HIGHLAND FALLS – FORT MONTGOMERY

CENTRAL SCHOOL DISTRICT

CODE OF CONDUCT

Adopted 7/7/26

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PHILOSOPHY OF RIGHTS AND RESPONSIBILITIES

The Highland Falls – Fort Montgomery Central School District is committed to maintaining high standards of education for all students in the schools. Because we believe that the education of children is a shared cooperative effort, the District is also committed to creating and maintaining high behavior standards by working in partnership with parents, students, families and the community. We believe that school/family/community partnerships ensure that in-school behavior expectations for students are known and emphasized at home, at school, and throughout the community. We expect our children to receive a quality education and accept our responsibility to emphasize the educational values incorporated in the qualities of good citizenship. We believe that high expectations promote achievement and will support high educational demands. We believe that students of all ages should be assisted in developing responsible behavior and will teach our children through our own examples and the rules we set. We believe that students have rights and that with those rights come responsibilities.

The District believes that order and discipline must be a shared responsibility between school, home and community. Finally, it is our belief that, to be effective, such a code must:

- identify, recognize and emphasize acceptable behavior;
- identify, recognize and prevent unacceptable behavior;
- promote self-discipline;
- consider the welfare of the individual as well as that of the school community as a whole;
- promote a close working relationship between parents/guardians and the school staff,
- distinguish between minor and serious offenses, as well as between first time and repeated offenses;
- provide consequences that are appropriate to the misbehavior;
- outline procedures to ensure that the District Code of Conduct is administered in a way that is fair, firm, reasonable, and consistent;
- encourage a high regard for every person's right to reasonable hearing procedures and due process when accused of misbehavior;
- comply with the provisions of federal, state and local laws, as well as the guidelines and directives of the New York State Department of Education and the Board of Regents.

DEFINITIONS

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

Behavior – the way in which one acts or conducts oneself, especially towards others. Students, staff and visitors will conduct themselves in accordance with this Code of Conduct.

Bullying - has the same meaning as Harassment under the Dignity Act (see below).

"**Cyberbullying**"- means harassment or bullying through any form of electronic communication.

Defamation - demeaning or harming the reputation of a person or group of persons, including making false representation or derogatory conclusions about a person or group, verbally or in written form, and may include slurs, epithets or inappropriate language.

Discrimination - is the intimidation or unfair treatment of any person on the basis of actual or perceived physical characteristics, race, creed, color, national origin, religion, gender, age, marital status, sexual orientation or disability. This is not an all-inclusive list.

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

Gender – actual or perceived sex and includes a person's gender identity or expression.

- **Gender Expression** – the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyle, activities, voice or mannerisms.
- **Gender Identity** – one's self-concept as being male or female, as distinguished from actual biological sex or sex assigned at birth.

Harassment - shall mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, verbal and non-verbal 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; (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; (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.

Hazing - includes any intentional or reckless acts directed at an individual or group for the purpose of initiation, affiliation or maintaining membership in any school sponsored club, team, organization or activity. Hazing activities produce mental or physical discomfort, embarrassment or humiliation.

Parent - the parent, guardian or person in parental relation to a student.

Removal - the act of a teacher in discontinuing the presence of the student in his/her classroom for being disruptive or interfering with the teacher's authority over the class.

Respect – an act of treating everyone in the school community with dignity. This is demonstrated by, among other things: treating others with kindness, being polite, expressing thoughts and opinions in ways that are polite and courteous, listening while others are speaking to you, keeping one's hand to oneself, and not violating others' personal space.

Responsibility – an obligation to behave in accordance with social norms and being held accountable for one's action.

Restorative Practices – a response to student actions that violate the dignity, safety or well-being of others by connecting the person responsible for the harm with those who have been harmed, in order to reach a resolution that guides and assists the person responsible for

the harm in accepting responsibility, apologizing for the harm, making meaningful reparation and improving the relationship between the parties.

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

School Function - any school sponsored extra-curricular, co-curricular or other event or activity, whether on or off of school property.

Sexual Orientation – actual or perceived heterosexuality, homosexuality or bisexuality.

Suspension - the act of a Building Principal (or acting building principal), Superintendent of Schools, District Superintendent or Board of Education in discontinuing the presence of a student from his/her regular classes.

Violent Student - a student under the age of 21 whom:

- commits an act of violence upon a school employee, or attempts to do so (an "act of violence" as used herein is defined as an actual, attempted or threatened use of force, including but not limited to actual, attempted or threatened hitting, kicking, biting, spitting, punching, and scratching upon a teacher, administrator or other school employee).
- commits, 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 (an "act of violence" as used herein is defined as an actual, attempted or threatened use of force, including but not limited to actual, attempted or threatened hitting, kicking, biting, spitting, punching, and scratching upon another student or any other person lawfully on school property).
- possesses, while on school property or at a school function, a weapon.
- displays while on school property or at a school function, what appears to be a weapon.
- threatens, while on school property or at a school function, to use a weapon.
- 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.
- knowingly and intentionally damages or destroys school district property.

Weapon -

1. A firearm, as defined in the Gun-Free Schools Act (18 USC §921), including:
    a. a starter gun which will, or is designed to, or may readily be converted to,
    b. expel a projectile by the action of an explosive;
    c. the frame or receiver of such firearm;
    d. any firearm muffler or silencer;
    e. any destructive device, including:
    f. any explosive, incendiary, or poison gas bomb, grenade, rocket having a:
        i. propellant charge of more than four ounces, missile having any explosive or incendiary charge of more than one-quarter ounce, mine, or similar device;

ii. any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter;
iii. any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.

2. A weapon also includes but is not limited to any other gun (including imitation and look-a-likes), BB or pellet gun, paintball gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, electronic stun gun, spring gun, cap gun; dagger, dirk, razor, stiletto, card knife, switchblade knife, utility knife, pocket knife, gravity knife, pilum ballistic knife, brass knuckles, slingshot, metal knuckle knife, box cutter, cane sword, electronic dart gun, martial arts instrument including but not limited to Kung Fu star, ninja star, nunchuck, chukka or shuriken; Billy club, blackjack, bludgeon of any type, sandbag, sand club; deadly or dangerous chemical including but not limited to a strong acid or base, Mace or 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. "Weapon" shall also include any other instrumentality or device defined as a "weapon" under any provision of the New York State Penal Law, or under the U.S. Code.

3. Objects not normally considered to be weapons (e.g., scissors, pens, pencils, padlocks, trays, utensils, books, etc.) may nonetheless be used as weapons, or used in a manner in which it is reasonably foreseeable that personal injury or property damage would result. Discipline for the use of an instrument used as a weapon may, in the discretion of the Superintendent or designee, coincide with, but not be limited to, the suspension periods governing weapons.

ESSENTIAL PARTNERS

The Role of Parents

A cooperative relationship between home and school is essential to each student's successful development and achievements. To achieve this wholesome relationship, parents are urged:

- to show an enthusiastic and supportive attitude toward school and education;
- to build a good working relationship between themselves and their child;
- to teach their child self-respect, respect for the law, respect for others and for public property;
- to insist on prompt and regular attendance;
- to listen to the views and observations of all parties concerned;
- to recognize that teachers merit the same consideration and respect that parents expect from their child;
- to encourage their child to take pride in his/her appearance;
- to ensure that their child promptly brings home all communications from school;
- to tell school officials about concerns or complaints in a respectful and timely manner;
- to cooperate with the school in jointly resolving any school related problem;
- to set realistic standards of behavior for their child and resolve to remain firm and consistent;

- to inform school officials of changes in the home situation that may affect student conduct or performance;
- to encourage their child to follow the standards of behavior set forth in the District Code of Conduct when at school or at school functions;
- to help their child learn to deal effectively with negative peer pressure;
- to provide a place conducive for study and completion of homework assignments;
- to demonstrate desirable standards of behavior through personal example;
- to foster a feeling of pride in their child for their school;
- to provide support and positive reinforcement to their child;
- to be respectful and courteous to staff, other parents and students while on school premises or at school functions;
- to read and support the District Code of Conduct and help their child understand them.

Parents should be aware that they are responsible for any financial obligations incurred by their child in school. This includes lost books, damage to property, and other obligations.

The Role of Non-Instructional School Personnel

Non-Instructional school personnel play an important role in the education of students. In view of this responsibility school personnel must:

- promote a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex, which will strengthen each student's positive self-image;
- teach the common courtesies by precept and example;
- treat students in an ethical and responsible manner;
- help students to reach their maximum potential;
- demonstrate desirable standards of behavior through personal example;
- report violations of the Code of Conduct to the Building Principal or acting building principal;
- immediately report and refer violent students to the Principal/designee or superintendent of schools
- address issues of harassment (including bullying) or any situation that threatens the emotional or physical health or safety of any student, employee or other person lawfully on school property or at a school function in accordance with this Code of Conduct and the Dignity for All Students Act;
- address personal biases that may prevent equal treatment of all students and staff;
- maintain confidentiality in accordance with federal and state law.

The Role of Professional Staff

Every professional staff member knows that they work every day with this nation's most precious commodity - the future generation. In view of this responsibility, the teacher must:

- promote a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex, which will strengthen each student's positive self-image;
- plan and conduct a product of instruction that will make learning challenging and stimulating;
- recognize that some disciplinary problems are caused by a students' personal and academic frustrations;

- utilize classroom routines which contribute to the total instructional program and to the student's development of civic responsibility;
- read, understand and comply with a student's individualized education plan or §504 plan;
- read, understand and comply with a student's behavior improvement plan;
- seek to develop close cooperative relationships with parents for the educational benefit of the student;
- distinguish between minor student misconduct best handled by the teacher and major problems requiring the assistance of the administrator;
- teach the common courtesies by precept and example;
- handle individual infractions privately and avoid punishing the group for the misbehavior of one or two;
- help students cope with negative peer pressure;
- identify changing student behavior patterns and notify appropriate personnel;
- enable students to discuss their problems with them;
- send communications home promptly;
- report to the Principal any student who jeopardizes his/her own safety, the safety of others or of the teacher, or who seriously interferes with the instructional program of the classroom;
- treat students in an ethical and responsible manner;
- help students to reach their maximum potential;
- serve as a surrogate parent in matters of behavior and discipline in accordance with New York State School Law;
- explain and interpret the District Code of Conduct to students;
- enforce the District Code of Conduct in all areas of the school
- demonstrate desirable standards of behavior through personal example;
- know the support services available to students and refer students who are in need of such services;
- comply with state educational law regarding corporal punishment as well as mandated reporting of suspected child abuse in a domestic setting and an educational setting;
- in the event of removal from class, inform the student and the Principal of the reason for the removal;
- immediately report and refer violent students to the Principal or superintendent of schools
- address issues of harassment (including bullying) or any situation that threatens the emotional or physical health or safety of any student, employee or other person lawfully on school property or at a school function in accordance with this Code of Conduct and the Dignity for All Students Act;
- address personal biases that may prevent equal treatment of all students and staff;
- maintain confidentiality in accordance with federal and state law.

The Role of School Counselors

In addition to above, counselors will:

- assist students in coping with peer pressure and emerging personal, social, and emotional challenges;
- initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to solve problems;
- regularly review with students their educational progress and career plans;
- provide information to assist students with career planning;

- promote a trauma-responsive approach to addressing student behavior;
- encourage students to benefit from the curricular and extracurricular programs.

The Role of Building Administrators

As the educational leaders of the school, the Principal, Acting Principal or Assistant Principal set the disciplinary climate for the school, not only for students, but for staff as well. Therefore, they must:

- seek to develop a sound and healthful atmosphere of mutual respect;
- evaluate the program of instruction in their school to achieve a meaningful educational program;
- help their staff self-evaluate their procedures and attitudes in relation to the interaction within their classrooms;
- develop procedures which reduce the likelihood of student misconduct;
- provide the opportunity for students and staff to approach the Principal directly for redress of grievances;
- work with students and staff to formulate school regulations;
- assist staff members to resolve problems which may occur;
- work closely with parents to establish a wholesome relationship between home and school;
- utilize all appropriate support staff and community agencies to help parents and students identify problems and seek solutions;
- establish necessary building security;
- assume responsibility for the dissemination and enforcement of the "Code of Discipline and Responsibilities" and anti-harassment policies and ensure that all discipline cases referred are resolved promptly;
- insure that students are provided with fair, reasonable, and consistent discipline;
- comply with pertinent state laws governing hearings, suspensions, and student rights;
- comply with mandated reporting requirements including but not limited to child abuse in a domestic setting and an educational setting;
- develop behavior guidelines and appeals procedures specific to each assigned school in harmony with this "Code of Student Conduct and Responsibilities";
- maintain student confidentiality in accordance with federal and state law;
- address issues of harassment (including bullying) or any situation that threatens the emotional or physical health or safety of any student, employee or other person lawfully on school property or at a school function in accordance with this Code of Conduct and the Dignity for All Students Act;
- address personal biases that may prevent equal treatment of all students and staff;
- promote a trauma-responsive approach to addressing student behavior;
- demonstrate desirable standards of behavior through personal example.

The Role of the Dignity Act Coordinators

As the individuals who oversee the implementation of the Dignity for All Students Act in the individual schools, they must:

- promote a safe, orderly and stimulating school environment supporting active teaching and learning for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) or sex;
- identify curricular resources that support infusing civility in classroom instruction and classroom management; and provide guidance to staff as to how to access and implement those resources;

- coordinate training in support of the District's Bullying Prevention and Intervention Policy;
- be responsible for monitoring and reporting on the effectiveness of the District's Bullying Prevention and Intervention Policy;
- address issues of harassment (including bullying) or any situation that threatens the emotional or physical health or safety of a student, school employee or person who is lawfully on school property or at a school function;
- promote a trauma-responsive approach to addressing student behavior;
- address personal biases that may prevent equal treatment of all students and staff.

The Role of District Administrators

As the educational leaders of the school system, the Superintendent of Schools and central administrators must:

- reinforce and extend the indicated responsibilities of the Principals and make them applicable to the school system for grades K-12;
- promote a safe, sound and healthful atmosphere of mutual respect supporting active teaching and learning for all students regardless of actual or perceive race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex;
- recommend to the Board of Education appropriate policy, regulations and actions to achieve optimum conditions for positive learning;
- develop and implement an effective "Code of Conduct" supportable by students, parents, staff and community;
- demonstrate desirable standards of behavior through personal example;
- provide each teacher with a copy of the Code of Conduct.
- assume responsibility for enforcement of the District Code of Conduct and ensure that all disciplinary cases referred are resolved promptly;
- comply with mandated reporting requirements including but not limited to corporal punishment, child abuse in a domestic setting and an educational setting;
- address issues of harassment (including bullying) or any situation that threatens the emotional or physical health or safety of any student, employee or other person lawfully on school property or at a school function in accordance with this Code of Conduct and the Dignity for All Students Act;
- address personal biases that may prevent equal treatment of all students and staff;
- maintain confidentiality in accordance with federal and state law;
- promote a trauma-responsive approach to addressing student behavior;
- provide access to and/or disseminate the Code of Conduct and anti-harassment policies to staff.

The Role of the Board of Education

As the elected officials in charge of our schools, the Board of Education:

- adopts the policies governing the District, including this code of conduct;
- ensures that the Code of Conduct contains clear behavioral expectations and disciplinary consequences for students, staff and visitors;
- ensures that the code of conduct is clearly communicated to students, parents, staff and the school community;
- ensures that the code of conduct is implemented and enforced in a consistent, reasonable, fair and equitable manner;

- annually reviews the code of conduct and updates it as necessary;
- maintains confidentiality in accordance with federal and state law**;**
- supports a trauma-informed approach to addressing student behavior;
- must report child abuse in an educational setting.

STUDENTS' RIGHTS AND RESPONSIBILITIES

The Highland Falls – Fort Montgomery Central School District believes in the right of each child, between the ages of five and 21 years or until the child receives a high school diploma, whichever comes first, to receive a free and appropriate education. All students in this state between the ages of six and the school year through which he or she becomes 16 are required by law to regularly attend school, either in the public schools, non-public schools that are approved for equivalency of instruction by the appropriate school authorities, or in the home in accordance with the Regulations of the Commissioner of Education.

The right to a free public school education extends to all students, including those with disabilities. However, this right is not unconditional. As long as due process of law requirements are met, a student may be removed from the classroom, suspended temporarily or suspended permanently from school. Only students within the compulsory education ages (age six through the school year in which the student turns 16) are entitled to alternative, equivalent instruction following suspension.

Rights of Students

Education in a free society demands that students be aware of their rights and learn to exercise them responsibly. To this end, students have a right

- to be provided with an education that is intellectually challenging and relevant to demands of the 21st century;
- to learn in an environment free from interruption, harassment, discrimination, intimidation and fear;
- to participate in district activities on an equal basis regardless of actual or perceived race, color, creed, weight, national origin, ethnic group, religion, religious practice, gender (including gender identity and expression), sex, disability or sexual orientation;
- to be informed of all school rules;
- to be guided by a discipline policy which is fairly and consistently implemented;
- to be provided with clear expectations regarding course objectives, requirements and state standards; grading criteria and procedures; assignment requirements and deadlines; and school and classroom rules and expectations regarding behavior.

In addition, students in **Highland Falls – Fort Montgomery Central School District** are afforded the following rights:

1. **Student Expression** - Students shall be allowed the opportunity for the free expression of ideas consistent with rights established by the federal and state constitutions. However, a student's freedom is subject to limitation in that the constitutional protections will not extend to libelous, slanderous, vulgar, lewd, indecent or obscene words or images or to words or images which by their very use incite others to damage property or physically injure persons. Any assembly or

public expression on school grounds or at school activities that advocates the use of drugs or other substances that are illegal to minors is prohibited. Furthermore, speech which materially and substantially disrupts the work and discipline of the school may be subject to limitation.

2. **Symbolic Expression** - Students, in light of constitutionally protected free speech rights, may wear political buttons, arm bands or badges of symbolic expression so long as the same conform to the limits set forth herein under "school newspaper" and "dress code"

3. **School Newspapers -** Participating in the process of publishing school newspapers affords students an opportunity to learn how to report the news events of the school as well as the sincere expression of all facets of student opinion. Any student newspapers and/or publications which are paid for by the District and/or produced under the direction of a teacher as part of the school curriculum are not considered a public forum

4. **Student Activities** - All students shall enjoy equal access to the extent of their capabilities for participation in the various extra-curricular and co-curricular activities sponsored by the School District. The privilege of participating in such activities shall be conditioned upon appropriate conduct as established by the student code of conduct and any rules promulgated specifically for participation in extra and/or co-curricular activities.

5. **Student Government** - Students are encouraged to participate in the various student governmental bodies which have been or may be established in our schools. It shall be the duty of the student governmental body to establish reasonable standards for qualification of candidates to serve in offices of the government. Elections for student government shall be conducted in accordance with the principles of our democracy and elected student representatives shall work with the faculty, administration and student body in identifying cooperatively those areas of appropriate student responsibility. All student governmental bodies shall have a faculty advisor and shall be organized pursuant to a specific written constitution which the students shall participate in formulating.

6. **Student Clubs and Other Student Organizations** - The District encourages students to participate in curriculum related extra-curricular activity clubs and/or organizations. To the extent that the District authorizes meetings of non-curriculum related clubs or organizations, the same shall be subject to the constitution of the student government and shall be conducted in accordance with any applicable federal or state law, as well as Board of Education policy or regulations.

7. **Privacy Rights [Search and Seizure]** - Students in attendance in our public schools are protected against illegal or unreasonable personal searches or seizures of their property by both the federal and state constitutions. In light of these protections, no student's person or property shall be searched for illegal substances or materials unless the school authorities conducting the search have reasonable suspicion to do so. Lockers and desks assigned to students, and other shared resources, such as computers, may be subject to inspection at any time by school officials since such places are not the property of the student, but rather are owned by the School District and shared with the student.

8. **Pregnant Students** - The Board of Education will provide instruction to pregnant students in the same manner as instruction is provided to other students unless the student's physician determines that the student is disabled and certifies that the student requires home instruction.

9. **Student Grievances and Complaints** - If a student has a grievance or a complaint about a school-related matter, a school employee or other school official, s/he may submit it, in writing, to the Principal of the school who shall respond within ten (10) school days with a written answer or proposed resolution. Grievances or complaints may be appealed in writing to the Superintendent of Schools if the Principal's answer or proposed resolution is not deemed satisfactory by the student. The Superintendent of Schools shall respond to all grievances and complaints within a reasonable period of time following receipt of the written appeal document.

10. **Video Surveillance** - Video surveillance cameras may be used in school buildings in areas where there is no "reasonable expectation of privacy" and on school buses in order to assist the District to maintain student discipline, to safeguard facilities and property of the District and for the safety of students, staff and visitors while on District property.

Responsibilities of Students

Students attend school so that they may develop to their fullest potential. With this in mind, each student is expected:

- to accept responsibility for their actions;
- to respect the rights of others, including their right to secure an education in an environment that is orderly and disciplined;
- to attend school on a regular and punctual basis;
- to complete class assignments and other school responsibilities by established deadlines;
- to show evidence of appropriate progress toward meeting course and/or diploma requirements;
- to use respectful tone and demeanor when speaking to others and when other are speaking to you;
- to respect the personal space of others;
- to respect school property, e.g. lockers and desks, and help to keep it free from damage;
- to obey school regulations and rules made by school authorities and by the student governing body;
- to recognize that teachers assume the role of a surrogate parent in matters of behavior and discipline when at school, as well as during any school-sponsored activities;
- to be truthful when speaking with school officials;
- to contribute toward establishing and maintaining an atmosphere that generates mutual respect and dignity for all;
- to become familiar with this code and seek interpretation of parts not understood;
- to actively discourage inappropriate behavior of other students and report the incidents to the administration;
- to participate where available, in peer mentoring programs, community service organizations, and the like;
- to conduct themselves as responsible 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;
- to use their own ideas, works, creations and knowledge in completing examinations, projects, reports. Students who cheat and/or plagiarize (use the idea or words of another with full acknowledgment or attribution) may receive an academic sanction, including but not limited to a zero on the assignment/test and may not be permitted to redo it.

THE DIGNITY ACT

The Board of Education recognizes that a learning environment that is safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting, hazing and intimidation. The District will, therefore, strive to create an environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission.

The District condemns and prohibits all forms of discrimination and harassment of students, including bullying and cyberbullying, based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex by school employees or students on school property or at school-sponsored events and activities that take place on or off of school property. In addition, any act of discrimination or harassment outside of school-sponsored events which can reasonably be expected to materially and substantially disrupt the educational process may be subject to discipline. (DASA Policy Attached)

To that end, the administrators, faculty, staff and students will participate in activities designed to support a school climate of caring and respect, and to proactively prevent discrimination, harassment, and bullying, including cyberbullying. These developmentally appropriate activities are designed to foster an acceptance and understanding of differences, provide alternative behaviors and responses, and build the capacity to prevent and reduce bullying.

All students have the responsibility to treat each other with caring and respect. No student shall be treated differently or unfairly because of actual and/or perceived differences. This includes saying hurtful words and/or doing hurtful things either in person, on a computer or other electronic device, or in any other way. Students who feel uncomfortable and/or unsafe because of the words or actions of others should immediately speak with a teacher, administrator, coach, or other adult.

Dignity for All Students	
Race	White, Black or African American, Hispanic/Latino, American Indian or Alaskan Native, Asian, Native Hawaiian of Other Pacific Islander; Two or more races.
Color	Color of a person's skin.
Weight	The size of a person.
National Origin	Where your relatives were born.
Ethnic Group	Being a part of a group of people who are connected by a shared language, culture, and/or common religion.
Religion	Religious or spiritual belief.

Religious Practice	The expression of your religious belief, customs, traditions, etc.
Disability	A person's body or mind that does not look or work the same as others.
Sex	Being a boy or girl.
Sexual Orientation	A person liking a boy or girl.
Gender: Gender Expression Gender Identity	Actual or perceived sex, including: How a person expresses being a boy or girl to others, such as behavior, clothing, hairstyle, voice, mannerisms. How a person thinks of oneself as being a boy or girl.

THE CROWN ACT

In 2019, the Dignity for All Students Act, or DASA, was amended by the CROWN Act to add the definition of race that includes traits such as hair texture and protective hairstyles such as locs, braids, and twists in order to protect students' access to their public education regardless of how they choose to wear/style their hair. The CROWN Act, which stands for Creating a Respectful and Open World for Natural Hair, prohibits racial discrimination based on hair texture and protective hairstyles.Simply put, the CROWN Act protects students' rights to wear or treat their hair however they desire, without the threat of racial discrimination or loss

Simply put, the CROWN Act protects students' rights to wear or treat their hair however they desire, without the threat of racial discrimination or loss of access to school, participation in activities, and inclusion in opportunities inside and beyond typical classrooms. School administrators can work to create a culturally responsive and sustaining school environment that reflects the diversity of its students, including their hairstyles, and supports student self expression.

Under DASA and the CROWN Act, schools are responsible for ensuring that:

- teaching staff and other school personnel are aware of the Crown Act;
- school personnel understand that formal disciplinary action against students based on
- their natural hair texture and protective hairstyles is prohibited;
- school personnel understand that, given their inherent position of authority over
- students, they are responsible for preventing racial discrimination and supporting all
- students' access to school, participation in activities, and inclusion for opportunities
- inside and outside of the classroom; and
- the CROWN Act helps to promote school belonging and engagement for all students;
- reduces disparities in school discipline; increases educational engagement and
- academic success; and protects students, regardless of gender or gender identity.

STUDENT DISCIPLINE CODE

The Highland Falls – Fort Montgomery School District has determined that certain acts of misconduct interfere with instruction and/or safety and welfare of our school students and staff. Although some incidents of misconduct may require removal from the classroom or suspension from school, effort will be made to deal with misconduct without removal or suspension. This is in keeping with the District's goal of avoiding the administration of consequences that interrupt or interfere with learning. However, no student will be allowed to continue disrupting the instruction of class or interfering with the safety of the school and its staff and students. When disciplinary action is necessary, each case will be reviewed by the person in charge, based on:

1. information from the student(s) and staff involved;
2. the severity of the infraction; and
3. the prior disciplinary history of the student.

Appropriate action will be chosen from the consequences provided herein. The incident will also be documented and become part of the student's disciplinary history. Action taken by the teacher will be documented by the teacher in an appropriate classroom record and then kept by the teacher throughout the school year. If the Principal or designee becomes involved, the incident will be documented in a multi-purpose referral form showing the student's name, the name of the staff member, the date and time of the incident, and a brief description of the incident, including specific actions and words, and disposition.

If a consequence is assigned, the referral will then become part of the student's school file. In addition, academic consequences may be assigned for academic misconduct, e.g. plagiarism or cheating. Using information about the incident, the severity of the incident, and the prior history of the child, the school personnel in charge will use their professional judgment to select the appropriate consequence from the options available. If, however, the misconduct does not immediately stop, the situation will be re-evaluated.

Students with a Disability

The Board recognizes that it may be necessary to suspend, remove, or otherwise discipline Students with Disabilities (SWD) to address disruptive or problem behavior. The Board also understands that SWD have 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 SWD are consistent with the procedural safeguards required by applicable laws and regulations.

This Code of Conduct affords SWD subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

Procedural Safeguards for Students with Disabilities Subject to Discipline in alignment with NYCRR 201 of the Regulations of the Commissioner of Education.

Students Presumed to Have a Disability for Discipline Purposes Section 201.3

A child under disciplinary action who is not currently identified as a Student with a Disability (SWD), can be afforded the same rights as SWD if they are suspected of having a disability under part 200.

Basis of Knowledge

A school district must be deemed to have knowledge that a student had or is suspected of having, a disability if before the time the behavior occurred the following happens:

- The parent of the student has expressed concern in writing to supervisory or administrative personnel of the appropriate educational agency or to a teacher of the student that the student is in need of special education. (the expression of concern may be oral if the parent does not know what to write or has a disability that prevents a written statement).
- The parent of the student has requested an evaluation of the student.
- A teacher of the student, or other personnel of the school district, has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the director of special education of the school district or to other supervisory personnel of the school district in accordance with applicable laws and regulations.

Manifestation Determinations Meetings (required CSE/504 reviews of a student)

A manifestation determination meeting is held before a suspension or expulsion of a student with a disability if the disciplinary action constitutes a significant change in placement. It is a review of the relationship between the student's disability and the behavior subject to disciplinary action. This meeting will determine if the behavior is a manifestation of the disability. During the meeting the Committee answers the question of, “Was the behavior caused by or directly related to the student’s disability?” and/or “Was the behavior a direct result of the failure to implement the IEP?” These meetings are held at the District Office.

DISCIPLINARY CONSEQUENCES

In appropriate cases, practices which allow educators to address disciplinary matters as opportunities for learning, instead of punishment, may be used. When choosing interventions and consequences of student behavior, teachers. Administrators and staff must balance the District's goals of educating students, eliminating school disruptions and maximizing student instructional time.

Pre-Kindergarten - Grade 2

These policies apply to all students, grades Pre-K – 2. Multiple incidents, repeated behaviors that disrupt education or persistent violations of the rules will warrant more intensive interventions and more serious consequences. Please see HFFMCSD Intervention Toolbox- RTI Behavior Supports and Responses for more detailed interventions.

Level 1 incorporates universal school-wide and classroom practices that promote the development and practice of prosocial behaviors, self-discipline, habit of learning, health and well-being. Through observation and immediate responses, beginning with redirection, teachers aim to prevent minor discipline problems from becoming major disciplinary incidents.

When children engage in aggressive behaviors, teachers are expected to intervene by verbally asking distressed students to move away from other students, contacting an administrator immediately, and ensuring that other students not involved are safe. If necessary, the other students may be removed from the situation. School Personnel are expected to help the aggressor understand what he/she did and learn to correct the behavior in the moment, or shortly thereafter.

Teachers can complete a behavior referral form for aggressive behavior. Additional data, including classroom observations shall also be collected. A team meeting, including the parents, is then held to draft a plan for the student. The plan should focus on teaching the child the desired behaviors to ensure the success of the student in the classroom and school.

When a child behaves aggressively, the following steps will be followed:

- A staff member will remove the child temporarily from the environment to help the child
- regain a sense of calmness. The adult may speak with the child about the incident so that the aggressor feels understood.
- Parents of children involved in the incident will be contacted, and school staff will explain what happened before the incident, share how adults responded to the incident, discuss the short-term plan for restoring a sense of calmness and safety, and discuss the longer-term plan for preventing similar incidents in the future. This aligns with the district's anti-bullying protocol.

When a child is harmed by an aggressor, the following steps will be followed:

- The student will be escorted to the nurse's office for a medical assessment.

- A staff member will speak to the child who has been threatened or harmed immediately to ensure that the child has an opportunity to talk about the incident and to help the child regain a sense of safety.
- Parents of children involved in the incident will be contacted and school staff will explain what happened before the incident, share how adults responded to the incident, discuss the short-term plan for restoring a sense of calmness and safety, and discuss the longer-term plan for preventing similar incidents in the future. This aligns with the district's anti-bullying protocol.

If a student engages in persistent (or offensive) aggressive acts that cause injury, or threaten children's safety in the classroom, the principal can request a district consultation with the Student Support Team and/or RTI Building Level team within 24 hours to determine the most appropriate interventions, including up to a two-day out-of-school suspension, while the intervention plan is being developed. Parents of students who have engaged in highly aggressive or dangerous behaviors are expected to be directly involved in the intervention plans created to support the success of their children.

Level 2 involves targeted interventions and assigned consequences when a student's behavior violation warrants a more focused behavioral response beyond the immediate situation (or incident) in the classroom or other location. People learn best when they feel safe and understood. When providing discipline, adults intervene in a way that models and teaches the positive behavior desired of all people in the school building. Thus, adults demonstrate care, support, and interest in the well-being of the student as consequences, used to ensure that the discipline is educational, are put into place.

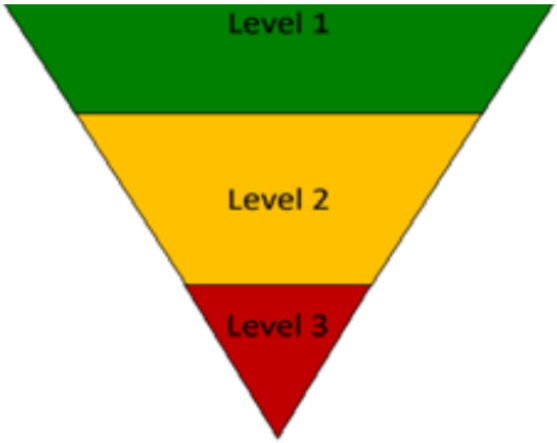
Level 3 involves violent or dangerous behavior violations that seriously jeopardize school and classroom safety and order. Students who exhibit these behaviors are assigned to more intense and individualized Interventions.

Level 1 - Supported with Tier 1 Interventions
Level 1 incorporates culturally responsive, universal school-wide and classroom practices that promote the development and practice of prosocial behaviors, self discipline, habits of learning, health, and well-being. Through observation and immediate response, teachers aim to prevent minor discipline problems from becoming major or disciplinary incidents, beginning with redirection.

Level 2- Supported with Tier 2 Interventions
Level 2 involves targeted interventions and assigned consequences when a student's behavior violation warrants a more focused behavioral response beyond the immediate situation or incident in the classroom or other location. People learn best when they feel safe and understood. When providing discipline, adults intervene in a way that models and teaches the positive behavior desired of all people in the school building, Thus, adults demonstrate care, support, and interest in the well-being of the student as consequences are being put into place to ensure that the discipline is

educational.

Level 3: Supported with Tier 3 Interventions
Level 3 involves violent or dangerous behavior violations that seriously jeopardize school and classroom safety and order. Students who exhibit these behaviors are assigned more intense and individualized interventions.



Behavior Looks Like:	Tier 1 Interventions: Teacher/Classroom Managed
Failure to Respond to School Directives ● Failure to comply with school rules, regulations, policies, or procedures ● Failure to respond to school staff directives, questions, or reasonable requests ● Does not attempt / complete assigned work ● Does not bring necessary materials to class ● Does not participate in class activities	● Academic Choice ● Breaks – to refocus ● Classroom management system ● Collateral communication ● Consistent home communication ● Culturally Responsive Instruction ● Logical consequences ● Loss of privilege (Individual or group) ● Nonverbal cues ● Positive teacher language ● Proximity to students ● Random positive attention ● Rules creation – with class ● Self-monitoring ● Student Reflection ● Zones of Regulation

Behavior Looks Like:	Tier 1 Interventions: Teacher/Classroom Managed
Difficulties with Social Interactions / Verbal Altercation ● Name calling, insults, making inappropriate gestures, or comments, persistent teasing ● Confrontational and aggressive arguing, name calling ● Misleading / giving false information to school staff ● Demonstrates difficulty getting along with others ● Plays around or goofs off with others	● Consistent home communication ● Culturally Responsive Instruction ● Interactive modeling ● Morning meeting ● Random positive attention ● Role playing ● Social Emotional Learning (SEL) curriculum ● Teach Conflict Resolution strategies ● Zones of Regulation

Behavior Looks Like:	Tier 1 Interventions: Teacher/Classroom Managed
Difficulties with Self Regulation / Problem Solving ● Does not work silently or independently without bothering others ● Throws objects without physical injury to others ● Yelling out in class / raising their voice at others (including adults) ● Makes excessive, distracting movements or noises leading to other students becoming off-task ● Demonstrates difficulty resolving problems /conflicts ● Does not make transitions / adjust to new situations effectively	● Alternate seating ● Classroom management system ● Consistent home communication ● Culturally Responsive Instruction ● Morning meeting ● Nonverbal cues ● Positive teacher language ● (Positive) time – out ● Proximity to students ● Role playing ● Self-monitoring ● Sensory toolbox ● Social Emotional Learning (SEL) curriculum ● Teach Conflict Resolution strategies ● Visual schedules ● Zones of Regulation

Behavior Looks Like:	Tier 1 Interventions: Teacher/Classroom Managed
Difficulties Communicating and Managing Needs, Thoughts, and Emotions	● Alternate seating ● Breaks – to refocus

• Demonstrates difficulties empathizing with others and accepting other points of view • Does not accept correction and feedback calmly • Engages in confrontations arguing or back talk • Expresses needs and emotions inappropriately • Misinterprets instructional and social cues	• Classroom management system • Consistent home communication • Culturally Responsive Instruction • Logical consequences • Morning meeting • Positive Teacher Language • (Positive) time – out • Proximity to students • Self-monitoring • Social Emotional Learning (SEL) curriculum • Student reflection • Teach conflict resolution strategies • Zones of Regulation

Behavior Looks Like:	Tier 1 Interventions: Teacher/Classroom Managed
Hallway and Public Space Misconduct • Running, making excessive noise, loitering, or persistent hall-walking • Seeks attention inappropriately • Engages in confrontation – arguing or back talk • Uses inappropriate language and yelling	• Classroom management system • Consistent home communication • Culturally Responsive Instruction • Logical consequences • Loss of privilege (Individual or group) • Morning meeting • Nonverbal cues • Positive teacher language • (Positive) time – out • Proximity to students • Role playing • Self-monitoring • Social Emotional Learning (SEL) Curriculum • Visual schedules • Zones of Regulation

Behavior Looks Like:	Tier 1 Interventions: Teacher/Classroom Managed
Occasional Unexcused Absences, Tardiness, and Class Cutting	● Active listening ● Classroom management system ● Consistent home communication ● Culturally Responsive Instruction ● Logical consequences ● Morning meeting ● Morning message ● Positive teacher language ● Rules creation – with class ● Self-monitoring ● Social Emotional Learning (SEL) curriculum ● Student reflection

Any disciplinary action is at the discretion of the administrator consistent with this Code of Conduct.

In appropriate cases, practices which allow educators to address disciplinary matters as opportunities for learning, instead of punishment, may be used. When choosing interventions and consequences of student behavior, teachers. Administrators and staff must balance the District's goals of educating students, eliminating school disruptions and maximizing student instructional time.

The following constitute appropriate disciplinary consequences authorized by this District Code of Conduct:

1. Verbal Warnings
2. Written Warnings (parent notification & documentation)
3. Detention: Teacher or Administrative
4. Removal from class
5. Structured Day
6. In-School Suspension
7. Suspension from school for up to five (5) school days.
    a. Consideration for duration of suspension may include, but is not limited to:
        i. Causes the principal to initiate "shelter in place" emergency procedures.
        ii. Poses a serious threat to the safety of students, such as a threat of substantial bodily harm to students or staff.
        iii. Prevents students from moving through the hallways or significantly prevents movement through the building, and also disrupts the educational process.
8. Suspension from school in excess of five (5) days (after a Section 3214 hearing).
9. Suspension from school for at least one (1) year for possession of a weapon pursuant to the Gun-Free Schools Act of 1994 (subject to the right of the Superintendent to modify such penalty) or, in the case of a student with a disability whose possession of a weapon is determined not to be related to his/her disability, placement in an interim alternative educational setting for a period of up to 45 school days.

10. Placement in an interim alternative educational setting for a period of up to 45 school days, in the case of a student with a disability whose knowing possession or use of illegal drugs, or sale or solicitation of the sale of a controlled substance or inflicting a serious bodily injury to another person at a school or a school function is determined not to be related to his/her disability.
11. Suspension from school and notification of police.
12. Permanent suspension (Expulsion).

The following are other consequences and restorative practices that may be taken **independently or concurrently** with the above disciplinary measures:

A. Student/Parent Education
B. Restorative Practices (circles, mediation, etc.)
C. Restitution
D. Suspension from transportation
E. Suspension from athletics, extracurricular activities and/or social activities
F. Suspension of other privileges

Any disciplinary action is at the discretion of the principal or acting principal consistent with this Code of Conduct.

MISCONDUCT DESCRIPTIONS WITH CONSEQUENCE REFERENCES

**3rd-12th Grades

The Intervention Toolbox should be used in conjunction with disciplinary consequences outlined below.

	MISCONDUCT DESCRIPTIONS	DISCIPLINARY CONSEQUENCES
1.	Absence (Unauthorized): Absence from school or class, including cutting class.	1, 2, 4
2.	Tardiness: Being late to class or school	1, 2, 4
3.	Inappropriate Consumption: Eating or drinking when and/or where prohibited.	1, 2, 3
4.	Inappropriate public displays of affection: Physical contact (particularly that which is sexual in nature) on school grounds, the bus and/or at school events.	1, 2, 3, 4
5.	Dress Code Violation: Dressing or grooming in a way that is inappropriate and/or causes disruption or danger, by wearing accessories which are intended for or perceived as intended for violent use, including, but not limited to, brass knuckles, chains, studded belts and/or bracelets, and hats or by wearing items of an obscene nature, or by wearing items that state or depict matters of a vulgar or offensive nature (See Dress Code).	1, 3, 4
6.	Classroom Disruptions: Disturbances which disrupt instruction or which take place in a classroom and interfere with the smooth operation of the educational environment.	1, 2, 3, 4, 5 ,6, 7, 8, 9
7.	Disturbances Outside of the Classroom: Any disruption of the orderly operation of the school and/or function that takes place outside the classroom (e.g., lunchroom, bus, recess) or at a school-sponsored event.	1, 2, 4, 5, 6, 7, 9
8.	Littering: Intentional littering on school property.	1, 2, 4
9.	Disorderly Conduct: A person who, with intent to cause public inconvenience, annoyance, alarm, or to recklessly create a risk thereof, trespasses, obstructs, fails to disperse, disrupts others or instigates or incites others to commit any of the acts prohibited by this Code. This includes, but is not limited to, the release of dangerous/noxious substances (stink bombs, smoke bombs, etc.) and trespassing on school property or at a school event while suspended. This also includes instigating or inciting others to commit any acts prohibited by this Code of Conduct.	1,2, 4, 5, 6
10.	Bus Misconduct: Any disruptive behavior while riding a school bus, including but not limited to the following: excessive noise, pushing, shoving, fighting, cursing,	1, 2, 4, 5, 6

	harassing, not remaining seated, throwing objects out of the bus, not obeying directions from the bus driver or monitor, use of tobacco/alcohol/drugs or any other behaviors which violate the Code of Conduct on school grounds.	
11	Electronic Communication Devices: Unauthorized possession and/or use of cellular phones, smart phones, and other similar devices.	1, 2, 3, 4, and/or confiscation
12	Electronic Devices: Unauthorized possession, use, and/or display of electronic devices including, but not limited to, lighters, boom boxes,iPads, MP3 Players, light or laser pointers, during the school day or at school-sponsored events or any item which does not have an educational purpose and is a potential threat to others or is potentially disruptive to others during the school day.	1, 2, 3, 4 and/or confiscation
13	Electronic Recording/Photography Devices: Unauthorized use of a camera phone, PDA, or other electronic device capable of recording and/or sending images, taking pictures, and/or video recording and/or sending images while in school, on school property, in a District vehicle, or at a school function and/or violation of privacy rights of others in school or at school activities. This includes, but is not limited to, the sharing of videos/images with others in school, on social media outside of school, but which disrupts or has the potential to disrupt the educational environment and/or safety of students, staff and/or faculty.	4, 5, 6, 7, 9
14	Technology Misuse: Violation of HFFMCSD Acceptable Use Policy for Technology/Computers/Network.	2, 4, 5, 6, 9 and suspension or revocation of technology access privileges
15	Gambling	1, 2, 4, 5
16	Insubordination: the refusal to follow the reasonable directive of a person in authority or the violation of this Code of Conduct or any other building or classroom rules, including refusing to identify oneself on request. Persons in authority include, but are not limited to, administrators, teachers, teaching assistants, teacher aides, secretaries, coaches, bus drivers, monitors, including bus monitors, custodians, cafeteria workers, security employees.	1, 2, 3, 4, 5, 6
17	Prohibited Foods/Drinks/Powders: Possessing, consuming, drinking or distributing “power” or “energy” drinks (such as but not limited to Cocaine, Bad Boy, Rockstar, Monster, Wired, Full Throttle, XS); ordering food from outside restaurants during school hours.	1, 2, 4 and/or confiscation

18	Reckless Driving: Driving recklessly, speeding, failure to follow school crossing guard or traffic directives on school grounds, or parking in unauthorized areas.	1, 2, 4, 5, suspension and/or revocation of driving and parking privileges
19	Verbal Assault: Verbal altercation, abusive and/or indecent language (including cursing or swearing) and/or indecent gestures directed at staff, students, or visitors on school grounds or at school functions.	2, 4, 5
20	Obscene Material: Possession and/or showing them and/or distributing them to others, including but not limited to, those materials found or acquired from online/Internet/social media sources.	2, 4, 5, 6
21	Cheating/Plagiarism: Cheating in any academic, extracurricular, or co-curricular activity (See "Academic Dishonesty" Section).	1, 2, 4 and/or academic sanction
22	Forgery or Fraud: act of forging or producing a copy of a document, signature, or any other notice provided to or by the school; knowingly deceiving school personnel intended to result in personal or financial gain. This includes, but is not limited to, misrepresenting oneself as a parent/guardian via telephone or through electronic communications; forging signatures, notes and/or passes from school personnel; or possession of items which are intended to or perceived to be intended for use for deceiving school personnel (bus passes, hall passes, etc.).	1, 2, 4, 5
23	Leaving Campus Without Authorization: Leaving the school building or school campus or assisting another to leave or enter the building without properly checking out of the school through the designated entrance and/or the appropriate permissions.	2, 4, 5 suspension and/or revocation of driving and parking privileges
24	Undermining of School Employee: Repeatedly disruptive behavior and/or substantial interference of an employee's authority in the building or at a school function.	2, 3, 4, 5
25	Lewd Behavior: Obscene, vulgar, or indecent conduct or speech that is oral or written and expressed or distributed on campus of the District or at a school function. Includes, but is not limited to, inappropriate comments/behaviors on social media/Internet sources about students or school district employees.	2, 4, 5, 6
26	Trespassing: Entering and/or remaining on any school property or at any school function at any time or while suspended from school. This includes, but is not limited to, presence in an unauthorized area or refusing to leave district property when directed to do so by a person in authority.	1, 2, 4, 5

27	Tobacco/Nicotine Products: Smoking (including e-cigarettes, vaporizers and similar devices) on school property and within 100 feet of entrances, exits and outdoor areas of any school building, or at a school function; Possession, use, sale, and/or distribution of tobacco products, including, but not limited to, electronic cigarettes, vaporizers and vaping paraphernalia and/or dangerous or deadly substances, including but not limited to, chemicals and inhalants at school or while at school functions.	4, 5, 6, 8, 9
28	Criminal Offense: Committing any criminal offense (misdemeanor, felony, etc.) while on school property or at a school event.	5, 6, 9
29	Extortion: Obtaining money or other property of value through force and/or intimidation at school or while at school functions	2, 4, 5, 6, 9
30	Alcohol: Possession, use, sale, and/or distribution of alcohol, and/or a substance which the individual believes or represents to be alcohol and/or being under the influence of alcohol on school property or at a school function, including having such substance on a person or in a locker, vehicle, or other personal space or finding alcohol on school property that is not in the possession of any person.	5, 6, 8, 9
31	Drugs: Possession, use, sale, exchange and/or distribution of drugs, or being under the influence of drugs on school property or at a school function, including having any such substance on a person or in a locker, vehicle or other personal space. Drugs include but are not limited to controlled substances as defined under federal law; illegal substances, including but not limited to, marijuana, cocaine, opioids, LSD, PCP, amphetamines, steroids, counterfeit drugs, synthetic drugs (such as synthetic cannabinoids or cannabidiol analogs) and substances commonly called "designer drugs" whether or not specifically illegal, unauthorized prescription drugs or over-the-counter medication, inhalants, and/or a substance which the individual believes or represents to be a controlled substance or illegal substance, as defined herein; finding a controlled substance or illegal substance on school property that is not in the possession of any person and not reporting it. This shall be construed to apply to the lawful administration of a prescription drug or over-the-counter medication in school or at a school function in accordance with Policy 7513.	1,2 4, 5, 6, 8, 9

32	Burglary: Entering school property with the intent to commit a crime and/or executing said crime.	5, 6, 9
33	Theft Offenses/Larceny: Unlawful taking and carrying away of personal property with the intent to deprive the rightful owner of the property. Permanently or unlawfully withholding property from another. Possession of stolen property.	4, 5, 6, 8, 9
34	Robbery: Forcible stealing from a person by using or threatening the immediate use of physical force upon that person, with or without a weapon.	5, 6, 9
35	Criminal Mischief: Intentional or reckless damaging of the property of the school or of another person, including, but not limited to, vandalism and the defacing of property with graffiti.	4, 5, 6, 7, 9
36	Threats: Any threat or threat of violence against a school, teacher, staff member, contractor, another student or person connected with the school or the school district, including but not limited to verbal or written communications including by electronic means, on school property or at a school function . The district will employ a Threat Assessment Protocol to assist in determining appropriate action.	5, 6, 8, 9
37	Minor Alteration(s): Assault(s) involving physical contact and not physical injury. Striking, shoving, or kicking another person or subjecting another person to unwanted and/or unprovoked physical contact with the intent to harass, annoy, or alarm another person, but no physical injury occurs.	2, 4, 5, 6
38	Major Altercation: Assault with Physical Injury. Intentionally or recklessly causing minor physical injury to another person, with or without a weapon, including, but not limited to, innocent bystanders, in violation of the District's Code of Conduct. Physical Injury means impairment of physical condition or substantial pain.	4, 5, 6, 7, 8, 9
39	Assault with Serious Physical Injury: Intentionally or recklessly causing serious physical injury to another person, with or without a weapon, in violation of the District's Code of Conduct. "Serious Physical Injury" means physical injury which creates a substantial risk of death, or serious and protracted disfigurement, protracted impairment to health, or protracted loss or impairment of the function of bodily organs. Serious physical injury requires hospitalization of treatment in an emergency room and includes, but is not limited to, a bullet wound, a serious stab or puncture wound, fractured or broken bones or teeth, concussions, cuts	5, 6, 9, 10

	requiring stitches, and any other injury involving risk of death or disfigurement.	
40	Riot: Four or more persons simultaneously engaging in tumultuous and violent conduct and thereby intentionally or recklessly causing or creating a grave risk of physical injury or substantial property damage or causing public alarm.	4, 5, 6
41	False Alarm: Falsely activating a fire alarm or other disaster alarm. Falsely activating a fire extinguisher. Intentional misuse of 911.	4, 5, 6, 9
42	Bomb/Armed-Attack Threat: A false telephoned, written, or electronic message that a bomb, explosive, chemical, or biological weapon has been placed on school property or that an armed attack will be or is being perpetrated on school district property.	5, 6, 7, 8, 9, 10
43	Reckless Endangerment: Subjecting individuals to danger by recklessly engaging in conduct that created a substantial risk of physical injury, but not actual physical injury. Threat, possession, use, sale and/or distribution of a potentially dangerous object, including, but not limited to, a motor vehicle, broken glass, explosive devices, fireworks, and any article or substance which, under circumstances of threatened use, attempted use, or use is readily capable of causing death or serious bodily injury on school property or at school functions.	5, 6, 7, 8, 9, 10
44	Kidnapping: To abduct a person so as to restrain such person with intent to prevent his or her liberation by either (a) secreting or holding him or her in a place where s/he is not likely to be found; or (b) using or threatening to use deadly force with or without a weapon.	6, 9, 10
45	Weapons/Ammunition: Possession, use, sale and/or distribution of one or more weapons/ammunitions listed below, except possession in a classroom or laboratory as part of an instructional program or in a school related activity under the supervision of a teacher or other school personnel as authorized by school officials. Possession includes bringing a weapon to or possessing a weapon at school or at a school function. Weapons: firearm, including, but not limited to, rifle, shotgun, pistol, handgun, silencer, electronic dart gun, stun gun, machine gun, air gun, paintball gun, or spring gun; switchblade knife, gravity knife, pilum knife, cane sword, dagger, stiletto, dirk, razor, box cutter, card knife, metal knuckle knife, utility knife, or any other dangerous knife; billy club, blackjack, bludgeon, chukka stick, or	5, 6, 7, 9

	metal knuckles, sandbag or sandclub, sling shot; martial arts instrument, including by not limited to, a kung fu star, ninja star, nunchuck; an explosive including, but not limited to, a firecracker or other fireworks; a deadly or dangerous chemical, including, but not limited to, a strong acid or base, mace or pepper spray; an imitation gun; loaded or blank cartridges or other ammunition; or any other dangerous instrument. See "Weapons" section for more detail.	
46	Intimidation, Harassment (including Cyber Harassment) Menacing, Hazing or Bullying Behavior and Not Physical Contact: threatening, stalking, or seeking to coerce or compel a person to do something; intentionally placing or attempting to place another person in fear of imminent physical injury; or engaging in verbal, written or electronic means of communication or physical conduct that threatens another with harm, including intimidation, and/ or seeks to belittle another through the use of epithets or slurs involving the actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity or expression) or sex of that person or that substantially disrupts the educational process.	2, 4, 5, 6, 9
47	Intimidation, Harassment, Menacing, Hazing or Bullying Behavior that Includes Physical Contact: Hitting, pushing, shoving, slapping, kicking, spitting, inappropriately touching, etc. another individual with the intent to harass, upset, intimidate, belittle, isolate, embarrass, insult, humiliate, badger and/or hurt the victim.	4, 5, 6, 9
48	Arson: Deliberately starting or attempting to start a fire with intent to destroy property. This includes unauthorized lighting of a match, lighter or other incendiary device, possession and/or use of fireworks.	5, 6, 9, 10
49	Forcible Sex Offense: Involving forcible compulsion and completed or attempted sexual intercourse, oral sexual conduct, anal sexual conduct, or aggravated sexual conduct with or without weapons, including, but not limited to, rape and sodomy	6, 9, 10
50	Other Sexual Offenses: Actions which involve inappropriate sexual contact but no forcible compulsion	5, 6, 9
51	Homicide: Any conduct that results in the death of another person	9, 10

THE REPEATING OF AN INFRACTION MAY LEAD TO THE IMPOSITION OF THE NEXT MEASURE OF DISCIPLINE.

CHRONIC REPEATING OF INFRACTIONS MAY LEAD TO LONG-TERM SUSPENSION OR PERMANENT SUSPENSION (EXPULSION).

THE ADMINISTRATION RESERVES THE RIGHT TO IMPLEMENT DISCIPLINARY ACTION FOR INCIDENTS NOT SPECIFICALLY IDENTIFIED ABOVE.

REPORTING CODE VIOLATIONS

To School District Personnel

Because the District's goal is to make school a community free from violence, intimidation, bullying, harassment and discrimination, students, professional staff and other District personnel are encouraged to promptly report any violation of the Code of Conduct to the Building Principal or, in his/her absence, the Acting Building Principal. Such individuals are required to report any threat of violence, including but not limited to bomb threats, threats to persons or property, whether by oral, written or electronic means, possession of a weapon, alcohol or illegal substance on school property or at a school function to a teacher, to the Building Principal or, in his/her absence, the Acting Building Principal.

Staff and other District personnel who observe or learn of incident(s) of bullying are required, in accordance with State law, to make an oral report to the building principal or designee within one school day and to fill out the district reporting form within two school days.

Any weapon, alcohol, illegal substance or similar item (such as synthetic drugs) found shall be confiscated immediately, if possible, maintained in a secure location, followed by notification to the student's parent and law enforcement as appropriate.

Professional staff and other District personnel shall immediately report violent students to the Building Principal or Superintendent of Schools.

To Local Law Enforcement Agencies

There are certain behaviors that will not be tolerated under any circumstance and will result in both strict consequences by school personnel and a report to the police. These behaviors include, but are not limited to, the following:

- Threatened acts of violence.
- Any acts of violence against persons that constitute a felony or misdemeanor.
- Any other violation of this Code of Conduct that constitutes a crime and affects the order and security of the school.
- All other criminal offenses, e.g., theft, destruction of school property, false fire reports, arson, bomb threats; use, possession, distribution, or sale of drugs. alcohol or illegal substances; use, possession, distribution, or sale of a potentially dangerous or deadly object.
- Stealing or vandalism directed at the school or school personnel.

This report shall be made as soon as practical but in no event later than the close of business the day the Principal or Acting Building Principal learns of the violation. Parents/guardians will be notified in a timely manner of investigations and subsequent conclusions regarding the above named allegations.

In addition, assault on any person in authority in a school will result in criminal charges being filed by the victim with the support of the District to the fullest extent of the law.

Finally, extortion, stealing, or assault directed at another student will result in the victim and his/her parents being advised of their rights to press criminal charges.

The Principal or designee must notify the appropriate local law enforcement agency of code violations that constitute a crime and substantially affect the order or security of a school as soon as practicable. The notification may be made by telephone, followed by a writing on the same day. The notification must identify the student, explain the conduct that violated the Code and constitute a crime.

To Human Services Agencies

The District will report any violations of the Code of Conduct which constitute a crime, when the actor is under the age of 16, to the appropriate human services agencies. When necessary, the District will file a Person In Need of Supervision (PINS) Petition in Family Court, or request that a Juvenile Delinquency Petition be filed by the proper authorities.

UNLAWFUL POSSESSION OF A WEAPON UPON SCHOOL GROUNDS

ANY STUDENT WHO COMES ONTO SCHOOL PROPERTY (OR A SCHOOL EVENT WHETHER ON OR OFF SCHOOL PROPERTY) WITH A FIREARM, AS DEFINED UNDER THIS ACT (SEE DEFINITION OF "WEAPON" ON PAGE 7), WILL RECEIVE A MINIMUM ONE-YEAR SUSPENSION FROM SCHOOL, SUBJECT TO THE DISCRETION OF THE SUPERINTENDENT OF SCHOOLS TO MODIFY THE PENALTY FOR A STUDENT IF THE SUPERINTENDENT BELIEVES THAT THE ONE YEAR OR LONGER SUSPENSION PENALTY IS EXCESSIVE. THE SUPERINTENDENT SHALL MAKE THE DECISION ON A CASE-BY-CASE BASIS, BASED UPON CRITERIA, INCLUDING BUT NOT LIMITED TO:

1. The age of the student;
2. The student's grades in school;
3. The student's prior disciplinary record;
4. The Superintendent's belief that other forms of discipline may be more effective;
5. Other relevant information from the parent(s), guardian(s), teacher(s) and/or others;
6. Other extenuating circumstances.

It shall be unlawful for any person to knowingly possess any air-gun, spring-gun or other instrument or weapon in which the propelling force is a spring, air, piston or CO2 cartridge upon school grounds or in any District building without the express written authorization of the Superintendent or his/her designee.

Additionally, the possession of any weapon, as defined in the New York State Penal Code, on school property or in school buildings is prohibited, except by law enforcement personnel or upon written

authorization of the Superintendent/designee. Unlawful possession of a weapon upon school grounds may be a violation of the New York State Penal Law, and is a violation of School District policy and the Code of Conduct.

Penal Law Sections 265.01-265.06

Red Flag Law

When a Principal believes that a student is likely to engage in conduct that may result in serious harm to himself/herself or others, after consultation with the Superintendent and the School Attorney, the Principal may seek a Temporary and/or Final Extreme Risk Protection Order to prohibit a student's access to firearms.

PROCEDURES

Removal of Student from the Classroom

The School District has determined that certain acts of misconduct interfere with instruction and/or the safety and welfare of students and staff. Although some incidents of misconduct may require removal from the classroom or suspension from school, effort will be made to deal with misconduct without removal from the classroom or suspension from school. This is in keeping with the District goal of avoiding consequences that interrupt or interfere with learning. However, no child will be allowed to continue disrupting the instruction of the class or interfering with the safety of the school, its staff, students and visitors.

Teachers shall have the authority to remove a student from their classrooms whenever the student substantially disrupts the educational process or substantially interferes with the teacher's authority over the classroom. "Substantially disruptive" shall mean that the course of instruction has to be discontinued more than momentarily such that it breaks the continuity of the lesson, to address the disruptive conduct of the student. "Substantially interferes" with the teacher's authority over the classroom shall mean that the student has been insubordinate to the teacher in the presence of the class and has failed to obey the teacher's directives to cease and desist (e.g., at least two directives).

A secondary teacher may remove a student for the remainder of the class upon the first event and for two days of class upon the second or third event. An elementary teacher may remove a student for one class period or one hour upon the first event and for two class periods or two hours upon the second or third event. Upon the occurrence of a fourth event, a Principal's suspension shall occur.

Notwithstanding the above, in light of circumstances that warrant suspension, a Principal's suspension for substantially disruptive behavior may be implemented in addition to or in lieu of removal of the student from the classroom by the teacher.

Once the teacher determines that the student has been substantially disruptive or substantially interferes with the teacher's authority over the classroom:

- the teacher must confront the student in class (or within 24 hours of removal where the student is unmanageable at the time of initial removal) to inform the student of the reason(s) for the removal;

- prior to removal from the classroom (or within 24 hours of removal where the student presents an ongoing threat of disruption or a continuing danger at the time of removal), the teacher shall inform the student of the basis for the removal and allow the student to informally present his/her version of the relevant events;
- the Building Principal or designee must be notified immediately, in writing, by the teacher of the student's removal from the teacher's class;
- the Building Principal or designee must inform the student's parent of the removal and the reasons therefore within 24 hours of the student's removal;
- upon request, the student and his/her parent must be given an opportunity for an informal conference with the Principal or designee to discuss the reasons for removal. If the student denies the charge(s), the Principal or designee must provide an explanation of the basis for the removal and allow the student and/or his/her parent an opportunity to present the student's version of the relevant events within 48 hours of the student's removal.
- the Principal or designee may not set aside the removal unless s/he finds that the charges against the student are not supported by substantial evidence or the student's removal otherwise violates law or the conduct warrants suspension from school and a suspension will be imposed.
- the Principal's/designee's determination on whether or not to support the teacher's removal of the student shall be made by the close of business on the day succeeding the 48-hour period for the informal Principal's removal conference. The teacher who causes the removal may be required to attend the Principal's conference at the Principal's discretion.

The District shall provide continued educational programming and activities for students who are removed from their classrooms.

An appeal brought by the parent or student over the age of 18 of a Principal's removal decision must be presented to the Superintendent of Schools or designee within 10 calendar days, prior to any further appeal.

Student Suspension Process

The Board of Education, District Superintendent, Superintendent of Schools, a Building Principal or in his/her absence, an acting Building Principal, may suspend a student from school.

Article 3(a) of Section 3214 of the Education Law states that a student may be suspended from attending school when that student:

1. Is insubordinate, disorderly or violent, or exhibits conduct which endangers the safety, morals, health or welfare of others;

-or-

2. Is removed from a classroom for substantially disrupting the educational process or substantially interfering with the teacher's authority in the classroom four or more times in one semester.

The student may also be suspended for breaking any of the disciplinary rules in this Code of Conduct

Pre-suspension Process

Prior to being suspended from school, the student shall be confronted by a school official empowered to suspend, as referenced above, at which time the evidence upon which the decision

to suspend is based shall be stated to the student and the student shall be given the opportunity to explain his/her version of the facts. The student shall also be afforded the right to present other persons to the suspending authority in support of his/her version of the facts. If the student's presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, such confrontation shall occur following suspension, as soon thereafter as is reasonably practicable. In all cases, there shall be no suspension until after the informal Principal's conference, unless waived, except when the student's continued presence in the school poses a continuing danger to persons or property or an ongoing threat of disruption to the academic process, in which case the notice and opportunity for an informal conference shall occur as soon after the imposition of the immediate suspension as is reasonably practicable, as described in paragraph "2", below.

Short Term Suspension Process

Prior to a proposed suspension from school for between one and five days by a Building Principal or an acting Principal in the absence of the Building Principal, the student and his/her parent shall be notified, in writing, by personal delivery, express mail or overnight service, and by telephone, if possible, within 24 hours of the decision to propose suspension. Such written notice shall include a description of the incident(s) resulting in the suspension and shall inform the parent of their right to request an immediate informal conference with the Principal at which the student and/or his/her parent may present the student's version of the event and ask questions of complaining witnesses. Upon such request, an informal conference with the Principal and other parties involved shall be convened as soon as possible, [at which time the evidence, including the witness(es) relied upon by the Principal in making the suspension determination, may be questioned by the parent or guardian.] The right to an informal conference with the Principal shall also extend to a student if 18 years of age or older. The notice and informal conference shall be in the dominant language or mode of communication used by the parent.

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

The Long-term Suspension Process: Suspension for More than Five Days

Any suspension from school in excess of five school days shall be considered a long-term suspension. Unless there is a written agreement between the person requesting the suspension and the parent, a long-term suspension may be imposed only after the Superintendent of Schools or the Board of Education has conducted a hearing.

When a student is subject to a long-term suspension, a hearing shall be conducted by the Superintendent if the Building Principal, acting Building Principal or the Superintendent has made the original suspension, or before the Board where that body has made the original suspension. The Superintendent of Schools or Board of Education may designate a Hearing Officer to make findings of fact with respect to the charges of infractions under this code of conduct, as well as penalty recommendation pursuant to the penalty parameters described herein.

Re-Entry Conference

A re-entry conference with the Principal or Designee, the parents, and the student is strongly suggested after a short-term or long-term suspension, prior to the student's return to school.

Hearing Procedures

Notice of Hearing

In the event of the suspension of a student under the age of 18 years, the notice of suspension will be mailed or delivered to the parent, who shall have a minimum of 48 hours' notice of the time and place of the hearing, as well as the nature of the charge(s) and the facts, sufficiently stated so that a proper defense may be placed upon the record on behalf of the student.

In the event of the suspension of a student over the age of 18, the notice, as described above, shall be delivered or mailed to the student, as well as to the student's parent(s), if any. Emancipated minors shall be entitled to the same notice rights as a student beyond the age of 18 years.

All notices of long-term suspension hearings shall contain provisions indicating that the student has the right to be represented by an attorney or lay counsel, that a transcript of the hearing will be prepared (tape recording or stenographic record) and that the student has the right to subpoena witnesses or otherwise present witnesses in his/her defense. The time, date and location of the hearing shall also be prominently set forth in the notice.

If the student is 18 years of age or older, the letter described above will be mailed to the student as well as their parent.

The Long-Term Suspension Hearing

The hearing shall be conducted by the Superintendent or a designated Hearing Officer in the event of a suspension by a Building Principal, acting Building Principal; or the Superintendent. The hearing shall be conducted by the Board or its designated Hearing Officer in the event that the suspension originated by Board action.

At the beginning of the hearing, the Hearing Officer shall inform the student and the student's representative(s):

1. that the District's and the student's representatives shall have the right to examine and cross-examine witnesses;
2. that the student has the privilege against self-incrimination, but that if the student does testify, s/he shall be subject to cross-examination;
3. that the District has the burden of proving the charges by a preponderance of the credible evidence;
4. that a transcript of the proceedings shall be maintained and made available to the student's representative upon request; and
5. that the hearing shall be private or open to the public, as determined by the student's representative.

The person conducting the hearing shall not have intimate knowledge of the details of the charges to assure an impartial, unbiased hearing of the case.

The Hearing Officer shall inform the parties:

1. that the case will proceed by having the District present its evidence through witnesses and other evidence first;
2. that the District's witnesses shall be subject to cross-examination by the student's representative; and
3. that the student will then have the opportunity to present witnesses on his/her behalf, subject to cross-examination by the District's representative.

Following the conclusion of the testimony and the introduction of other evidence matters, the parties shall be afforded the opportunity to present oral arguments to the Hearing Officer indicating the reasons why the charges should be sustained or dismissed.

The Hearing Officer shall then reach findings of fact upon the charges.

In the event that one or more of the charges is sustained, the Hearing Officer shall then entertain statements from the parties regarding the appropriate penalty outcome. In the event that the parent and/or the student, in an appropriate case, have been served with a copy of the student's past disciplinary anecdotal record in a timely fashion (at least 48 hours before the hearing), for consideration at the hearing, such record may be considered by the Hearing Officer in determining an appropriate penalty. The incidents contained within the past anecdotal record shall be subject to proof to the extent that they are denied by the student, as expressed by the student's representative.

The Hearing Officer, upon the conclusion of the portion of the proceedings dealing with penalty determinations, shall make findings of fact and penalty recommendations, if any, to the person or body which designated him/her immediately upon the conclusion of the long term suspension hearing.

The Superintendent or Board, whichever designated the Hearing Officer, shall make its own findings of fact and penalty decision, by adopting those of the designated Hearing Officer, where applicable, in whole or in part, or by reaching independent findings of fact and penalty determinations. This process shall be concluded within the five school day period from the time of the initial suspension if the student is to be continuously suspended. The decision may be communicated to the student's representative and/or student (where over the age of 18) beyond the five school day period in cases where the student has been reinstated to attendance in school pending the final determination on the charges and penalty by the Superintendent or the Board, in cases to be decided by them, respectively.

Alternative Instruction

Pursuant to the Education Law, no student shall be suspended from school in his/her regularly scheduled classes without being provided alternative equivalent instruction, either in the form of home instruction or instruction in an alternative setting. Such instruction shall be of a reasonably equivalent nature to that provided in the student's regularly scheduled classes. A good faith effort shall be made to provide such alternative instruction immediately.

In the event that a student within the compulsory education ages of six and the school year in which s/he becomes 16 is suspended from school in excess of five school days, alternative equivalent instruction shall be provided for the duration of the period of suspension.

Appeals Process

The decision of the Superintendent with respect to the findings of fact sustaining charges in a long-term suspension hearing and/or penalty determination shall be subject to appeal to the Board of Education within 10 calendar days of receipt of the Superintendent's determination. The Board shall review the record of the proceedings before the Superintendent or his/her designated Hearing Officer, including a review of the transcript of the proceedings, documentary evidence and written arguments of the representatives of the respective parties, if any. The Board does not provide the representatives of the respective parties with the opportunity either to present evidence not previously in the record or to make arguments in person before the Board.

The Board may review findings of fact, uphold the penalty, reduce the penalty or condition a suspended student's early return to school or suspension revocation upon: (1) s student's voluntary participation in counseling or (2) voluntary participation in special classes, such as those addressing anger management or dispute resolution.

In the event that the initial long-term suspension hearing was conducted by the Board or its designated Hearing Officer, or where the Board has ruled on an appeal from a Superintendent's long-term suspension hearing, the matter may be further appealed.

Discipline of Students with Disabilities

A principal may impose a short-term suspension, lasting five school days or less, for a student with an educational disability in the same manner as is permitted for students without disabilities.A principal's designation of an Interim Alternative Educational Setting ("IAES") must be made in consultation with the student's special education teacher.

In the event that a student has a known disability or when school officials can be deemed to know, in accordance with law, that a student has a disability or meets the "suspected of having a disability" standard, the District will first proceed to conduct a §3214 long term disciplinary proceeding for any suspension of more than five days. The §3214 disciplinary proceeding will be held in two parts, first to determine the student's guilt or innocence on the charges and the second to determine the penalty.

If guilt is determined on a violation of a provision of the District's Code of Conduct, before a penalty may be imposed, the following rules shall apply:

Section 504/Title II ADA Disability

Before discipline may be meted out for a student with a disability or suspected disability founded solely under §504 of the Rehabilitation Act of 1973 (hereinafter §504)/Title II of the Americans with Disabilities Act (hereinafter the ADA), the §504 multi-disciplinary committee (hereinafter the §504 Committee) must make a determination of whether the conduct underlying the charge(s) was a manifestation of the disability.

1. If a Nexus is found between the disability and the conduct, no additional discipline shall be imposed and the record of discipline imposed to date shall be expunged. The 504 Committee shall consider any appropriate evaluations and/or modifications to the student's accommodation plan.
2. If no Nexus is found, yet nonetheless a disability is indicated or has been identified, discipline may be imposed in the same manner as it would be for nondisabled students, upon remand to the §3214 hearing officer. Any penalty imposed may not be based on past behavior for which a Nexus determination was not made. A change in placement; i.e. a suspension, removal or transfer, in excess of 10 school days must be preceded by notice and an evaluation conducted by the §504 team.
3. Students with a recognized §504/ADA disability who are currently using or in possession of alcohol or drugs, have a weapon or impose serious physical injury, may be disciplined, regardless of their disability status in the same manner and to the same extent as non-disabled students, provided that same students are currently engaged in the illegal use of drugs or use of alcohol,in possession or a weapon or impose serious physical injury..
4. The School District must continue to provide a free appropriate public education to students who have been suspended from school as required by the regulations implementing §504 (34 CFR §104 et. seq.) until the end of the school year in which the student reaches the age of 21.

IDEA Disability

For students classified or presumed to have disabilities under the Individuals with Disabilities Act (hereinafter referred to as "IDEA") (a student with an educational disability), a Manifestation Team must make a Manifestation Determination prior to a student's suspension for 10 or more consecutive school days or prior to a suspension of 10 days or less, if it has been determined that a suspension for less than ten consecutive school days would constitute a disciplinary change in placement.

A series of suspensions that are each 10 or fewer days in duration may create a pattern of exclusions that constitutes a disciplinary change in placement. That determination will be made on a case-by-casebasis in accordance with applicable law and regulation. Among the factors considered in making this determination are the length of each suspension, the proximity of the suspensions to one another, and the total amount of time the student is excluded from school.

A student shall be presumed to have a disability if prior to the time the behavior occurred:

1. The parent or guardian of the child has expressed in writing to supervisory or administrative personnel of the appropriate educational agency or to a teacher of the student that the student is in need of special education, provided that such notification may be oral if the parent does not know how to write or has a disability that prevents a written statement; or
2. The parent of the student has requested an evaluation of the student; or
3. A teacher of the student or other personnel of the District has expressed specific concern about a pattern of behavior demonstrated by the student to supervisory personnel in the District in accordance with the District's child-find procedures.

A student shall not be presumed to have a disability for discipline purposes, despite satisfaction of one or more of the above criteria, if:

1. The parent of the student has not allowed a relevant evaluation of the student by the Committee on Special Education ("CSE");
2. The parent of the student has refused or revoked special education services; or
3. It was determined by the CSE or Committee on Preschool Special Education ("CPSE") that the Student is not a student with a disability; or
4. It was determined that an evaluation was not necessary and the District provided appropriate notice to the parents of such determination.

Manifestation Determinations

A Manifestation Team, which shall include a representative of the school district knowledgeable about the student and interpretation of information about child behavior, the parent and relevant members or the CSE as determined by the parent and the school district. The parent must receive written notification prior to any manifestation team meeting to ensure that the parent has an opportunity to attend and inform the parent(s) of their right to have relevant members of the CSE participate at the parent's request.

When making a manifestation determination, the Manifestation Team shall review all relevant information in the student's file including the student's IEP, any teacher observations and any relevant information provided by the parents to determine if:

1. The conduct in question was caused by or had a direct and substantial relationship to the student's disability; or
2. The conduct in question was a direct result of the school district's failure to implement the IEP.

If either of the aforementioned criteria listed as "1" and "2" above are answered affirmatively, the conduct in question shall be deemed to be a manifestation of the student's disability.

When a Manifestation Team determines that the conduct in question was a manifestation of a student's disability, the CSE shall meet to recommend and conduct a functional behavioral assessment and implement a behavior intervention plan in accordance with 8 NYCRR § 201.3 and 201.4(d)(2)(a)).

A meeting for the sole purpose of making a manifestation determination does not require five calendar days' notice to the student's parent or guardian at the meeting. However, if the CSE meets to consider a change in placement in conjunction with the manifestation determination, the five-day notice requirement of §200.5(a) (3) of the Commissioner's Regulations is applicable and parental participation in all CSE meetings is expected and strongly encouraged.

Discipline of Students with Disabilities When the Manifestation Team has made an Affirmative "Manifestation Finding"

When an educationally disabled student's conduct is a manifestation of the child's disabling condition, a student classified under IDEA may only be suspended from school for more than 10 consecutive school days, if one of the following applies:

1. The CSE recommends a change in placement on the student's Individualized Education Plan (IEP) and/or Behavior Intervention Plan and the parent, guardian or eighteen-year or older student consents to such change in writing following receipt of their Procedural Safeguards Notice.
2. A court order or order from an impartial hearing officer of suspension/removal of a dangerous student pursuant to 8 NYCRR 201.8 is obtained.
3. The violation involves weapons, drugs or serious bodily injury.

Suspensions for Misconduct Involving Weapons and/or Drugs and/or Serious Bodily Injury

A student classified or deemed to be known as having an educational disability under IDEA may be suspended and placed in an Interim Alternative Educational Setting ("IAES") for up to 45 school days (less if the discipline is for a non-disabled student would be less), if the student is found guilty of: 1) carrying or possessing a weapon while at school, on school property or while at a school function; 2) knowingly possessing or using illegal drugs, or selling or soliciting the sale of a controlled substance while at school, on school premises or while at school function; or 3) inflicting a serious bodily injury to another person while at school or a school function.

1. In accordance with law, the term "weapon" means "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 that such term does not include a pocket knife with a blade of less than 2-1/2 inches in length." While a pocket knife with a blade of less than 2-1/2 inches in length is not a weapon for purposes of Commissioner's Regulation §201.7, the student will, however, be subject to discipline under the Code of Conduct, including suspension from school.
2. In accordance with law, the term "illegal drugs" means controlled substances but not those legally possessed or used under the supervision of a licensed healthcare professional or other permitted authority under the Federal Controlled Substances Act or under any other provision of Federal law. Controlled substances are drugs and other substances identified under schedules set forth in applicable Federal law provisions.
3. In accordance with law, the term "serious bodily injury" means bodily injury which involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

Before a student is suspended and placed in an IAES for up to 45 school days for behavior involving weapons and/or drugs and/or serious bodily injury, the Manifestation Team must conduct a manifestation determination. Placement in an IAES as a result of conduct involving weapons and/or drugs and/or serious bodily injury is not contingent upon a Manifestation Team determination that the misconduct is not related to the student's disability.

1. If the student is or may be placed in an IAES, the CSE shall as appropriate, recommend functional behavioral assessment and behavior intervention, or review any such pre-existing, plan for modification; and
2. A CSE shall determine and recommend an IAES reasonably calculated to enable the child to continue to receive educational services, participate in the general curriculum and progress toward meeting IEP goals and objectives during the period of suspension from instruction.

Dangerous Students

To continue the suspension of a student classified or deemed to be known as having an education disability under IDEA for more than 10 consecutive school days, the School District may commence an expedited hearing before a special education impartial hearing officer to demonstrate that a student is "dangerous" and is substantially likely to cause injury to himself or others if returned to his last agreed upon placement. An impartial hearing officer may order the placement of the student in an interim alternative setting for up to 45 school days in accordance with 8 NYCRR §201.8 and 201.11.

1. The Manifestation Team must still conduct a manifestation determination within 10 consecutive school days of the initial disciplinary action.
2. If the student is or may be placed in an IAES, the CSE shall as appropriate, recommend functional behavioral assessment and behavior intervention plan, or review any such pre-existing, plan for modification; and
3. An impartial hearing officer's determination allowing a student's placement in an IAES as a result of dangerous behavior is not contingent upon a Manifestation Team determination that the misconduct is not related to the student's disability.

Discipline of Students with Disabilities when the Manifestation Team has made a "No Manifestation Finding"

Where a student with a disability's conduct is found not to be a manifestation of his/her disability he/she may be disciplined in the same manner and to the same extent as nondisabled students. In such instances, the CSE shall meet upon proper notice to determine any appropriate evaluations which must be performed, changes to a student's IEP and to recommend an appropriate IAES where the child can continue to receive educational services, although in another setting, that enable the child to participate in the general curriculum and progress toward meeting IEP goals and objectives during the period of suspension from instruction.

Pendency Placement

An IAES shall be deemed the student's "stay put" placement for up to 45 school days, during the pendency of any expedited due process proceedings commenced by parents to contest 1) a finding that a student is not "presumed to have a disability", and/or 2) a finding that the student's misconduct was not a manifestation of the student's disability, and/or 3) a decision to place a student in an CSE recommended IAES for misconduct involving weapons and/or drugs and/or serious bodily injury, and/or 4) the decision of an impartial hearing officer in a dangerousness hearing and/or 5)the appropriateness of an IAES program recommended by the CSE in the context of one of the four categories of action listed above.

Declassified Students

In accordance with law, the CSE must conduct a manifestation determination in the case of a student with an educational disability who has been declassified if the disciplinary matter involves behavioral problems.

Suspension from Transportation Service (moved placement)

Students may be suspended from transportation services for an infraction or infractions listed herein upon the conducting of an informal hearing by the Superintendent of Schools or his/her designee, at

which time the student's parent/guardian or other representative shall be allowed to question the witnesses relied upon by the District in determining the appropriateness of such suspension of service. If such informal hearing is conducted before the Superintendent's designee, the designee shall make a recommendation to the Superintendent as to the action to be taken.

Suspension from Extracurricular and Co-Curricular Activities, and School Functions

A student may be suspended from participating in extra-curricular or co-curricular activities (including a sports team) for an infraction of any of the provisions herein, for violating a code of conduct issued to participants in the activity by the activity supervisor or for fighting at games. Upon the request of the student's parent/guardian, the Building Principal shall allow the parent/ guardian or other representative of the student the right to appear before him/her informally, to discuss the conduct which led to suspension from the activity.

If a student is suspended from school pursuant to §3214 of the Education Law, s/he shall not be permitted to participate in any extra-curricular or co-curricular activities, as well as any other school events or activities which take place on the days of suspension (including intervening weekends). This may have an impact on the student's participation in graduation ceremonies and other school-sponsored activities such as the senior trip and prom.

Lawful Investigations on District Property

It is the responsibility of the student to cooperate fully with any lawful investigation by authorized persons on school property. A student's consent to search will be obtained, if possible, unless it involved a search of the student's locker, desk, computer or other storage area which is joint property of the District for which there is no expectation of privacy. Every Principal, Assistant Principal or authorized security officer of a school may conduct a reasonable search of a student on school premises and physical plant of the school and everything therein if s/he has probable cause (reasonable individualized suspicion) to believe that the student has in his/her possession an item that constitutes offense under the laws of the State.

Off-Campus Misconduct

A student may be subject to discipline for conduct constituting a crime which is committed off of school premises or at non-school sponsored activities to the extent that the Superintendent of Schools or Board of Education reasonably believes that the continued attendance in school of the student would adversely affect the educative process (e.g., disrupts the operation of the school) or constitutes an endangerment to the health, safety, welfare or morals of the student and/or others in our schools.

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

A student may also be subject to discipline for cyberbullying that occurs off school property if it creates or would foreseeably create a risk of substantial disruption within the school environment but only where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Dress and Grooming

Students are expected to dress and groom themselves in an appropriate manner. Students must be dressed in appropriate clothing and protective equipment as required for physical education classes, participation in athletics, science laboratories and home and careers skills classes.

The following are considered to be inappropriate dress, grooming and appearance and are prohibited in school or at school functions:

1. any dress or appearance which constitutes a threat or danger to the health and safety of students (e.g., heavy jewelry or jewelry with spikes which can injure the student or others);
2. any dress or appearance which is vulgar, lewd, obscene or indecent or profane or which exposes to sight the private parts of the body (e.g., t-shirts with a phallic symbol and messages consisting of sexual metaphors; see-through garments, or garments which expose any portion of the wearer's torso (including belly button), genitals, or rear end;
3. any dress or appearance which encourages or advocates the use of illegal drugs, alcohol and/or tobacco;
4. any dress or appearance which advocates, encourages, or suggests other illegal or violent activities;
5. any dress or appearance which advocates discrimination or denigrates others based upon race, color, creed, weight, ethnic group, religion, religious practice, national origin, gender or sex, sexual orientation or disability;
6. the wearing of hats, bandanas, hoods or other headdress (unless worn - with permission - for religious or medical reasons);
7. any dress or makeup which conceals the identity of the individual in any way, including the full covering of an individual's head (unless for religious or medical reasons);
8. any dress or appearance which constitutes a disruption to the educational process.

Computer and Internet Use

The following prohibited use of District-owned technology, including but not limited to computer drives, network facilities, the Internet and Internet links may give rise to disciplinary action against users of such equipment and/or facilities:

1. E-mail or other electronic communications¸ digital communications or mobile communications (e.g., texts) created by a student or another individual at a student's request, which originates from the school premises or which is received at the school premises or school event or activity or which affects the operation of the school or a school event or activity which:
    a. is lewd, vulgar, obscene, indecent or inappropriate for student recipients of certain ages;
    b. conveys a threat of violence, including sexual violence, to a specific individual or individuals or to the school district;
    c. constitutes a state and/or federal crime;
    d. is the cause of or a substantial contributing factor to a substantial interference with the orderly functioning of the school(s);
    e. attributes the text or email or text message to school officials or that the text is school endorsed, unless there is such official endorsement or consent from school officials.

2. Technology and/or Internet use that circumvents access restrictions placed upon the District's computer systems by the Board of Education or its administrative designee(s).
3. Technology and/or Internet use that is not school related or is unauthorized.
4. Permitting the use of a student's log-in credentials (e.g., access code) by any other person and such student shall assume responsibility for occurrences in violation of this Code of Conduct that occurs under the student's log-in credentials.

   E-mails or other electronic, digital or mobile communications created by a student or another individual at a student's request, which originate from an off-campus computer site and which are received at the school premises or by one or more District students, parents, or staff member at their homes or other off-campus sites, which convey threats of violence to or harasses or bullies a specific individual or individuals or to the District, may give rise to disciplinary actions against such student. Local law enforcement agencies will be contacted in an appropriate case.

Academic Dishonesty (Cheating and Plagiarism)

Cheating is defined as the intentional use of someone else's work or material on any test or assignment; or the use of any prohibited means to enhance the performance on an examination or other school assignment.

Plagiarism is defined as the appropriating and putting forth as one's own, the ideas, language or creations of another without citing their source. Academic dishonesty also involves the dishonest portrayal of someone else's ideas, language, or creations as one's own when such citations are inappropriate to the assigned task. Students should assume that all assigned tasks are expected to be done solely by the individual student unless the assignment explicitly calls for group work or researched citations.

Likewise, students have an obligation to support academic honesty. Students who improperly share their thoughts and materials with others are just as accountable for their actions as those who receive that information. This includes, but is not limited to, the sharing of one's chromebook/password/digital identity with another student who subsequently takes the owner's materials. All students should protect the digital and "real" versions of their work from others and never share their personal log-in information with others.

Each case will be treated individually. In the case of proven cheating or plagiarism, the student will receive a zero on the quiz, test, assignment or project and the teacher will have a conference with the student. Additionally, the teacher will contact the student's parents and/or the guidance counselor. The teacher will also submit a referral to the administration detailing the circumstances behind the cheating/plagiarism. Depending on the severity, scope, and frequency of the infraction(s) for a specific student, additional school-based consequences may be taken per the Student Code of Conduct. In addition, admittance into certain school programs may be hindered by evidence of academic dishonesty (e.g., Honor Society).

PUBLIC CONDUCT ON SCHOOL PROPERTY

The Board of Education recognizes that the primary purpose of ***The Highland Falls – Fort Montgomery Central School District*** is to provide a superior atmosphere for learning and education. Any action by an individual or group(s) aimed at disrupting, interfering with or delaying the education process or having such effect, is prohibited. The Board also recognizes its responsibility to protect school property and declares its intent to take any and all legal action to prevent its damage or destruction. The Board will also seek restitution from, and prosecution of, any person or persons who willfully damage school property

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These rules govern the conduct of students, parents, faculty and other staff, other visitors, licensees, invitees, and all other persons, whether or not their presence is authorized, upon district property, and also upon or with respect to any other premises or property (including school buses) under the control of the District and used in its instructional programs, administrative, cultural, recreational, athletic, and other programs and activities, whether or not conducted on school premises.

PROHIBITED CONDUCT

No person, either individually or in concert with others, shall:

- willfully cause physical injury to any other person, or threaten to do so, for the purpose of compelling or inducing such other person to refrain from any act which s/he has a lawful right to do, or to do any act which s/he has a lawful right not to do;
- intimidate, harass or discriminate against any person on the basis of race, creed, color, weight, national origin, ethnic group, religion, religious practice, gender (including gender identity and expression) or sex, age, marital status, sexual orientation or disability;
- physically restrain or detain any other person, or remove such person from any place where s/he is authorized to remain;
- willfully damage or destroy property of the District or under its jurisdiction or the personal property of a district employee or any person lawfully on school property (including graffiti or arson), or remove or use such property without authorization;
- without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty or staff member;
- enter upon and remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others;
- without authorization, remain in any building or facility after it is normally closed;
- refuse to leave any building or facility after being required to do so by an authorized administrative officer, member of the faculty or staff member, or member of the Board of Education;
- obstruct the free movement of persons and vehicles in any place to which these rules apply;

- deliberately disrupt or prevent the peaceful and orderly conduct of classes, school programs or other school activities;
- deliberately interfere with the freedom of any person to express his/her views, including invited speakers;
- knowingly have in his/her possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon without written authorization of the chief administrative officer, whether or not a license to possess the same has been issued to such person;
- drive recklessly, speed, or fail to follow crossing guard or traffic directions on school grounds, or park in unauthorized areas;
- distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous or obstruct the rights of others;
- possess, consume, sell, distribute or exchange alcoholic beverages, controlled substances, prescription medication, or illegal substances (including synthetic drugs such as synthetic cannabinoids whether or not specifically illegal) or be under the influence of any such items on school property or at a school function;
- use or distribute any tobacco or tobacco-related products on school property and within 100 feet of any entrance, exit or boundary of an elementary or secondary school;
- loiter on or about school property;
- refuse to comply with the reasonable order or directive of identifiable school district officials performing their duties;
- violate any federal or state statute, local ordinance or Board policy while on school property or while at a school function; and/or
- willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so.

PENALTIES AND PROCEDURES

A person who violates any of the provisions of these rules shall be subject to the following penalties and procedures:

- If a licensee or invitee, his/her authorization to remain upon the grounds or other property shall be withdrawn and s/he shall be directed to leave the premises. In the event of failure to do so, s/he shall be subject to ejection.
- If a trespasser or visitor without specific license or invitation, s/he shall be subject to ejection and/or arrest.
- If s/he is a student, s/he shall be subject to disciplinary action as the facts of the case may warrant, as prescribed by §3214 of the Education Law and the Student Code of Conduct.
- If a faculty member, s/he shall be subject to disciplinary action as prescribed by and in accordance with procedures of the Education Law and applicable collectively negotiated agreement.
- If a staff member in the classified service of the civil service, described in §75 of the Civil Service Law, s/he shall be guilty of misconduct and subject to the penalties and procedures prescribed in said section and applicable collectively negotiated agreement, and be subject to ejection.
- If a staff member other than one described above, s/he shall be subject to discipline in accordance with law and any applicable collectively negotiated agreement.

ENFORCEMENT PROGRAM

The Superintendent of Schools shall be responsible for the enforcement of these rules, and s/he shall designate the other personnel who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.

In the case of any apparent violation of these rules by such persons, which, in the judgment of the Superintendent or his/her designee, does not pose any immediate threat of injury to person or property, such officer may make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for resolution of any issues which may be presented. In doing so such officer shall warn such persons of the consequences or persistence in the prohibited conduct, including their ejection from any district properties where their continued presence and conduct is in violation of these rules.

In any case where violation of these rules does not cease after such warning and in other cases of willful violation of such rules, the Superintendent or his/her designee shall cause the ejection of the violator from any premises which s/he occupies in such violation and shall initiate disciplinary action hereinbefore provided.

The Superintendent or his/her designee may apply to the public authorities for any aid which s/he deems necessary in causing the ejection of any violator of these rules and s/he may request the Board's Counsel to apply to any court of appropriate jurisdiction for any injunction to restrain the violation or threatened violation of such rules.

This Code of Conduct and the penalties set forth herein are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal or state law or local ordinance and the imposition of a fine or penalty provided for therein.

DISSEMINATION AND REVIEW

Dissemination of Code of Conduct

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

1. Providing copies of a summary of the Code of Conduct to all students at the beginning of each school year.
2. Making copies of the Code of Conduct available to all parents at the beginning of the school year.
3. Mailing a summary of the Code of Conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
4. Providing all current teachers and other staff members with access to the Code of Conduct and any amendments to the Code of Conduct as soon as practicable after adoption. New employees will be provided with access to the current Code of Conduct when first hired.
5. Providing access to or copies of the Code of Conduct available for review by students, parents and other community members.

The Board will provide training for district staff members to ensure the effective and consistent implementation of the Code of Conduct. The Superintendent may solicit the recommendations of the district staff, particularly teachers and administrators, regarding 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 of Conduct's provisions have been and whether the Code of Conduct has been applied fairly and consistently.

Before adopting any revisions to the Code of Conduct, the Board will hold at least one public hearing at which school personnel, parents, students and any other interested party may participate.

The Code of Conduct and any amendments to it will be filed with the Commissioner no later than 30 days after adoption.

Education Law Sections 2801 and 3214
Family Court Act Articles 3 and 7
Vehicle and Traffic Law Section 142
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(l) (2)

APPENDIX A - COMPREHENSIVE STUDENT ATTENDANCE POLICY

Highland Falls – Fort Montgomery Board of Education – Policy No. 7110

In accordance with state law and regulations it is the policy of the Highland Falls - Ft. Montgomery Central School District to ensure the maintenance of adequate attendance records verifying the attendance of all children at instruction and the creation of the means to examine attendance patterns so as to develop effective intervention strategies to improve student attendance.

It is the objective of this policy to encourage each student to attend school on time, for the maximum number of days and instructional periods possible. In furtherance of this objective, the District shall utilize strategies such as positive attendance incentives and appropriate disciplinary and other consequences.

Record Keeping

A. Attendance record-keeping shall conform to the following:

1. Elementary schools shall ensure that attendance is taken once each day.
2. In secondary schools, attendance shall be taken in each period of scheduled instruction, except where grades are non-departmentalized or for consecutive periods where classes are in the same room.
3. In Grades K-12, any absence for a school day or part of a school day shall be recorded as excused or unexcused as provided for in this policy.
4. In Grades K-12, events of tardiness or early departure shall be recorded as excused or unexcused as provided for in this policy.
5. A record shall be maintained of each scheduled day of instruction during which school is closed for all or part of the day because of extraordinary circumstances including adverse weather, failure of the heating system or water supply, fuel supply shortage or structural damage to the building, etc.
6. A record shall be made of the date when a student withdraws from enrollment or is dropped from enrollment in accordance with §3202(3-a) of the Education Law. Students must remain in school to complete the school year in which they become 17 years of age. A student who becomes 17 on or after July 1st of any given year must complete that school year.
7. A student may withdraw himself/herself only if the student is 18 years of age or older, according to procedures. No staff shall drop any student from enrollment at the request of the student or his/her parent. Any request to withdraw a student from school shall be made to the Main Office or the Guidance Office.

B. A teacher or another employee designated by the Board of Education shall make all entries in the register of attendance. Any individual authorized to make entries in the register of attendance shall, by oath or affirmation, verify the contents of the entries.

C. Student attendance records shall be reviewed by the Principal and/or their administrative designee of each school building in the District for the purpose of initiating appropriate actions to address unexcused student absences, tardiness and early departures.

D. The register of attendance shall consist of any written or electronic record to record attendance, absence, tardiness or early departure of a student. The register shall be maintained for every period that a student is scheduled to attend actual instruction or supervised study during the course of the school day during the school year, from July 1 through June 30. The register at every school building shall include separate notations regarding student presence, absence, tardiness and early departure. The contents of the register for each student shall contain the information prescribed in regulations of the Commissioner of Education (Part 104).

E. The coding system will be the codes found in the District's data processing student information system.

Excused and Unexcused Absences

The Board recognizes the following as acceptable excuses for student absence, each of which must be verified by the student's parent/guardian or school personnel, where applicable:

1. Personal illness
2. Death in the immediate family
3. Religious observance
4. Required attendance in court
5. Approved school-sponsored activities, including interscholastic athletics, field trips, musical and other competitions
6. Directed or authorized presence at the administrative offices or nurse's office
7. Quarantine
8. Emergency dental and medical appointments
9. Military obligations
10. Approved cooperative/work-study program
11. College visitations (only for juniors and seniors), with the prior knowledge and approval of parents and counselors, so long as it does not exceed 5 days in a school year. Additional days may be granted at the discretion of the Building Principal

Acceptable procedures for reporting an absence include a phone call from the parent or guardian on the day of absence or a written excuse presented by the student on the day he/she returns to school following such absence.

Any absence not provided for on the excused list shall be deemed an unexcused absence.
Chronically absent student, as set forth in the Every Student Succeeds Act (ESSA) is defined as a student in grades 1-12 being marked absent, for any non-instructional related reason, for 10% or more of school days during the year. This only applies to students who are enrolled a minimum of 10 days. These students will be supported on a case-by-case basis, including but not limited to meetings with guidance counselor, social worker, attendance teacher or building administrator, contact with parents/guardian, meeting with parents/guardian, as well as contact with local social services agencies, as appropriate.

Class Attendance Standard

A. All students are required to attend class regularly to earn course credit. Students are required to make up assignments in a timely fashion for days of excused absence. With the approval of the Building Principal and/or his/her administrative designee, make-up assignments may be waived in exceptional circumstances or where a §504 accommodation is warranted.

B. All students must maintain at least 90% attendance, exclusive of excused absences, in all classes.
   - Students whose attendance falls below the 90% attendance level in any class, exclusive of excused absences, as recorded on the 30th day or last day of each month, may be ineligible to participate in extra-curricular and co-curricular activities, including but not limited to non-curricular field trips, proms, dances, interscholastic athletics, plays, clubs, etc., for a period of at least one month and until the student attains at least a 90% attendance level.

C. Intervention procedures shall be utilized at all levels.

Encouraging Student Attendance

A. With the approval of the Building administration, in consultation with guidance services, teachers at the elementary level shall utilize attendance incentives (for absences, tardiness and early departure), including recognition of students with good attendance, consideration of such students for special privileges and activities that are unavailable to all students, and commendation certificates that shall be issued to the student's parent(s)/guardian(s).

B. At the secondary level, eligibility for extra-curricular and co-curricular activities, interscholastic sports and attendance at school-sponsored activities shall be restricted to those students whose attendance supports course credit in each of their academic subjects.

C. At the secondary level, class cutting shall be deemed an infraction of the Code of Conduct. The Code shall prescribe a range of disciplinary interventions to address class cutting.

D. Parent(s)/Guardian(s) will be notified in writing or by telephone communication at regular intervals whenever a student exhibits a pattern of unexcused absence, tardiness or early departure. The student shall be conferred with by the classroom teacher, guidance counselor and/or social worker regarding the pattern in an effort to remediate the underlying problem. Notice shall also be given to the Building Principal and/or his/her administrative designee, who may address the matter with the student and/or his/her parent(s)/guardian(s).

E. In the event that the school level interventions have not improved the student's attendance, the Principal may recommend interventions such as a Person In Need of Supervision (PINS) petition to the Family court and/or contact with the appropriate social services agency to initiate a neglect petition.

Oversight Responsibilities

A. The Building Principal and/or his/her administrative designee shall be responsible for reviewing student attendance records and initiating appropriate action consistent with this policy.

B. The Board of Education shall annually review building level student attendance records to determine if the comprehensive student attendance policy is effective. If a decline in attendance is evident, the Board shall revise the policy as deemed necessary to improve student attendance.

Distribution of Policy

The Superintendent of Schools, at the direction of the Board of Education, shall publish to the community information about the District's Comprehensive Student Attendance Policy. The policy shall be available and explained at student assemblies, at assemblies on open school nights (if any), and a plain language summary of the policy shall be prepared for distribution to parents/guardians. Each teacher and new teacher(s), promptly upon hire, shall be provided with a copy of the policy and any amendments thereto. Copies of the policy shall also be maintained by the District's Records Access Officer for issuance upon request by any interested party.

APPENDIX B - SEXUAL HARASSMENT OF STUDENTS POLICY

Highland Falls – Fort Montgomery Board of Education – Policy No. 7551

It is the policy of this School District to prohibit student sexual harassment and student gender discrimination in the schools, at school activities and at events sponsored by the School District. To that end, all officers, supervisory personnel, employees and students of the School District shall be given a copy of this policy and training regarding its terms, procedures, protections and penalties.

Definitions

Sexual Harassment is defined as discrimination against a person of a different or the same sex because of their sex, which creates a sexually hostile learning or school environment.

Sexual harassment that creates a hostile learning or school environment is either pervasive and/or severe conduct that involves unwelcome: sexual advances; sexual conduct that constitutes a crime; sexual touching; indecent exposure of a sexual nature; pervasive sexual remarks, comments, displayed materials, printed materials, electronic media or jokes. The determination of a hostile learning or school environment shall be objective, based upon the viewpoint of a reasonable person and subjectively perceived to be so by the complainant.

Gender discrimination is defined as pervasive and/or severe conduct intended to intimidate or demean a person or persons of the other gender or that which treats a person of the other gender differently in the learning or school environment because of his or her gender.

Procedure

Any student who believes that he or she has been subjected to sexual harassment or gender discrimination by an officer, employee, student or business invitee is encouraged to address the matter with any District Title IX Officer, who shall promptly conduct an intake interview and explain the following options for resolution:

a) Registering an informal complaint verbally or in writing; or
b) Registering a formal complaint verbally or in writing; or
c) Engaging in mediation to arrive at a resolution of the matter; or
d) Placing the District on notice of the objectionable conduct without seeking a resolution through the complaint process or mediation.

The Title IX Officer shall be authorized to proceed with a matter raised under paragraph 4 as if it had been filed as an informal complaint or a formal complaint at his/her discretion.

The intake Title IX Officer will also explain that the complaining student shall not be subject to retaliation or retribution by reason of making the complaint and that confidentiality shall be maintained throughout the process, except as necessary to assure fair and due process.

Informal Complaints

An informal complaint will be promptly reviewed by an intake Title IX Officer, who shall issue a written report to the Superintendent of Schools, within seven (7) days. The Superintendent shall take such further action necessary to reasonably deter any further act prohibited by this policy. Such further action may include referring the matter to a Title IX investigator as if it had been filed as a formal complaint.

Formal Complaints

All formal complaints shall be received in writing or reduced to writing by an intake Title IX Officer, who shall personally or by reference to a designee on the Board's approval list conduct a full and fair investigation of the complaint, make written findings of fact and, where warranted, recommend a resolution to the Superintendent of Schools. The Superintendent of Schools shall advise the complainant and the subject of the complaint of the disposition of the complaint, that may include:

a. A finding that this policy has not been violated; or
b. A finding that this policy has been violated and appropriate corrective, disciplinary and/or other action has been taken.

Alternates

The Board shall appoint more than one Title IX Officer and several designated Title IX formal complaint investigators. Complainant will have a choice of which Title IX Officer to approach regarding a Title IX complaint. If the complaint is about the Superintendent of Schools, the Board shall stand in the Superintendent's place for review activities.

Appeal of Formal Complaints

If a formal complaint hasn't been processed to a satisfactory disposition by the Superintendent within thirty (30) calendar days, unless extended with the written consent of the complainant, the complainant may appeal in writing to the Board for disciplinary action to be taken or disciplinary proceedings to be commenced, where necessary.

Confidentiality

The District's Title IX Officer(s), the Superintendent of Schools and the Board of Education shall, to the maximum extent possible, maintain as confidential the transaction(s) underlying the proceedings or complaint, the outcome of a mediated agreement and action taken, other than formal discipline. The subject of the proceedings or complaint, however, shall be informed of the identity of the person who commenced the proceedings or complaint in order to provide fair and due process.

Both the complainant and the subject of the complaint shall be given a copy of the findings in the matter of a formal complaint.

Consequences

Any officer, supervisor or employee who violates this policy shall be subject to corrective action up to and including termination of office or employment, with due process provided as necessary. Students who violate this policy shall be subject to disciplinary or other corrective action.

Any complaint that is determined to have been processed maliciously or in bad faith, shall be deemed to be in violation of this policy and may give rise to disciplinary consequences against the complainant.

Training

The District shall provide appropriate training to students regarding awareness of and sensitivity to issues involving sexual harassment, including condemnation of such conduct, the sanctions for harassment and preventive measures to help reduce incidents of sexual harassment.

Distribution of Policy

A copy of this policy and its accompanying regulations shall be distributed to all personnel, students and parents/guardians and posted in appropriate places within the District.

APPENDIX C - BULLYING: PEER ABUSE IN SCHOOLS POLICY

Highland Falls – Fort Montgomery Board of Education – Policy No. 7552

The Board of Education is committed to providing a safe and productive learning environment within its schools. Bullying of a student by another student is strictly prohibited on school property, in school buildings, on school buses, and at school sponsored events and/or activities whether occurring on or off campus. The Board of Education shall require the prohibition of bullying - along with the range of possible intervention activities and/or sanctions for such misconduct - to be included in the *District Code of Conduct* for all grade levels.

For purposes of this policy, the term "bullying" among children is defined, in general, as: "a variety of negative acts carried out repeatedly over time. It involves a real or perceived imbalance of power, with a more powerful child or group attacking those who are less powerful." Bullying can take three forms:

a) Physical (including, but not limited to actual or attempted hitting, kicking, spitting, pushing, or taking personal belongings);
b) Verbal (including, but not limited to actual or attempted taunting, malicious teasing, name calling, or making threats); and
c) Psychological (including, but not limited to, actually or attempting to spread rumors; manipulating or attempting to manipulate social relationships; or engaging or attempting to engage in social exclusion, extortion, or intimidation).

The District also prohibits "Internet bullying" (also referred to as "cyber-bullying") including the use of instant messaging, e-mail, web sites, chat rooms, and text messaging when such use interferes with the operation of the school; or infringes upon the general health, safety and welfare of District students or employees.

However, it is important to note that a single negative act as enumerated above may also constitute "bullying" (if not more serious misconduct) based upon the particular circumstances such as the seriousness of the act and/or the intent of the actor.

Any student who believes that he/she is being subjected to bullying behavior, as well as any other person who has knowledge of or witnesses any possible occurrence of bullying, shall report the bullying to any staff member or the Building Principal. The staff member/Building Principal to whom the report is made (or the staff member/Building Principal who witnesses bullying behavior) shall investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the District to investigate allegations of bullying. Investigation of allegations of bullying shall follow the procedures utilized for complaints of harassment within the School District. Allegations of bullying shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of bullying. Follow-up inquiries and/or appropriate monitoring of the alleged bully and victim shall be made to ensure that bullying behavior has not resumed and that all those involved in the investigation of allegations of bullying have not suffered retaliation.

Personnel at all levels are responsible for taking corrective action to prevent bullying behavior of which they have been made aware at School District sites or activities and/or reporting such behavior to their immediate supervisor. Further, staff training shall be provided to raise awareness of the problem of bullying within the schools and to facilitate staff identification of and response to such bullying behavior among students.

Prevention and intervention techniques within the District to prevent against bullying behavior and to support and protect victims shall include building-level and classroom-level strategies and activities as determined by administration. Individual intervention will be provided by appropriate staff members to bullies, victims and their parents to help ensure that the bullying stops.

Rules against bullying shall be publicized District-wide and shall be disseminated as appropriate to staff, students and parents. Disciplinary sanctions for violation of this policy shall be outlined in the *District Code of Conduct* as enumerated above and may also be incorporated in staff and student handbooks.

NOTE: Refer also to Policies
#3410 -- Code of Conduct on School Property
#3420 -- Anti-Harassment in the School District
#7551 -- Sexual Harassment of Students
#7553 -- Hazing of Students
District Code of Conduct

APPENDIX D - HAZING OF STUDENTS POLICY

Highland Falls – Fort Montgomery Board of Education – Policy No. 7553

Definition

The Board of Education is committed to providing a safe, productive and positive learning environment within its schools. Hazing activities are demeaning, abusive and/or illegal behaviors that harm victims, and are inconsistent with the educational goals of the District by negatively impacting the school environment. Hazing of a student by another student or group of students is strictly prohibited on school property; in school buildings; on school buses; by school sponsored groups, clubs or teams; and at school sponsored events and/or activities whether occurring on or off-campus. Hazing of a student refers to soliciting, encouraging, aiding, or engaging in "hazing" behavior as defined pursuant to District policy, regulation and/or law. The Board of Education shall require the prohibition of hazing - along with the range of possible intervention activities and/or sanctions for such misconduct - to be included in the *District Code of Conduct* for all grade levels.

For purposes of this policy, the term *"hazing" among students is defined as any humiliating or dangerous activity expected of a student to join a group, regardless of their willingness to participate*. Hazing behaviors include, but are not limited to, the following general categories:

a) Humiliation: socially offensive, isolating or uncooperative behaviors.
b) Substance abuse: abuse of tobacco, alcohol or illegal drugs.
c) Dangerous hazing: hurtful, aggressive, destructive, and disruptive behaviors.

Incorporated within this definition are various forms of physical, emotional and/or sexual abuse which may range in severity from teasing/embarrassing activities to life threatening actions.

Even if the hazing victim participated "willingly" in the activity, or there was no "intent" by the hazer to harm or injure another individual, hazing is still hazing and against District policy, the *District Code of Conduct* and may be in violation of New York State Law. However, hazing of students does not need to rise to the level of criminal activity for such conduct to be in violation of District rules and subject to appropriate disciplinary sanctions. Any hazing activity, whether by an individual or a group, shall be presumed a forced activity and in violation of Board policy, regardless of the "willingness" of the student to participate.

Any student who believes that he/she is being subjected to hazing behavior, as well as students, school employees or third parties who have knowledge of or witness any possible occurrence of hazing, shall report the incident to any staff member or the Building Principal. Anonymous student complaints of hazing behavior will also be investigated by the District. The staff member/Building Principal to whom the report is made (or the staff member/Building Principal who witnesses hazing behavior) shall investigate the complaint/incident and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the District to investigate allegations of hazing. Investigations of allegations of hazing shall follow the procedures utilized for complaints of harassment within the School District. Allegations of hazing shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints.

Prohibition of Retaliation

The Board of Education prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of hazing. Follow-up inquiries and/or appropriate monitoring of the alleged hazer(s) and victim(s) shall be made to ensure that hazing behavior has not resumed and that all those involved in the investigation of allegations of hazing have not suffered retaliation. Any act of retaliation is subject to appropriate disciplinary action by the District.

Knowingly Makes False Accusations

Students who *knowingly* make false accusations against another individual as to allegations of hazing may also face appropriate disciplinary action.

District Responsibility/Training

Personnel at all levels are responsible for taking corrective action to prevent hazing behavior of which they have been made aware at School District sites; by school sponsored groups, clubs or teams; and at school sponsored events and/or activities whether occurring on or off-campus. Further, as may be applicable, personnel are to report such hazing behavior to their immediate supervisor. Staff training shall be provided to raise awareness of the problem of hazing within the schools and to facilitate staff identification of, and response to, such hazing behavior among students.

Prevention and intervention techniques within the District to help prevent hazing behavior and to support and protect victims shall include building-level and classroom-level strategies and activities as determined by administration. Individual intervention will be provided by appropriate staff members to hazers, victims and their parents to help ensure that the hazing stops.

Rules against hazing shall be publicized District-wide and shall be disseminated as appropriate to staff, students and parents. Disciplinary sanctions for violation of this policy shall be outlined in the *District Code of Conduct* and may also be incorporated in staff and student handbooks. In addition, allegations of hazing behavior may result in referral to law enforcement officials as necessary.

Education Law Sections 1709-a, 2503-a, 2554-a and 2801
Penal Law Sections 120.16 and 120.17
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(l)(2)

NOTE: Refer also to Policies #3410 -- Code of Conduct on School Property
#3420 -- Anti-Harassment in the School District
#7551 -- Sexual Harassment of Students
#7552 -- Bullying: Peer Abuse in the Schools
District Code of Conduct

APPENDIX E – HFFMCSD ACCEPTABLE USE POLICY FOR TECHNOLOGY

STUDENT USE OF COMPUTERIZED INFORMATION RESOURCES

General Policy

The Highland Falls Fort Montgomery Central Public Schools has established a computer network in keeping with its own mission, goals and objectives to provide educational tools for educational purposes for students, staff, and the community. The network has not been established as a public access service or public forum. Uses that might be acceptable on a user's personal computer might not be acceptable on this limited purpose network. Students must follow all rules contained within this policy at all times. Students must also follow the direction of faculty and staff members supervising any area where networked resources can be accessed. Rules governing student behavior set forth in the School Disciplinary Code apply to the use of school computer facilities and machines. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents and employees of the school district.

Guidelines for Use

a. Users will accept the responsibility for keeping all pornographic material, gambling material, inappropriate text files, material dangerous to the safety of students and staff, or files dangerous to the school's computer network from entering the school via the Internet.
b. Users will not transmit or receive any material, language, or images in violation of U.S. or New York laws that advocate violence or discrimination toward other people (hate literature). Also included, but not limited to, is abusive, threatening, harassing, lewd, vulgar, obscene, pornographic, or sexually explicit material, language or images or material protected by trade secret.
c. Users will not engage in any illegal act or violate any local, state or federal statute or law.
d. Users will not vandalize, damage or disable other people's property and will not deliberately disrupt equipment, software or system performance. Users will not tamper with the school district system software, hardware, and wiring or violate the school district system's security in any way. Users will not disrupt the use of the system for others.
e. Users must respect others' privacy and intellectual property as required in "The Children's Internet Protection Act."
f. An Internet filtering system called R3000 Enterprise Filter provided by Orange/Ulster BOCES. This will filter out unwanted site both globally and by URL.
g. Users will not attempt to gain unauthorized access to the school district's system or to any other system through the school district's system. They will not use computer accounts, access codes or network identification other than any assigned to them.
h. Users are responsible for notifying an appropriate staff member if he/she identifies a security problem. Users should not demonstrate the problem to other users.
i. Users will not violate copyright laws, or licensing agreements, or use another person's property without the person's prior approval or proper citation, including downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
j. If a user mistakenly accesses unacceptable material or an unacceptable Internet site, the user shall immediately inform a teacher or other appropriate staff member. This will protect the user from any accusations that the user intentionally violated this policy.

k. Games, Instant Messenger, journaling, chat rooms, and similar activities are prohibited and may not be accessed or played on school computers.

System Use is a Privilege

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, one or more of the following consequences may result: suspension or cancellation of network privileges, payment for damages and repairs, and/or discipline under other appropriate school district policies, including suspension, expulsion, or civil or criminal liability under other applicable laws.

Tampering with computer security systems and/or applications will be considered vandalism, destruction, and defacement of school property. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or other networks that are connected to the National Science Foundation NET Internet Backbone.

Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the Internet.

Implementation

The school district's Internet policies and procedures are available for review by all parents, guardians, staff and members of the community. Due to rapid changes in the development of computer networks and Internet access, this policy may be reviewed and updated when necessary.

The Acceptable Use Policy agreement form must be signed by the user and parent or guardian and filed in the school office.

NOTE: Refer also to Policy #8271 -- Children's Internet Protection Act: Internet Content Filtering/Safety Policy

Appendix F – Student Use of Internet-Enabled Cellular Phones and Devices/Electronic Communication Devices

Purpose and Scope:

The Highland Falls-Fort Montgomery Central School District ("District") is committed to providing a safe, positive, and productive learning environment free from distractions caused by electronic communication devices. This policy promotes educational excellence by reducing disruptions and reinforcing positive expectations, while providing opportunities for students to learn from their mistakes.

This policy applies to all students enrolled in grades PreK-12 during school hours on school property, including any school-sponsored activities regardless of location.

Definitions:

- "**School Property**" means any property owned, leased, or used by the District for school-related activities, including buildings, playgrounds, and parking lots.
- **Internet-Enabled Device** means and includes any smartphone, tablet, smartwatch (and other wearable device), or other device that currently exists or may exist in the future that can connect to the Internet and enable the user to access content online. It does not include internet-enabled devices supplied by the District that are used for an educational purpose.
- **"Device"** means any portable electronic device capable of making telephone calls, sending text messages, accessing the Internet, or other electronic communication functions.
- "**Student**" means any individual enrolled in the District.
- **"Staff Member"** means an employee of the District, such as but not limited to a monitor, aide, teacher, school counselor, administrator
- "**School Hours**" means the period during which students are required to be present at school, including all instructional and noninstructional time, and activities sponsored or approved by the District regardless of location.

Prohibited Devices:

All students are prohibited from displaying or using internet-enabled devices during the school day. This includes:

- Cell phones
- Smartwatches (and other wearable devices)

- iPods or MP3 players
- Smart glasses
- Any other similar technology that currently exists or may exist in the future.

Device Use Restrictions: Devices are not permitted in classrooms, hallways, cafeterias, study halls, recess/playgrounds, or other instructional/common areas during the defined school day. Specific instructional hours will be communicated by each building.

Device Storage:

For the safety and optimal learning environment of our youngest students, personal cell phones and other internet-enabled devices are strictly prohibited from school premises for all students in Pre-Kindergarten through Third Grade

For students in grades 4-12, upon entering school, students must turn off all internet-enabled devices and store them securely in their assigned lockers with locks or bookbags/backpacks stored in lockers with locks. Devices may not be carried in pockets, hoodies, or hands during the day.

Emergency Communication: Parents/Guardians who need to contact their child during the school day may do so by contacting the School's main office by telephone or email to relay an urgent message to a student during the school day. If a student has an urgent need to contact their family, they may request access to a school telephone. Supervised locations within each school will be provided. Confidential spaces will also be available upon request.

Exceptions:

- Medical exceptions may be granted upon submission of a doctor's note, reviewed by the district physician, and subject to approval by the district physician, on a case-by-case basis.
- In the event of an emergency as determined by an administrator.
- For translation services that are necessary for a student's instructional program.
- On a case-by-case basis, upon review and determination by a school psychologist, school social worker, or school counselor for a student caregiver who is routinely responsible for the care and well-being of a family member.
- When otherwise required by law, such as when such use is required by a student's Individualized Education Program (IEP) or Section 504 Plan.

If an exception has been granted, personal devices may only be used by the student granted the exception and only for the purposes outline in the exception, and the device must be silenced and stored when not in use.

Consequences for Policy Violations: Infractions will be tracked each marking period, with progressive consequences:

1st Infraction:

- Verbal warning by staff member, reminder of policy; secure device in locker or backpack in locker.
- Failure to comply is insubordination and may result in detention; device brought to Main Office and retrieved by student at day's end.

2nd Infraction:

- Written documentation by staff.
- Device brought to Main Office; student retrieves at day's end.
- Parent/guardian contacted by staff to notify of violation and to reiterate policy.
- Failure to comply is insubordination; parent/guardian must retrieve device from the Main Office.

3rd Infraction:

- Written documentation by staff.
- Device brought to Main Office; parent/guardian must retrieve.
- Administrator contacts the parent/guardian to schedule a meeting.
- Mandatory device drop-off at the Main Office each day and retrieval at the end of the student day for one week.
- Administrator-issued consequence (multiple-day lunch or after-school detention).

4th Infraction and Beyond:

- Written documentation by staff.
- Device secured immediately by administration; parent/guardian retrieval required.
- Administrator contacts the parent/guardian to schedule a meeting.
- Mandatory device check-in at the Main Office daily for one month.
- Administrator-issued consequence (one-week lunch or after-school detention).
- Loss of additional privileges (e.g., extracurricular activities, sports, events participation) for at least one week.

Devices that are stored in the main office will remain in a locked safe/cabinet until they are retrieved by the appropriate individual

Post-School Day Device Use: Students may use devices after school hours, including during sporting events and extracurricular activities.

Policy Development and Implementation: This policy was developed based on feedback from families, faculty, and staff, and will be carefully monitored for effectiveness.

Policy Publication: This policy will be available on the District's website and distributed annually and/or digitally accessible to students, staff and families.

Annual Reporting Requirement: Beginning September 1, 2026 and annually thereafter, the District will publish an annual report on its website detailing enforcement of this policy within the District in the prior school year.

Effective Date: This policy is effective starting August 1, 2025, for the 2025-2026 school year.

For additional details, please visit the Quick Link for Cell Phone Information provided on the district website.

Examination Security:

In order to ensure examination security, students may not use a cell phone or other internet-enabled device or electronic technology or wear headphones during Regents examinations, and other state and local examinations, either in the room where the test is administered or while on a supervised break and until the examination has been completed, handed in and the student has left the examination room. If any such device or related technology is used for any reason during a Regents examination, or other state or local examination and under any circumstances in violation of this Policy, the student's examination will be invalidated and no score will be calculated for the student.[1]

Responsibility:

The decision to bring internet-enabled devices and other electronic devices to school or school sponsored events rests with the individual student and their parents/guardians, and therefore the responsibility for such devices rests solely with the individual student. The District discourages bringing such devices to school. The District assumes no responsibility or liability whatsoever in the event that an electronic device of any type is damaged, misplaced or stolen during the school day, when on school property even if stored in a secure facility, or when in attendance at a school sponsored event, whether on or off of school property. The District further assumes no responsibility or liability for any communication bill associated with the authorized or unauthorized use of said devices

[1] *Section 225 of the Education Law makes fraud in examinations, such as obtaining aid from or giving aid to another person during a Regents Examination, a misdemeanor.*