

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2025 1210

Bylaws 1 of 4

SUBJECT: BOARD MEMBERS: NOMINATION AND ELECTION*~~*For any type of District, other than Small City:~~*

- a) Candidates for the office of member of the Board must be nominated by a petition directed to the District Clerk which is signed by at least 25 qualified voters of the District, or by 2% of the number of voters who voted in the previous annual election, whichever is greater. Petitions must state the residence of each signer and the name and residence of each candidate.

*~~*In districts where board members hold specific seats, the nominating petition must also include a description of the specific vacancy on the Board for which the candidate is nominated including at least the length of the term of office and the name of the last incumbent, if any. Candidates may be nominated for only one vacancy.~~*

- b) The notice of the Annual District Meeting must state that petitions nominating candidates for the Board must be filed with the Clerk of the District, between 9 a.m. and 5 p.m., no later than 30 days before the Annual or Special District Meeting at which the school board election will occur.

*~~*For Small City Districts:~~*

- a) Candidates for the office of member of the Board must be nominated by a petition directed to the District Clerk which is signed by at least 100 qualified voters of the District. Petitions must state the residence of each signer and the name and residence of each candidate.
- b) The notice of the Annual District meeting must state that petitions nominating candidates for the Board must be filed with the Clerk of the District no later than 20 days before the Annual or Special District Meeting at which the school board election will occur, between 9 a.m. and 5 p.m.
- c) Voting will be by machine or paper ballot, and provision will be made for the election by "write-in-vote" of any candidate not previously nominated. The position of candidates on ballots will be determined by lot at a drawing conducted by the District Clerk on the day after the last filing. Candidates or their proxies may be present for the drawing.
- d) The hours of voting will be as indicated by Board resolution.

*~~*e) The candidates receiving the largest number of votes or, in the alternative, the largest number of votes for each specific vacancy, will be declared elected in accordance with Education Law.~~**~~*f) At least ten days prior to the election, the Board will appoint at least two inspectors of election for each voting machine or ballot box, and set their salary.~~**~~*Customize to District -- paragraphs a), b), e), and f). *For small city school districts -- three election inspectors per election district are required for small city school districts.~~*

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LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

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SUBJECT: BOARD MEMBERS: NOMINATION AND ELECTION

- g) The District Clerk will oversee the election. The Clerk will also give notice immediately to each person declared elected to the Board, informing him or her of the election and his or her term of office.
- h) Only qualified voters, as determined by Education Law Section 2012, may vote at any District meeting or election.
- i) No electioneering will be allowed within 100 feet of the polling place.
- j) When a term of office expires at the end of a school year and the office has become vacant at the time of election, the person elected to fill the new full-term vacancy also fills the remaining days of the previous term, beginning his or her term of office immediately upon election and the taking and filing of the oath of office.

Ex Officio Student Board Members

~~**For Common, Central, Union Free, and Small City School Districts:*~~

The Board will have at least one ex officio student Board member/alternate. Ex officio student Board member/alternate will be entitled to sit with Board members at all public meetings and hearings of the Board and may participate in other Board activities and responsibilities at the discretion of the Board. However, ex officio student Board member/alternate will:

- a) Not be allowed to vote;
- b) Not be allowed to attend executive sessions or any other meetings or hearings not open to the public; and
- c) Not be entitled to receive compensation of any form for participating at Board meetings.

Ex officio student Board member/alternate will serve on the Board for a term of one year, commencing July 1 and ending June 30.

Selecting Ex Officio Student Board Member/alternate

To be designated as an ex officio student Board member/alternate the student must have attended a District high school for at least one year prior to selection.

The ex officio student member/alternate of the Board may be any of the following:

- a) The student that has been duly elected as student president of the high school;

~~**Customize to District*~~

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LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

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SUBJECT: BOARD MEMBERS: NOMINATION AND ELECTION

- b) A student duly elected by the student body;
- c) A student selected by the high school student government;
- d) A student selected by the high school principal;
- e) A student selected by the Superintendent; or
- f) A student selected by a majority vote of the Board.

The District will take into consideration the number of high schools within the District and provide a mechanism which allows for fair representation among the schools.

~~**For a BOCES:*~~

~~The BOCES will have at least ***two ex officio student Board members. Ex officio student Board members will be entitled to sit with Board members at all public meetings and hearings of the Board and may participate in other Board activities and responsibilities at the discretion of the Board. However, ex officio student Board members will:*~~

- ~~a) Not be allowed to vote;~~
- ~~b) Not be allowed to attend executive session or any other meetings or hearings not open to the public;~~
- ~~c) Not be entitled to receive compensation of any form for participating at Board meetings.~~

~~Ex officio student Board members will serve on the Board for a term of one year, commencing July 1 and ending June 30.~~

~~Selecting Ex Officio Student Board Members~~

~~To be designated as an ex officio student Board member, the student must have attended a component district high school for at least one year and participate in a program that is administered by the BOCES.~~

~~**Customize to BOCES*~~

~~***Customize to BOCES — Ten or fewer component districts require one ex officio student Board member, between 11 and 20 component districts require two ex officio student Board members, and greater than 20 component districts require three ex officio student Board members*~~

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LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

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SUBJECT: BOARD MEMBERS: NOMINATION AND ELECTION

~~The BOCES has established the following process for determining which component districts will select the ex officio student Board members each school year. Ex officio student Board members will be selected from the component districts on a rotating basis to ensure fair representation over time. A predetermined rotation schedule will be developed by the Board, in consultation with the superintendents of the component districts.~~

~~When it is a component district's turn to select an ex officio student Board member, the component district will create a list of students who have been at the component district's high school for at least one year and participate in a program administered by the BOCES. The ex officio student Board member will be selected from that list by the superintendent of the component district.~~

Education Law Sections 1702, 1703, 1804, 1901, 1950, 2004, 2012, 2018, 2025, 2029, 2031-a, 2031, 2032, 2034, 2105(14), 2121, 2502, 2602, 2608(1), and 2610

Adoption Date: 04/28/2025
04/26/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

20202025

7315

Students

1 of 2

**SUBJECT: STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES
(ACCEPTABLE USE POLICY)**

The Board will provide access to various computerized information resources through the District's computer system ("DCS" hereafter) consisting of software, hardware, computer networks and electronic communications systems. This may include access to electronic mail, so-called "on-line services," "WiFi" and the "Internet." It may include the opportunity for some students to have independent access to the DCS from their home or other remote locations. All use of the DCS, including independent use off school premises, shall be subject to this policy and accompanying regulations. Further, all such use must be in support of education and/or research and consistent with the goals and purposes of the District.

Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices

This policy is intended to establish general guidelines for the acceptable student use of the DCS and also to give students and parents/guardians notice that student use of the DCS will provide student access to external computer networks not controlled by the District. The District cannot screen or review all of the available content or materials on these external computer networks. Thus, some of the available content or materials on these external networks may be deemed unsuitable for student use or access by parents/guardians.

Despite the existence of District policy, regulations and guidelines, it is virtually impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off school premises and/or with a student's own personal technology or electronic device on school grounds or at school events. Parents and guardians must be willing to establish boundaries and standards for the appropriate and acceptable use of technology and communicate these boundaries and standards to their children. The appropriate/acceptable use standards outlined in this policy apply to student use of technology via the DCS or any other electronic media or communications, including by means of a student's own personal technology or electronic device on school grounds or at school events.

Standards of Acceptable Use

Generally, the same standards of acceptable student conduct which apply to any school activity shall apply to use of the DCS. This policy does not attempt to articulate all required and/or acceptable uses of the DCS; nor is it the intention of this policy to define all inappropriate usage. Administrative regulations will further define general guidelines of appropriate student conduct and use as well as proscribed behavior.

District students shall also adhere to all laws, policies and rules governing computers and electronic media, including but not limited to, copyright laws, rights of software publishers, license agreements, and students rights of privacy created by federal and state law.

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LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

~~2020~~2025

7315

Students

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**SUBJECT: STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES
(ACCEPTABLE USE POLICY)**

Students who engage in unacceptable use may lose access to the DCS in accordance with applicable due process procedures, and may be subject to further discipline under the District's school conduct and discipline policy and the *District Code of Conduct*. The District reserves the right to pursue legal action against a student who willfully, maliciously or unlawfully damages or destroys property of the District. Further, the District may bring suit in civil court against the parents/guardians of any student who willfully, maliciously or unlawfully damages or destroys District property pursuant to General Obligations Law Section 3-112.

Student data files and other electronic storage areas will be treated like school lockers. This means that such areas shall be considered to be District property subject to control and inspection. The Computer Coordinator may access all such files and communications without prior notice to ensure system integrity and that users are complying with the requirements of this policy and accompanying regulations. Students should **NOT** expect that information stored on the DCS will be private.

Notification

The District's Acceptable Use Policy will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and students' obligations when accessing the DCS.

NOTE: Refer also to Policy #8271 - Internet Safety/Internet Content Filtering Policy
District Code of Conduct

Adoption Date: 04/28/2025
11/23/2020

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

2024-2025 7320

Students

SUBJECT: ALCOHOL, TOBACCO, DRUGS, AND OTHER SUBSTANCES (STUDENTS)**Prohibited Conduct**

The District recognizes that the misuse of alcohol, tobacco, electronic cigarettes (e-cigarettes), cannabis (marijuana), drugs, counterfeit and designer drugs, over-the-counter drugs, prescription drugs, vitamins, supplements, herbs, and other similar substances is a serious problem with legal, physical, emotional, and social implications for our students, as well as the entire community. Therefore, the consumption, sharing, selling, use, and/or possession of these and similar substances, as well as tobacco products and drug paraphernalia are prohibited in accordance with law and regulation, District policy, the District *Code of Conduct*, and/or other similar documents.

Students are not permitted to be under the influence of alcohol, cannabis (marijuana), drugs, or other prohibited substances on school grounds or at school functions. "School function" means a school-sponsored or school-authorized extracurricular event or activity regardless of where the event or activity takes place, including any event or activity that may take place virtually or in another state.

Exceptions may exist for authorized medical cannabis use.

Accountability Measures

Students will be held accountable in accordance with District policy, the District *Code of Conduct*, and/or other similar documents for the consumption, sharing, selling, use, and/or possession of alcohol, tobacco, e-cigarettes, cannabis (marijuana), drugs, counterfeit and designer drugs, over-the-counter drugs, prescription drugs, vitamins, supplements, herbs, and other similar substances, as well as tobacco products and drug paraphernalia.

Information on Substance Use Related Services

The Superintendent has designated one or more individuals to provide information regarding where and how to find available substance use related services to students, parents, and staff.

- Assistant Superintendent for Administrative Services
- School Counselors
- School Social Workers

Any information provided by a student, parent, or staff member to the designated individual(s) will not be used in any school disciplinary proceeding and will, in addition to any other applicable privilege, be considered confidential in accordance with law.

20 USC §§ 6083(a), 7118, and 7973(a); Cannabis Law § 127; Education Law §§ 409, 2801, and 3038
Penal Law § 222.10; Public Health Law §§ 1399-n and 1399-o

NOTE: Refer also to Policies #3280 - Use of School Facilities, Materials, and Equipment
#3410 - Code of Conduct
#5640 - Smoking, Tobacco, and Cannabis (Marijuana) Use
#6150 - Alcohol, Tobacco, Drugs, and Other Substances (Staff)
#8240 - Instruction in Certain Subjects
District Code of Conduct

Adoption Date: 04/28/2025
10/25/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

20202025

7330

Students

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SUBJECT: SEARCHES AND INVESTIGATIONS INTO SUSPECTED STUDENT MISCONDUCT

Students are protected by the Constitution from unreasonable searches and seizures. A student may be searched and contraband/prohibited items seized on school grounds or in a school building by an authorized District official only when the District official has reasonable suspicion to believe the student has engaged in or is engaging in proscribed activity which is in violation of the law and/or the rules of the school (i.e., the District Code of Conduct). The reasonableness of any search involves a twofold inquiry. School officials must first determine whether the action was justified at its inception, and second, determine whether the search, as actually conducted, was reasonably related in scope to the circumstances which justified the interference in the first place.

Factors to be considered in determining whether reasonable suspicion exists to search a student include:

- a) The age of the student;
- b) The student's school record and past history;
- c) The predominance and seriousness of the problem in the school where the search is directed;
- d) The nature of the infraction;
- e) The probative value and reliability of the information used as a justification for the search;
- f) The school official's prior knowledge of and experience with the student; and
- g) The urgency to conduct the search without delay.

If reasonable suspicion exists to believe that a student has violated or is violating the law and/or school rules, it is permissible for an authorized school official to search that student's outer clothing, pockets, or property. The search may include, but is not limited to, the student's outer clothing such as a jacket or coat, pockets, backpack, and/or purse. Whenever possible, searches will be conducted by a staff member of the same sex as the student, and whenever possible, another staff member, also of the same sex, will be present as a witness.

If school authorities believe there is an emergency situation that could threaten the safety of others, the student shall, to the extent practicable, be isolated and secured. Police and/or parents will be contacted as appropriate and in a timely manner.

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LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

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Students

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SUBJECT: SEARCHES AND INVESTIGATIONS INTO SUSPECTED STUDENT MISCONDUCT**Strip Searches**

A strip search is a search that requires a student to remove any or all of ~~his or her~~ their clothing, other than outerwear. Strip searches are intrusive in nature and are not permissible.

Searches and Seizure of School Property

Student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces loaned by the school to students remain the property of the school, and may be opened and inspected by school employees at any time. The purpose of these searches, when they occur, is to ensure the safety of students, faculty and staff, enhance school security and prevent disruptions of the learning environment. Searches have been proven to have a deterrent effect on student behavior. Students have no reasonable expectation of privacy with respect to school property; and school officials retain complete control over such property. This means that student desks, lockers, textbooks, computers, and other materials, supplies or storage spaces may be subject to search and/or seizure of contraband/prohibited items at any time by school officials, without prior notice to students and without their consent. However, a student's personal belongings contained within the locker, desk, etc. are subject to the reasonable suspicion standard for searches by an authorized school official.

Questioning of Students by School Officials

School officials have the right to question students regarding any violations of school rules and/or illegal activity. In general, administration may conduct investigations concerning reports of misconduct which may include, but are not limited to, questioning students, staff, parents/guardians, or other individuals as may be appropriate and, when necessary, determining disciplinary action in accordance with applicable due process rights.

Should the questioning of students by school officials focus on the actions of one particular student, the student will be questioned, if possible, in private by the appropriate school administrator. The student's parent/guardian may be contacted; the degree, if any, of parental/guardian involvement will vary depending upon the nature and the reason for questioning, and the necessity for further action which may occur as a result.

The questioning of students by school officials does not preclude subsequent questioning/interrogations by police authorities as otherwise permitted by law. Similarly, the questioning of students by school officials does not negate the right/responsibility of school officials to contact appropriate law enforcement agencies, as may be necessary, with regard to such statements given by students to school officials.

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LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

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Students

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SUBJECT: SEARCHES AND INVESTIGATIONS INTO SUSPECTED STUDENT MISCONDUCT

School officials, acting alone and on their own authority, without the involvement of or on behalf of law enforcement officials (at least until after the questioning of students by school authorities has been conducted) are not required to give the so-called “Miranda warnings” (i.e., advising a person, prior to any custodial interrogations as defined in law, of the right to remain silent; that any statement made by the individual may be used as evidence against ~~him/her~~ them; and that the individual has the right to the presence of an attorney, either retained or appointed) prior to the questioning of students.

Law Enforcement Officials

It shall be the policy of the District that a cooperative effort shall be maintained between the school administration and law enforcement agencies. Law enforcement officials may be summoned in order to conduct an investigation of alleged criminal conduct on school premises or during a school-sponsored activity, or to maintain the educational environment. They may also be summoned for the purpose of maintaining or restoring order when the presence of such officers is necessary to prevent injury to persons or property.

Administrators have the responsibility and the authority to determine when the assistance of law enforcement officers is necessary within their respective jurisdictions.

School Resource Officers

Districts may utilize School Resource Officers (SROs), law enforcement officers who work within the school building. There are different types of SROs: those employed by the District and those employed by local law enforcement. SROs, acting in their capacity as law enforcement, are held to a different search standard than District staff. Searches by law enforcement SROs must be justified by probable cause, not the District's standard of reasonable suspicion. District staff need to clearly establish who is initiating and conducting a search, the District or law enforcement, and that the appropriate standard for such a search has been met.

Interrogation of Students by Law Enforcement Officials

If police are involved in the questioning of students on school premises, whether or not at the request of school authorities, it will be in accordance with applicable law and due process rights afforded students. Generally, police authorities may only interview students on school premises without the permission of the parent/guardian in situations where a warrant has been issued for the student’s arrest (or removal). Police authorities may also question students for general investigations or general questions regarding crimes committed on school property. In all other situations, unless an immediate health or safety risk exists, if the police wish to speak to a student without a warrant they should take the matter up directly with the student’s parent/guardian.

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Students

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SUBJECT: SEARCHES AND INVESTIGATIONS INTO SUSPECTED STUDENT MISCONDUCT

Whenever police wish to question a student on school premises, administration will attempt to notify the student's parent/guardian.

If possible, questioning of a student by police should take place in private and in the presence of the Building Principal/designee.

Child Protective Services' Investigations

From time to time, Child Protective Services may desire to conduct interviews of students on school property. Such interviews generally pertain to allegations of suspected child abuse and/or neglect. The Board encourages cooperation with Child Protective Services in accordance with applicable Social Services Law.

Education Law Sections 1604(9), 1604(30), 1709(2), 1709(33) and 2801
Family Court Act Section 1024
Social Services Law Sections 411-428
8 New York Code of Rules and Regulations(NYCRR) Section 100.2(1)

NOTE: Refer also to: District Code of Conduct

Adoption Date: 04/28/2025
11/23/2020

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

~~2020~~2025

7340

Students

SUBJECT: BUS RULES AND REGULATIONS

The District furnishes transportation to those students whose disability or distance from the school make the service essential. Except as otherwise mandated in a student's Individualized Education Program (IEP), riding these buses is a privilege and may be withdrawn if the student does not comply with the rules and regulations set forth in this District.

Bus drivers shall be held responsible for reasonable and acceptable behavior of students while riding the school bus. Students riding school buses are expected to conform to the rules of conduct in order to permit the bus driver to transport their passengers safely.

The Board, the Superintendent/designee has the authority to suspend the transportation privileges of children who are disorderly and insubordinate on buses. Generally, parent(s)/guardian(s) will be required to make alternative transportation arrangements for their children who have been suspended from riding the bus. However, the effect of a suspension from transportation on the student's ability to attend school will be considered. If a suspension from transportation effectively results in a suspension from attendance because of the distance between the home and the school and the absence of alternative public or private means of transportation, the District shall make appropriate arrangements to provide for the student's education.

If a student with a disability who receives transportation as a related service as part of ~~his/her~~their Individualized Education Program is being considered for suspension from transportation, and that suspension would effectively result in a change in placement, the student shall be referred to the Committee on Special Education.

The Board directs the administration to establish rules and regulations for student conduct on buses, including applicable due process rights to be afforded students suspended from transportation privileges. These rules and regulations shall be promulgated to all concerned, including the non-public schools to which students are transported.

Individuals With Disabilities Education Act (IDEA) 20 United States Code (USC) Sections 1400-1485
8 New York Code of Rules and Regulations (NYCRR) Section 156

Adoption Date: 04/28/2025
11/23/2020

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

~~2020~~2025

7360

Students

SUBJECT: WEAPONS IN SCHOOL AND THE GUN-FREE SCHOOLS ACT

No student may bring in or possess any "firearm" or "weapon" on school property, on a school bus or District vehicle, in school buildings, or at school sponsored activities or settings under the control or supervision of the District regardless of location. Any student who has been found guilty of bringing in or possessing a firearm or weapon in violation of this policy will be disciplined in a manner consistent with State and Federal law and the District's Code of Conduct. Such discipline may include a mandatory suspension for a period of not less than one (1) calendar year for a student who is determined to have violated the Federal Gun-Free Schools Act and its implementing provisions in the New York State Education Law, provided that the Superintendent may modify the suspension requirement on a case-by-case basis.

Students who have brought a "weapon" or "firearm" to school will be referred by the Superintendent to either a presentment agency (the agency or authority responsible for presenting a juvenile delinquency proceeding) or to appropriate law enforcement officials. Such referrals will be made as follows: a student who is under the age of sixteen (16) and who is not a fourteen (14) or fifteen (15) year-old who qualifies for juvenile offender status under the Criminal Procedure Law will be referred to a presentment agency for juvenile delinquency proceedings; a student who is sixteen (16) years old or older, or who is fourteen (14) or fifteen (15) and qualifies for juvenile offender status, will be referred to the appropriate law enforcement authorities.

For the purposes of this policy, the term "weapon" will be as defined in 18 USC 930(g)(2). For the purposes of this policy, the term "firearm" will be as defined in 18 USC 921(a).

Students with disabilities continue to be entitled to all rights enumerated in the Individuals with Disabilities Act and Education Law Article 89. This policy shall not be deemed to authorize suspension of students with disabilities in violation of those authorities.

This policy does not diminish the authority of the Board to offer courses in instruction in the safe use of firearms pursuant to Education Law Section 809-a.

Gun-Free Schools Act as reauthorized by the No Child Left Behind Act of 2001

18 USC Sections 921(a) and 930

Criminal Procedure Law Section 1.20(42)

Education Law Sections 809-a and 3214

NOTE: Refer also to Policies #3411 - Prohibition of Weapons on School Grounds
#7313 - Suspension of Students
District Code of Conduct

Adoption Date: 04/28/2025
11/23/2020