parties.

b. The student and/or parents/guardian have the further right to appeal any determination made by the Appeals Committee to the Superintendent who shall make a determination within three (3) business days.

c. Additionally, the Board of Education has the power to review the decisions of the Superintendent. Any party involved may contact the President of the Board of Education to arrange for such an appeal. The Board of Education shall meet and render a decision within five (5) business days.

d. Finally, outside of the school district procedures, appeals may be made to The Commissioner of Education in Albany and/or the court system. Advice regarding these levels of appeal should be sought from a qualified individual.

VI. DISCIPLINE CODE

A full copy of this district code of conduct is available for review on the district web site and through the Superintendent's Office.

The Board of Education expects all students to conduct themselves in an appropriate and civil manner, with proper regard for the rights and welfare of other students, district personnel and other members of the school community, and for the care of school facilities and equipment. The best discipline is self-imposed, and students must learn to assume and accept responsibility for their own behavior, as well as the consequences of their misbehavior. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline. The board recognizes the need to make its expectations for student conduct while on school property or engaged in a school function specific and clear.

THE ONLY WARNING THAT WILL BE GIVEN IS THE FIRST DAY OF SCHOOL. STUDENTS MAY ALSO BE ASSIGNED TO THE ALTERNATE LEARNING CENTER BY THE PRINCIPAL, WHEN NECESSARY.

Students attend school for an education and they do not have the right to disrupt that process for anyone else. Once an infraction of the rules occurs and the student finds himself/herself in the Principal's office, an appropriate penalty will be enforced. Once the detentions have been used, and the student does something that calls for a detention, there is enough paperwork to show chronic disruption to result in a harsher penalty.

A. REPORTING VIOLATIONS

All students are expected to promptly report violations of the code of conduct to a teacher, guidance counselor, the building principal or his or her designee. Any student observing a student possessing a weapon, alcohol or illegal substance on school property or at a school function shall report this information immediately to a teacher, the building principal, the principal's designee or the superintendent. All district staff that is authorized to impose disciplinary sanctions is expected to do so in a prompt, fair and lawful manner. District staffs that are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct to their supervisor, who shall in turn impose an appropriate disciplinary sanction, if so authorized, or refer the matter to a staff member who is authorized to impose an appropriate sanction. Any weapon, alcohol or illegal substance found shall be confiscated immediately, if possible, followed by notification to the parent of the student involved and the appropriate disciplinary sanction if warranted, which may include permanent suspension and referral for prosecution.

All students and district staff are expected to promptly report any discrimination, harassment and/or bullying situation to the Dignity Act Coordinator.

The building principal or his or 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 or her designee learns of the violation. The notification may be made by telephone, followed by a letter mailed on same day as the telephone call is made. The notification must identify the student and explain the conduct that violated the code of conduct and constituted a crime.

The Dignity Act Coordinator will collect and record all incidences of discrimination, harassment and bullying. This reporting mechanism may help form the basis for collecting data that can be useful in assessing school climate.

B. Disciplinary Penalties, Procedures and Referrals

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline. Disciplinary action, when necessary, will be firm, fair and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will

consider the following:

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

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability or presumed to have a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

C. Penalties:

Students who are found to have violated the district's code of conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process. In the event of a violation requiring a disciplinary report, the school personnel involved will complete a building disciplinary referral form.

1. Oral warning – any member of the district staff
2. Lunch detention – lunch monitors, coaches, guidance counselors, teachers, vice-principal, principal, superintendent
3. Written warning – bus drivers, hall and lunch monitors, coaches, guidance counselors, teachers, vice-principal, principal, superintendent
4. Written notification to parent – bus driver, hall and lunch monitors, coaches, guidance counselors, teachers, vice-principal, principal, Superintendent
5. Detention – teachers, vice-principal, principal or the principal designee, superintendent
6. Suspension from transportation – director of transportation, vice-principal, principal, superintendent
7. Suspension from athletic participation – coaches, vice-principal, principal, superintendent
8. Suspension from social or extracurricular activities – activity director, vice-principal, principal, superintendent
9. Suspension of other privileges including field trips and outside school events –teachers, vice-principal, principal, superintendent
10. In-school suspension – vice-principal, principal, superintendent
11. Removal from classroom by teacher – teachers, vice-principal, principal
12. Short-term (five days or less) suspension from school – principal, superintendent, board of education
13. Long-term (more than five days) suspension from school –superintendent, board of education
14. Permanent suspension from school – superintendent, board of education.

D. 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.

- **Detention:** Teachers, principals or the principal designee and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. Detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation home following detention. Detention will be utilized as a method of dealing with students who violate school rules and regulations, or to complete unfinished assignments. The detention period will run from 3:00 p.m. to 4:00 p.m. on Tuesday and Thursday in the assigned teacher's classroom for high school students and on Tuesday only in the assigned teacher's classroom for middle school students. Disruptive behavior during the period will result in an additional detention period on the next detention day. Failure to report will result in movement to the next level of infraction available on the disciplinary card. Students may be assigned to detention on the day of their infraction or they may be notified in advance.
- **Suspension from transportation:** Students with driving/parking privileges will lose the right to drive/park on school grounds for failure to obey rules of safe driving. Those who lose this privilege or drive/park on school grounds without permission or a proper parking permit will be towed at the owner's expense. 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 Education 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.
- **Suspension from athletic participation, extra-curricular activities and other privileges:** A student subjected to a suspension from athletic participation, extracurricular activity 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.
A student placed on extra-curricular suspension may not attend or participate in any extra-curricular activity for the duration of the suspension. Extra-curricular activities include all school athletic events, dances, socials, club meetings, or any school sponsored team or activity. Students may be placed on extra-curricular suspension at the discretion of the Principal for one or more of the following reasons:
 - a. Any violation of the district code of conduct
 - b. Inappropriate conduct or abuse of existing rules and regulations at an extra-curricular activity
 - c. Failure to pay fines associated with damage, destruction, or loss of school property within thirty (30) days of notification
 Whenever a student is to be suspended he/she will be informed of the reason and conditions of the suspension.
- **In-school Suspension:** The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals and the superintendent to place students who would otherwise be suspended from school as the result of a code of conduct violation in "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. **Any Full Day In-School Suspension revokes after school privileges of that student for the day(s) In-School is served.**

- **Alternate Learning Center** - The alternate learning center may be utilized as a method of dealing with students who **repeatedly** violate school rules and regulations. This program will operate during the school day under the direction and instruction of an administrator.
- **Teacher disciplinary removal of disruptive students:** A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time out" in an elementary classroom or in an administrator's office; (2) sending a student into the hallway briefly; (3) sending a student to the principal's office for the remainder of the class time only; or (4) sending a student to a guidance counselor or other district staff member for counseling.

Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code. On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules. A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only. If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

If the student poses a danger or ongoing threat of disruption, the teacher may order the student to be removed immediately. The teacher must, however, explain to the student why he or she was removed from the classroom and give the student a chance to present his or her version of the relevant events within 24 hours. The teacher must complete a district established disciplinary removal form and meet with the principal or his or her designee as soon as possible, but no later than the end of the school day, to explain the circumstances of the removal and to present the removal form. If the principal or designee is not available by the end of the same school day, the teacher must leave the form with the 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 or teacher designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with 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's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal. The principal or the principal's designee may overturn the removal of the student from class if the principal finds any one of the following:

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

The principal or his 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 the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less. Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom.

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

- **Suspension from school:** Suspension from school is a severe penalty, which may be imposed only upon students who are insubordinate, disorderly, illegal, 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. 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. **Suspension** - The continuous education of any student is essential. However, students **MAY** be suspended up to five consecutive days from required attendance for one or more of the following reasons:
 - a. Truancy, excessive tardiness.
 - b. Widespread abuse of existing rules and regulation.
 - c. Conduct which endangers the safety, health, morals, or welfare of other students, staff, and others.
 - d. Chronic insubordination.
 - e. Chronic use of profanity.
 - f. Possession, use, sale, or distribution of tobacco products, drugs, synthetic drugs, look-a-like drugs, electronic cigarettes, or alcoholic beverages on school property or at school sponsored events.
 - g. Vandalism.
 - h. Theft.
 - i. Fighting.
 - j. Sexual activity on school property or at school events.
 - k. Refusal to comply with the reasonable request of an administrator.

Whenever a student is to be suspended he/she will be informed of the reason and the conditions of the suspension. An explanatory letter will be mailed to the parent/guardian and possibly a phone call will be made to the parents/guardians. Students on suspension are responsible for all class and homework assignments missed during the suspension. Students on suspension will receive zeros unless class work is made up and presented upon return to the satisfaction of the teacher.

On occasion, in order to promote the general welfare of all parties in the school community, it is prudent to remove a student from school. Students who have been placed on external suspension are excluded from being on school property or at school functions. In order for a student to be re-admitted following an external suspension, a conference may take place between the parent(s) and the Principal. Failure to attend this conference will result in a hearing with the Superintendent of Schools.

The superintendent or principal, upon receiving a recommendation or referral for suspension or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, and if necessary impose the following:

- Short-term (5 days or less) suspension from school. When the superintendent or principal (referred to as the “suspending authority”) proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law §3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student’s parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents. The notice shall provide a description of the charges against the student and the incident for which suspension is proposed and shall inform the parents of the right to request an immediate informal conference with the principal. Both the notice and informal conference shall be in the dominant language or mode of communication used by the parents. At the conference, the parents shall be permitted to ask questions of complaining witnesses under such procedures as the principal may establish. The notice and opportunity for an informal conference shall take place before the student is suspended unless the student’s presence in school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process. If the student’s presence does pose such a danger or threat of disruption, the notice and opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable. After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent’s decision, they must file a written appeal to the board of education with the district clerk within 10 business days of the date of the superintendents’ decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the board may be appealed to the Commissioner within 30 days of the decision.
- Long-term (more than 5 days) suspension from school. When the superintendent determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student’s parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf. The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the

hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record. The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof. An appeal of the decision of the superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The board may adopt in whole or in part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

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

E. Minimum Periods of Suspension:

1. **Students who bring a weapon to school** - Any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:
 - a. The student's age.
 - b. The student's grade in school.
 - c. The student's prior disciplinary record.
 - d. The superintendent's belief that other forms of discipline may be more effective.
 - e. Input from parents, teachers and/or others.
 - f. Other extenuating circumstances. A student with a disability may be suspended only in accordance with the requirements of state and federal law.
2. **Students who commit violent acts other than bringing a weapon to school** - Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property, shall be subject to suspension from school for at least five days. If the proposed penalty is the minimum five day suspension, the student and the student's 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 given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.
3. **Students who are repeatedly substantially disruptive of the educational process or repeatedly substantially interfere with the teacher's authority over the classroom** - Any student, other than a 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 Education Law §3214(3a) 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 same notice and opportunity for an informal conference given to all students subject to a

short-term suspension. If the proposed penalty exceeds the minimum five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

F. Referrals

1. **Counseling** - The Principal or Guidance Office shall handle all referrals of students to counseling.
2. **PINS Petitions** - The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:
 - a. Being habitually truant or not attending school as required by part one of Article 65 of the Education Law.
 - b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
 - c. Knowingly and unlawfully possessing marijuana in violation of Penal Law § 221.05. A single violation of § 221.05 will be a sufficient basis for filing a PINS petition.
3. **Juvenile Delinquents and Juvenile Offenders** - The superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:
 - a. Any student under the age of 16 who is found to have brought a weapon to school
 - b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).

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

VII. DISCIPLINE OF STUDENTS WITH DISABILITIES

The board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations. This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state laws and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities:

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

IEP, and include services and modifications to address the behavior which precipitated the IAES placement that are designed to prevent the behavior from recurring.

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

1. 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 consecutive school days and not to exceed the amount of time a non-disabled student would be subject to suspension for the same behavior.
2. The superintendent may order the placement of a student with a disability into an IAES, another setting or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under subparagraph (a) above for the same behavior, if the superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
3. The superintendent may order additional suspensions of not more than 10 consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
4. The superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to school or to a school function, or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function.
 - “Weapon” means the same as “dangerous weapon” under 18 U.S.C. § 930(g)(w) which includes “a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except...[for] a pocket knife with a blade of less than 2 1/2 inches in length.”
 - “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.
 - “Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed healthcare professional or that is legally possessed or used under any other authority under the Controlled Substances Act or any other federal law.

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

B. Change of Placement Rule:

A disciplinary change in placement means a suspension or removal from a student’s current educational placement or educational setting 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 or add up 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.

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

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

1. The district's Committee on Special Education shall:
 - a. Conduct functional behavioral assessments to determine why a student engages in a particular behavior, and develop or review behavioral intervention plans whenever the district is first suspending or removing a student with a disability for more than 10 school days in a school year or imposing a suspension or removal that constitutes a disciplinary change in placement, including a change in placement to an IAES for misconduct involving weapons, illegal drugs or controlled substances. If subsequently, a student with a disability who has a behavioral intervention plan and who has been suspended or removed from his or her current educational placement for more than 10 school days in a school year is subjected to a suspension or removal that does not constitute a disciplinary change in placement, the members of the CSE shall review the behavioral intervention plan and its implementation to determine if modifications are necessary. If one or more members of the CSE believe that modifications are needed, the school district shall convene a meeting of the CSE to modify such plan and its implementation, to the extent the committee determines necessary.
 - b. Conduct a manifestation determination review of the relationship between the student's disability and the behavior subject to disciplinary action whenever a decision is made to place a student in an IAES either for misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension that constitutes a disciplinary change in placement.
2. The parents of a student who is facing disciplinary action, but who has not been determined to be eligible for services under IDEA and Article 89 at the time of misconduct, shall have the right to invoke applicable procedural safeguards set forth in federal and state law and regulations if, in accordance with federal and state statutory and regulatory criteria, the school district is deemed to have had knowledge that their child was a student with a disability before the behavior precipitating disciplinary action occurred. If the district is deemed to have had such knowledge, the student will be considered a student presumed to have a disability for discipline purposes.
 - a. The superintendent, building principal or other school official imposing a suspension or removal shall be responsible for determining whether the student is a student presumed to have a disability.
 - b. A student will not be considered a student presumed to have a disability for discipline purposes if, upon receipt of information supporting a claim that the district had knowledge the student was a student with a disability, the district either:
 - i. conducted an individual evaluation and determined that the student is not a student with a disability
or
 - ii. determined that an evaluation was not necessary and provided notice to the parents of such determination, in the manner required by applicable law and regulations. If there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other non-disabled student who engaged in comparable behaviors. However, if a request for an individual evaluation is made while such non-disabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted and completed in the manner prescribed by applicable federal and state law and regulations. Until the expedited evaluation is completed, the non-disabled student who is not a student presumed to have a disability for discipline purposes shall remain in the educational placement determined by the district, which can include suspension.
3. The district shall provide parents with notice of disciplinary removal no later than the date on which a decision is made to change the placement of a student with a disability to an IAES for either misconduct involving weapons, illegal drugs or controlled substances or because maintaining the student in his/her current educational setting poses a risk of harm to the student or others; or a decision is made to impose a suspension or removal that constitutes a disciplinary change in placement. The procedural safeguards notice prescribed by the Commissioner shall accompany the notice of disciplinary removal.
4. The parents of a student with disabilities subject to a suspension of five consecutive school

- days or less shall be provided with the same opportunity for an informal conference available to parents of non-disabled students under the Education Law.
5. Superintendent hearings on disciplinary charges against students with disabilities subject to a suspension of more than five school days shall be bifurcated into a guilt phase and a penalty phase in accordance with the procedures set forth in the Commissioner's regulations incorporated into this code.
 6. The removal of a student with disabilities other than a suspension or placement in an IAES shall be conducted in accordance with the due process procedures applicable to such removals of non-disabled students, except that school personnel may not impose such removal for more than 10 consecutive days or for a period that would result in a disciplinary change in placement, unless the CSE has determined that the behavior is not a manifestation of the student's disability.
 7. During any period of suspension or removal, including placement in an IAES, students with disabilities shall be provided services as required by the Commissioner's regulations incorporated into this code.

D. Expedited Due Process Hearings:

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

1. The district requests such a hearing to obtain an order of an impartial hearing officer placing a student with a disability in an IAES where school personnel maintain that it is dangerous for the student to be in his or her current educational placement, or during the pendency of due process hearings where school personnel maintain that it is dangerous for the student to be in his or her current educational placement during such proceedings.
2. The parent requests such a hearing from a determination that the student's behavior was not a manifestation of the student's disability, or relating to any decision regarding placement, including but not limited to any decision to place the student in an IAES.
3. During the pendency of an expedited due process hearing or appeal regarding the placement of a student in an IAES for behavior involving weapons, illegal drugs or controlled substances, or on grounds of dangerousness, or regarding a determination that the behavior is not a manifestation of the student's disability for a student who has been placed in an IAES, the student shall remain in the IAES pending the decision of the impartial hearing officer or until expiration of the IAES placement, whichever occurs first, unless the parents and the district agree otherwise.
4. 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 IAES.

An expedited due process hearing shall be completed within 15 business days of receipt of the request for a hearing. Although the impartial hearing officer may grant specific extensions of such time period, he or she must mail a written decision to the district and the parents within five business days after the last hearing date, and in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extension.

E. Referral to law enforcement and judicial authorities:

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

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

VIII. 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:

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

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

IX. 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 security officials to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the district code of conduct. An authorized school official may conduct a search of a student's belongings that is minimally intrusive, such as touching the outside of a book bag, without reasonable suspicion, so long as the school official has a legitimate reason for the very limited search. An authorized school official may search a student or the student's belongings based upon information received from a reliable informant. Individuals, other than the district employees, will be considered reliable informants if they have previously supplied information that was accurate and verified, or they make an admission against their own interest, or they provide the same information that is received independently from other sources, or they appear to be credible and the information they are communicating relates to an immediate threat to safety. District employees will be considered reliable informants unless they are known to have previously supplied information that they knew was not accurate. Before searching a student or the student's belongings, the authorized school official should attempt to get the student to admit that he or she possesses physical evidence that they violated the law or the district code, or get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. Whenever practicable, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

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

B. Strip Searches - Other than removal of an outer coat or jacket, a strip search is a search that requires a student to remove any or all of his or her clothing. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the superintendent or the school attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others. Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another district professional employee who is also of the same sex as the student. In every case, the school official conducting a strip search must have probable cause – not simply reasonable cause – to believe the student is concealing evidence of a violation of law or the district code. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student's age, the student's record and the need for such a search. School officials will attempt to notify the student's parent by telephone before conducting a strip search or in writing after the fact if the parent could not be reached by telephone.

C. Documentation of Searches - The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

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

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

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

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

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

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

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

E. Child Protective Services Investigations - Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations. All requests by child protective services to interview a student on school property shall be made directly to the building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district

medical personnel must be present during that portion of the interview. No student may be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex. A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if not he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

X. VISITORS TO THE SCHOOLS

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

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

XI. Public Conduct on School Property or at School Functions

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, "public" shall mean all persons when on school property or attending a school function including students, teachers or district personnel. The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property. Students and visitors are expected to behave in a mature, respectful manner at school-sponsored public events. Behavior such as negative cheering, obscene gestures, foul language, disorderly conduct, throwing of objects, or disrupting a performance will not be tolerated. This includes any function on school property or off school property.

A. Prohibited Conduct

While on district grounds no person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
3. Disrupt the orderly conduct of classes, school programs or other school activities.
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the

- school program.
5. Intimidate, harass or discriminate against any person based upon, but not limited to a person's actual or perceived race color, weight, national origin, ethnic group, religion, religious practice, age, gender, sexual orientation or disability.
 6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
 7. Obstruct the free movement of any person in any place to which this code applies.
 8. Violate the traffic laws, parking regulations or other restrictions on vehicles.
 9. Possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, tobacco products, drugs, synthetic drugs, look-a-like drugs, or be under the influence of either on school property or at a school function.
 10. Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
 11. Loiter on or about school property.
 12. Gamble on school property or at school functions.
 13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
 14. Willfully incite others to commit any of the acts prohibited by this code.
 15. Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.

B. Penalties

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

1. **Visitors.** Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
2. **Students.** They shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements.
3. **Tenured faculty members.** They shall be subject to disciplinary action as the facts may warrant in accordance with Education Law §3020a or any other legal rights that they may have.
4. **Staff members in the classified service of the civil service entitled to the protection of Civil Service Law §75.** They shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. **Staff members other than those described in subdivisions 4 and 5.** They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant in accordance with any legal rights they may have.
6. Those in violation of the traffic laws, parking regulations or other restrictions on vehicles will have the vehicle towed at the owner's expense.

C. Enforcement

The building principal or his or her designee shall be responsible for enforcing the conduct required by this code. When the building principal or his or her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the principal or his or her designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The principal or his or her designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person's conduct poses an immediate threat of injury to persons or property, the principal or his or her designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person. The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

XII. SCHOOL RESOURCE OFFICER PROGRAM

A. What is a School Resource Officer?

A school resource officer (SRO) is a certified law enforcement officer who is assigned full time to a school. SROs have received many hours of specialized training for this duty. The concept is similar to the “officer on foot patrol” who knows the public he or she serves on a first name basis and is sensitive to their particular needs. Like many adults, some students view police officers solely as enforcers of the law. Students who have positive interactions with SROs view police officers in an entirely different light. They see the SRO as a friend, an advisor, a positive role model, and someone to turn to in time of need. The SRO also acts as a deterrent to criminal behavior through positive interactions with students and by his/her presence on the school campus. The SRO program has been implemented in over 40 states since its inception in 1951.

B. The Responsibilities of SROs

The triad concept of the School Resource Officer is that of an educator, law enforcer and counselor. Listed below are the details of each facet of this concept.

1. **Educator:** SROs visit classrooms and make presentations that concern student safety, traffic laws, general law, and crime prevention. SROs also work with individual teachers to create special programs tailored to specific units of study.
2. **Law Enforcer:** Working with school administrators, the SRO’s primary duty is to investigate criminal violations that involve students as suspects or victims.
3. **Counselor:** Students are encouraged to seek individual attention from the SRO. The SRO is available for conferences with students, parents, and staff regarding law related issues or problems.

C. Guidelines of the SRO Program

1. SROs are not disciplinarians. An SRO takes action only when a violation of the law has occurred.
2. SROs coordinate their activities with administrators and staff members, and seek advice and guidance before enacting any program within the school.
3. SROs are deputy sheriffs sworn to uphold the law.
4. SROs make presentations on various subjects of law related to education in order to increase student understanding of the laws.
5. Should it become necessary to conduct criminal investigations in the school, SROs conduct those investigations in accordance with New York State Law, school district policy, and policy of the Cattaraugus County Sheriff’s Office.

XIII. DISSEMINATION AND REVIEW

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

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

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

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

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

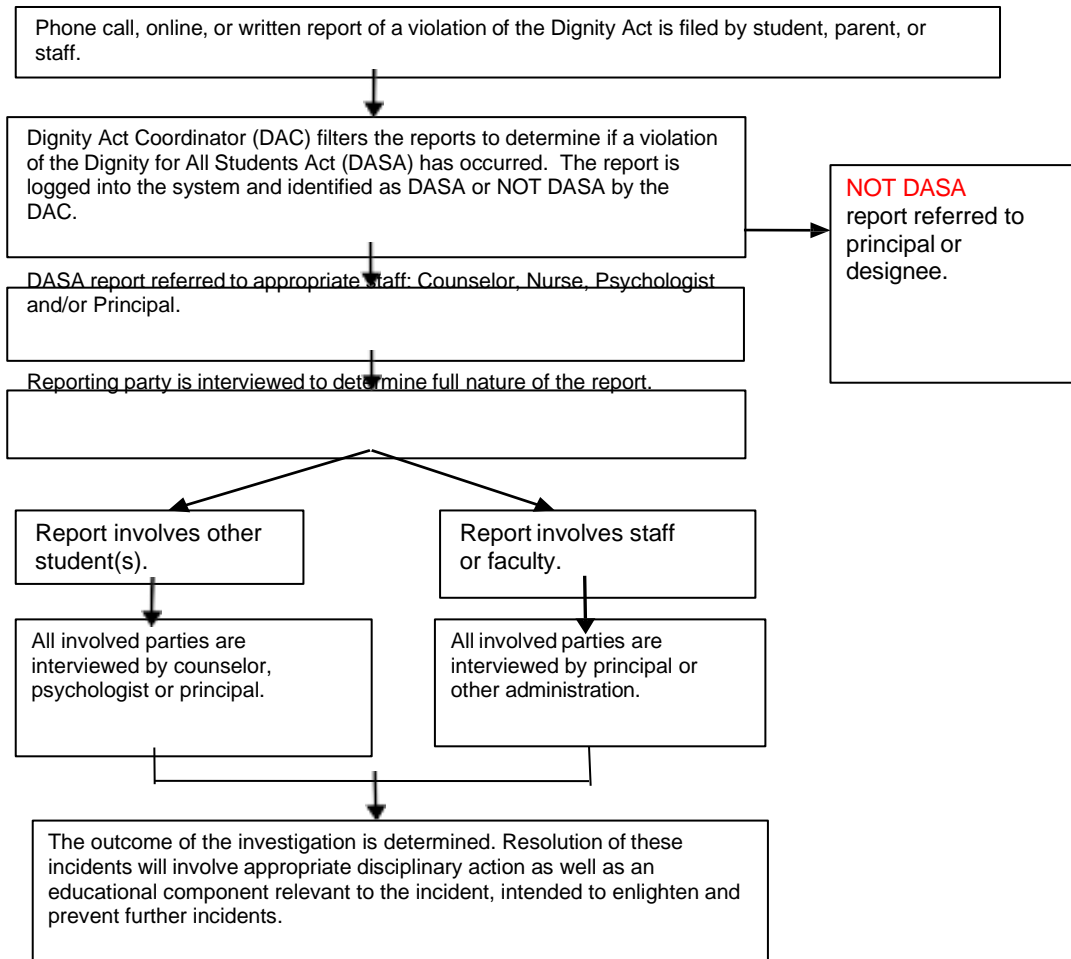
XV. Before adopting any revisions to the code, the board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

XVI. No portion of this Code of Conduct shall supersede federal, state or local regulations or the Commissioner of State Education regulations.

XVII.

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

Response flow chart for possible



The Dignity for All Students Act is not merely a set of rules for which violators are to be punished. It is intended to facilitate an educational component, teaching victims to stand up for themselves, by-standers to get involved, and aggressors to realize not only the consequence of their actions to themselves, but also the harm they bring to others.

