



# NORTHERN ADIRONDACK MIDDLE SCHOOL- HIGH SCHOOL

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**This 2023 -2024 Student handbook belongs to:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

## **MISSION STATEMENT**

The mission of the Northern Adirondack Central School District, in partnership with family and community, is to educate students to become lifelong learners and responsible citizens.

## **VISION STATEMENT**

The vision of the Northern Adirondack Central School District is to provide a safe environment and a quality educational experience for students that emphasize achievement, positive self-esteem, and high moral character. School, family, and community will foster the essential foundation to prepare students educationally and socially in our diverse society.

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Students may enter the building at 7:55.

Grade level and course enrollment determine schedule.

Schedule A

Regular		Repeat Period		1-Hour Delay		2-Hour Delay		11:40 Dismissal	
Homeroom 8:05-8:12		Homeroom 8:05-8:12		Homeroom 9:05-9:12		Homeroom 10:05-10:12		Homeroom 8:05 - 8:12	
1	8:15-8:56	1	8:15-8:51	1	9:15-9:48	1	10:15-10:39	1	8:15 - 8:35
2	8:59-9:40	2	8:54-9:30	2	9:51-10:24	2	10:42-11:16	2	8:38 - 8:58
3	9:43-10:24	3	9:33-10:09	3	10:27-11:00	3	11:19-11:43	3	9:01 - 9:21
4	10:27-11:08	4	10:12-10:48	4	11:03-11:36	4	11:46-12:10	4	9:24 - 9:44
Lunch 1	11:11-11:41	Lunch 1	10:51-11:21	Lunch 1	11:39-12:09	Lunch 1	12:13-12:43	7	9:47 - 10:07
5B	11:44-12:25	5B	11:24-12:00	5B	12:12-12:45	5B	12:46-1:10	8	10:10 - 10:30
6B	12:28-1:09	6B	12:03-12:39	6B	12:48-1:21	6B	1:13-1:37	Lunch 1	10:33 - 10:53
7	1:12-1:54	7	12:42-1:18	7	1:24-1:59	7	1:40-2:06	5B	10:56 - 11:16
8	1:57-2:38	8	1:21-1:59	8	2:02-2:38	8	2:09-2:38	6B	11:19 - 11:40
		Repeat	2:02-2:38						

**Schedule B**

Regular		Repeat Period		1-Hour Delay		2-Hour Delay		11:40 Dismissal	
Homeroom 8:05-8:12		Homeroom 8:05-8:12		Homeroom 9:05-9:12		Homeroom 10:05-10:12		Homeroom 8:05 - 8:12	
1	8:15-8:56	1	8:15-8:51	1	9:15-9:48	1	10:15-10:39	1	8:15 - 8:35
2	8:59-9:40	2	8:54-9:30	2	9:51-10:24	2	10:42-11:16	2	8:38 - 8:58
3	9:43-10:24	3	9:33-10:09	3	10:27-11:00	3	11:19-11:43	3	9:01 - 9:21
4	10:27-11:08	4	10:12-10:48	4	11:03-11:36	4	11:46-12:10	4	9:24 - 9:44
5A	11:11-11:52	5A	10:51-11:27	5A	11:39-12:12	5A	12:13-12:37	7	9:47 - 10:07
Lunch 2	11:55-12:25	Lunch 2	11:30-12:00	Lunch 2	12:15-12:45	Lunch 2	12:40-1:10	8	10:10 - 10:30
6B	12:28-1:09	6B	12:03-12:39	6B	12:48-1:21	6B	1:13-1:37	5A	10:33 - 10:53
7	1:12-1:54	7	12:42-1:18	7	1:24-1:59	7	1:40-2:06	Lunch 2	10:56 - 11:16
8	1:57-2:38	8	1:21-1:59	8	2:02-2:38	8	2:09-2:38	6B	11:19 - 11:40
		Repeat	2:02-2:38						

**Schedule C**

Regular		Repeat Period		1-Hour Delay		2-Hour Delay		11:40 Dismissal	
Homeroom 8:05-8:12		Homeroom 8:05-8:12		Homeroom 9:05-9:12		Homeroom 10:05-10:12		Homeroom 8:05 - 8:12	
1	8:15-8:56	1	8:15-8:51	1	9:15-9:48	1	10:15-10:39	1	8:15 - 8:35
2	8:59-9:40	2	8:54-9:30	2	9:51-10:24	2	10:42-11:16	2	8:38 - 8:58
3	9:43-10:24	3	9:33-10:09	3	10:27-11:00	3	11:19-11:43	3	9:01 - 9:21
4	10:27-11:08	4	10:12-10:48	4	11:03-11:36	4	11:46-12:10	4	9:24 - 9:44
5A	11:11-11:52	5A	10:51-11:27	5A	11:39-12:12	5A	12:13-12:37	7	9:47 - 10:07
6A	11:55-12:36	6A	11:30-12:06	6A	12:15-12:48	6A	12:40-1:04	8	10:10 - 10:30
Lunch 3	12:39-1:09	Lunch 3	12:09-12:39	Lunch 3	12:51-12:21	Lunch 3	1:07-1:37	5A	10:33 - 10:53
7	1:12-1:54	7	12:42-1:18	7	1:24-1:59	7	1:40-2:06	6A	10:56 - 11:16
8	1:57-2:38	8	1:21-1:59	8	2:02-2:38	8	2:09-2:38	Lunch 3	11:19 - 11:40
		Repeat	2:02-2:38						

**WELCOME TO NACS**

Dear Student:

We hope this year will hold many pleasant and valuable learning experiences for you. Your teachers will be working together with the administration and school counselors as a team on academics, activities and discipline. You are important to us! We are working to make your years at NACS successful and rewarding. You will notice that this handbook outlines many of our school rules as well as your responsibilities as a student. If you or your parents are

interested in the additional NACS School Board policies by which we operate, copies are available in the office for your review. Best wishes for a successful year.

## **STUDENTS' RIGHTS**

1. The right to be treated with respect and courtesy.
2. The right to be safe from bodily injury throughout the building and on school grounds.
3. The right to use school books, materials and equipment, which are in reasonably good condition. (Books and materials should be returned in the same condition as received.)
4. The right to keep personal property and school supplies in assigned lockers.
5. The right to study and learn in an environment which is neat, clean, and reasonably quiet.
6. The right to obtain the best possible education.

## **VISITORS**

The building principal is responsible for all persons in the building and on the grounds. The following applies to visitors to the school:

- Anyone who is not a regular staff member or student of the school will be termed a “visitor.”
- Visitors to school buildings or school campuses will report to the school office immediately upon their arrival.
- Teachers, students and other staff are not expected to take instructional time to discuss individual matters with visitors.
- The building principal or office staff will welcome visitors and provide any necessary assistance. The principal will establish sign-in procedures for visitors. Visitors will be required to register.
- Invited Guests – Teachers planning to invite guests to the classroom will make necessary arrangements and inform the principal and office staff.
- Parents and Legal Guardians – Parents and guardians are encouraged to visit for class exhibits, athletic events, celebrations, and to participate in volunteer opportunities.
- Student Guests – Student visitations are not allowed except under certain situations for which the principal must grant approval, such as a specific school program or activity.
- Visits to classrooms may be allowed at the discretion of the principal and must be arranged in advance. Factors to be considered include but are not limited to the following: instructional viability or connection, disruption of classroom activity; time of the school year; nature of the class, and class size. Under no circumstances are classroom visits to be used for the purpose of teacher or program evaluation.
- The building principal has the authority to prohibit the entry of any person to school, to expel any person who possesses a firearm, and to exclude anyone where there is reason to believe the presence of said person would be detrimental to the good order and operation of the school. The principal is authorized to request whatever assistance is required from local law enforcement if such an individual refuses to leave the school grounds or causes a disturbance.
- Student guests attending the prom or after prom party may not be over 20 years old. Any guests invited to prom needs prior approval by the building principal.

## **EMERGENCY SCHOOL CLOSING**

In case of severe weather conditions, or any other type of emergency, the administration may find it necessary to close school for the day or have a delay. On such days it will be announced on the following television and radio stations: WPTZ and 92.9. An automated EMA notification system has been put in place for such notifications.

Every effort will be made to contact the public at the earliest possible hour. **PLEASE DO NOT CALL THE SCHOOL, THE BUS GARAGE OR THE LOCAL DISTRICT OFFICE** for emergency closing information. It is on days like this that the telephone lines are extremely busy.

## **ATTENDANCE POLICY**

In recognition of the importance of class attendance for academic success, the Northern Adirondack Central School District hereby establishes an attendance policy.

The philosophy underlying such a policy emphasizes the very nature of the classroom educational experience that cannot be made up once it is missed and one that a homework assignment cannot duplicate. The planned daily questions and concerns of the teachers and the students alike can only take place when students are present and prepared for these experiences.

With the above philosophy in mind, the following attendance policy is established, and will be enforced.

High School course credit (in the Middle School, course credit will directly affect promotion) may be withheld under the following conditions:

- **A 10 WEEK COURSE – AFTER FIVE (5) ABSENCES**
- **A SEMESTER COURSE- AFTER TEN (10) ABSENCES**
- **A THREE FOURTHS (3/4) YEAR COURSE – AFTER FIFTEEN (15) ABSENCES**
- **A FULL-YEAR COURSE- AFTER TWENTY (20) ABSENCES**
- **A FULL-YEAR CV TEC Course - AFTER FIFTEEN (15) ABSENCES**

NOTE: Initial attendance is taken during homeroom. Additionally, attendance is taken every period by the individual teacher.

### **STATEMENT OF OBJECTIVES:**

It shall be the policy of Northern Adirondack Central School to have a comprehensive high school attendance policy, which seeks to:

- A. Ensure the maintenance of an adequate and accurate record of attendance for all children enrolled as students at Northern Adirondack Central High School and in accordance with New York State Education Law.
- B. Establish a practical mechanism to account for the whereabouts of all the children throughout the school day.
- C. Maximize student achievement and school completion for all students.
- D. Increase student achievement by decreasing student absence and by encouraging a higher attendance rate.
- E. Comply with all aspects of the NYS Education Department with regard to pupil attendance, transfer, or withdrawal, etc. and the maintenance and compilation of all relevant and necessary data.

### **DESCRIPTION OF STRATEGIES TO MEET OBJECTIVES:**

- A. Create and maintain a positive school climate and culture which creates an environment conducive to learning and makes school a desirable place for the faculty, staff and students.
- B. Encourage student attendance by communicating the attendance policy clearly to students, parents and faculty.
- C. Communicate attendance concerns directly to parents and discuss those concerns with the student. Afford the student and parents the opportunity to meet in an attendance hearing to verify information and discuss consequences.
- D. Maintain accurate school attendance for the purpose of: identifying trends, conducting interventions and establishing an average daily attendance rate.

### **ABSENCES DEFINED**

Northern Adirondack High School, in compliance with New York State Education Department Law, identifies two types of absences: excused and unexcused.

A. **EXCUSED ABSENCES-** An absence, tardy or early dismissal which is due to any of the following reasons:

- Student illness or illness of immediate family member or death of immediate family
- Religious observance
- Quarantine- verifiable by physician or County Health Dept.
- Required Court appearance
- Attendance at Health Clinics
- Approved college visits (letter from admission's office is required)
- Approved Cooperative Work Programs
- Military obligations
- Road Test (not a driver permit test)

In school suspension (ISS) and out of school suspension (OSS) will not be counted toward the maximum number of allowed days missed.

**The above excused absences still require verification and legitimate written excuses. Without verification, excused absences will be counted toward the denial of credit.**

\*\*If a prolonged absence due to a short term physical, mental, or emotional illness is anticipated, the student's parent or guardian should contact the building administrator regarding homebound instruction. According to the State Education Department, an absence of at least two weeks is considered a prolonged absence. The student's Physician must verify any such absence due to illness. Homebound instruction counts as school attendance.

**UNEXCUSED ABSENCE-** An absence, tardy or early dismissal, which is not recognized as an excused absence. These absences include, but are not limited to:

- Family vacations/Planned events
- Hunting trips
- Babysitting
- Oversleeping
- Field Trips not authorized by the principal
- Meetings held during the school day without principal's authorization
- Farm work
- Employment during the school day

#### **DESCRIPTION OF ATTENDANCE INCENTIVES:**

In general, the following attendance incentives will be used to encourage greater student attendance:

- Participation in student activities
- Eligibility for CV-TEC
- Maintenance of driving privileges

#### **NOTES:**

- To receive credit for attendance in a specific class, a student must be present for a minimum of **30** minutes.
- This policy also applies to students who are enrolled in Champlain Valley (CV-TEC) Vocational Education programs. Students exceeding the number of absences will either audit the CV-TEC program or return to the home school with appropriate work as determined by the student's counselor.
- A written excuse or e-mail (including reason) **MUST** be submitted to the attendance office within **3** days of returning to school, the student **MUST** have a written explanation giving the following information:
  - Student's name
  - Date of absence

- o Grade
- o Reason for absence
- o Signature of parent/Guardian
- Letters/notes for absence due to court appearance, college visits and doctor visits due to illnesses are required.
- \*\* Three consecutive days of absence due to student illness will require a written note from a doctor/health clinic.
- In the event of an attendance hearing, the student's attendance file will be presented as documentation of the nature of the student's absences.
- When a student needs to be dismissed prior to the end of the school day, a note (signed by the student's parent/guardian) stating the reason and the time of dismissal should be submitted to the office during homeroom period. In the rare case an emergency requires that a student leave unexpectedly, the parent or guardian should call the main office or nurse's office and request for their child to be dismissed. In the absence of a note to leave or permission granted over the phone, the parent must physically come into the office and sign out his/her child. In every case, the register needs to be signed and a written excuse is required upon return of the student.
- Chronic absences, tardiness, or truancy will be investigated and, if not corrected, will be reported to the proper authorities.

IEP Diploma-bound students are required to adhere to the attendance policy to meet the requirements for the IEP Diploma unless specified otherwise on the students IEP.

**Students of parents with attendance concerns shall be notified in the following manner:**

- **Parents will receive notification when their son or daughter has been absent:**
  - o **5 days = first notification** **Full year course**
  - o **10 days = second notification** **Full year course**
  - o **15 days = third notification** **Full year course**
  - o **18 days = (ATTENDANCE HEARING WITH PARENTS)** **Full year course**
- **Half year Course**
  - o **5 days = first notification**
  - o **8 days = (ATTENDANCE HEARING WITH PARENTS)**



After missing more than 20 UNEXCUSED absences for a full year course or more than 10 UNEXCUSED absences for a semester course the student may receive a NO CREDIT (in the Middle School, it will be a failure) for that class. Students that lose credit due to lack of attendance will be required to audit the class.

## **ARRIVAL/DISMISSAL**

Once students arrive on school grounds, by car or bus, they must enter the building immediately. If a student is late for school, she/he must provide a written excuse and sign in at the nurse's office. Students who are tardy to school without a written, excusable absence will be subject to disciplinary consequences. The student will be given a tardy slip to enter class. Students are not allowed to leave the school building or school grounds anytime during the school day without proper approval. Students are also required to sign out at the middle/high school office. **Parents must come into the school building to sign out their child.** If a student plans to leave school during the day without a parent pick up, they must present an authorization note to the middle/high school office upon arrival in the morning. Students are always required to sign in/out at the middle/high school office. Students must sign in/out in the correct area on the sign out sheet and the time should be according to the clock in the middle/high school office. **Students may not sign another student in or out. Students may not transport other students in their vehicles during the school day.** Students must board buses promptly upon dismissal. He/she is to remain in the building or on the school grounds unless staying for a supervised activity in which they are assigned to participate in. This includes the student parking lot.

## **REPORTING TO SCHOOL IN THE MORNING**

Students must wait in the lobby/cafeteria until the **7:55 a.m.** bell. Students must report to homeroom on time. Once students arrive on school grounds, by car or bus, they must enter the building immediately. Attendance will be taken at the start of homeroom. Students may not hang out or loiter in such areas as the parking lot, outside the building, lobby, or in the restrooms. Students who do not report to homeroom will be reported as absent. An excuse on file will be necessary. Students who go to breakfast **will report immediately to the cafeteria upon arrival.**

When students are present they are expected to be in class, study hall or the cafeteria as a routine matter. Exceptions to this important rule must be cleared with the Principal. Skipping class is considered a serious offense.

When returning to school after an absence, check with your teachers to see what you must make up in the way of assignments or tests. Certain assignments and tests have been designated of such importance to the course that failure to make them up will result in a grade of "I" (Incomplete). Should you fail to make up the work by the end of the term, the I grade will automatically become F (failure).

## **CONDUCT BEFORE & AFTER SCHOOL**

After school, students who remain in the building must be in the company of a teacher or coach. If they are waiting for an assigned activity to begin, which they are a participant of, they should wait in the cafeteria. Students waiting for a ride should also be in the cafeteria. Students who do not have driving and/or riding privileges are not allowed in the student parking lot.

## **Stores**

Students are not allowed to leave campus to go to any store without administrative approval. This includes before school, (after the buses arrive), during school and after school. This also includes athletic teams waiting for late practices or games and afternoon CV-TECH students waiting for the 4:30 p.m. bus. Students participating in after school events may leave a food order in the main office by 11:00 a.m.

## **WALKING**

**WALKING OFF CAMPUS IS STRICTLY PROHIBITED.** If students are excused during the school day, appropriate transportation must be provided. Any request for a student walking to or from school must have pre approval from that student's administrator and written parent permission.

## **ACADEMICS**

Students are expected to come to school properly prepared to participate in the various learning activities which NACS offers.

### **GRADING**

Students at NACS are regularly evaluated by their teachers. There are several formal ways that parents will be notified of their child's progress. Evaluations for the purpose of grading can be assessed by, but not limited to, the following: tests, quizzes, homework, classroom participation and/or projects. The evaluative measure will be at the discretion of the classroom teacher. Each teacher has a policy for work which is late. Students will be notified of these procedures. Grading policies for each teacher will be posted on his/her website and shared with students in the classroom. All parents are encouraged to complete and return parent portal request forms to the MS/HS office. This enables a parent/guardian to view their students' grades in real time.

**REPORT CARDS** are issued approximately every ten weeks. All quarterly and final grades are numerical. A grade of 65 or greater will indicate passing, while an "I" (incomplete) grade will become a failing grade if the work is not made up within the next two weeks or at the teacher's discretion. Extenuating circumstances, such as illness, are to be considered.

**PROGRESS REPORTS** are mailed to parents five weeks before report cards are issued. Parent conferences may be requested. Please call the school for an appointment.

**TESTS/QUIZZES** – Quizzes may be given any day without notice. It is the student's responsibility to be prepared for all classes.

**HOMEWORK** - It is the responsibility of the student to obtain homework assignments from classroom teachers. If a student is absent, it is his/her responsibility to obtain homework assignments from his/her classroom teachers. In the event of a long term absence, please contact the student's counselor or administrator.

**EXTRA HELP** - If students do not understand their assignments or school work, are having difficulty, or are generally not doing well, their teacher(s) may ask them to spend time after school. A 4:30 bus is provided.

## **GRADUATION**

All Graduation requirements must be met before a student is allowed to participate in the graduation ceremony. Specifically, a student must earn both class credit and Regents credit (pass the Regents exam) in Integrated Algebra, English 11, Global History and Geography, American History, and a lab science (Earth Science or Biology). A student must attend the graduation rehearsal to participate in the graduation ceremony.

## **GRADUATION REQUIREMENTS**

Every student must take at least 5 ½ H.S. credits each year. The following credits totals must be earned before moving on to the next homeroom:

5 ½ H.S. credits to be in 10<sup>th</sup> grade homeroom

11 H.S. credits to be in 11<sup>th</sup> grade homeroom

16 ½ H.S. credits to be in 12<sup>th</sup> grade homeroom

All students must have a total of 22 credits, including 2 credits of physical education (1/2 credit for each year) and ½ credit for high school health.

Any student that starts the school year repeating a grade may be promoted at the end of the second quarter and moved to the appropriate grade level homeroom if they are passing all subjects and have earned the appropriate number of credits required to complete the next grade by the end of that school year.

## **MIDDLE SCHOOL PROMOTION POLICY**

Any student who fails the required academic subjects (English, Social Studies, Science, Mathematics, Foreign Language) for the year will have his/her records reviewed by a promotion committee made up of grade level teachers, administrators and guidance counselors. Records to be considered may include but are not limited to: grades, attendance, scores on state assessments, and standardized test scores. The committee recommends to the Principal either promotion or retention. The committee may also recommend successful attendance at Academic Boot Camp or summer school as a stipulation of promotion.

## **GUIDANCE SERVICES**

The purpose of the guidance services is to help each student in his/her educational, vocational, social, and personal development. Conferences with students receive first consideration of the counselor's time and are scheduled whenever necessary.

## **COUNSELING SERVICES**

Counseling Services are available for every student in the school. These services include assistance with educational planning, interpretation of test scores, occupational information, career information, study help, help with home, school and/or social concerns, or any question the student may feel he or she would like to discuss with the counselor. Students wishing to visit their school counselor should secure a pre-signed pass from their counselor.

## **SUMMER SCHOOL REQUIREMENTS**

Students who have failed a class will be considered eligible for summer school (if available through the BOCES) only if they have a minimum average of 55 in that class. The final grade in the course will be averaged with the summer school grade to determine a final average grade, which must be at least 65 in order to pass the class. This standard will help us to ensure that our students are properly prepared for state exams in the future.

## **DROP/ADD POLICY**

No required courses will be dropped. Requests must be made within two weeks of the beginning of a course or by teacher's referral. Any dropped course requires the consent of the student's parent/guardian.

## **PARENT CONFERENCES**

If parents wish to speak with a teacher, or leave a message, they may do so by calling the main office at (518) 594-3962. If a parent would like to meet with several teachers and/or a counselor, please call to arrange a time with the School Counseling Office at (518) 594-3962.

## **HONOR ROLL**

To qualify for honor roll status, a student must obtain an average between 85 and 89. To qualify for high honor roll status, a student must obtain an average between 90 and 100. Any "I" (Incomplete) automatically disqualifies a student from the honor/high honor roll. Any student with a failing grade will not be eligible for honor roll/high honor roll status.

## **RECOGNITION OF ACADEMIC ACHIEVEMENT**

### **GOAL: To Promote Academic Awareness and Excellence**

Awarding Academic Certificates/or plaques for students in grades 6 through 12.

## **NATIONAL HONOR SOCIETY/JUNIOR HONOR SOCIETY**

NJHS/NHS is more than just an honor society. The Honor Society chapter establishes rules for membership that are based upon a student's outstanding performance in the areas of scholarship, service, leadership and character. These

criteria for selection form the foundation upon which the organization and its activities are built. To be eligible for NJHS/NHS, students cannot have any incompletes.

**SCHOLARSHIP:** Students who have a cumulative grade point average of 88% in High School and 90% in Middle High School meet the scholarship requirement for membership per the NACS NHS bylaws. These students are then eligible for consideration on the basis of service, leadership and character.

**SERVICE:** The quality is defined through the voluntary contributions made by the student to the school or community, done without compensation and with a positive, courteous and enthusiastic spirit.

**LEADERSHIP:** Student leaders are those who are resourceful, good problem solvers, promoters of school activities, idea-contributors, dependable and persons who exemplify positive attitudes about life. Leadership experiences can be drawn from school or community activities while working with or for others.

**CHARACTER:** The student of good character, in and out of school, upholds principles of morality and ethics, is cooperative, demonstrates high standards of honesty and reliability, shows courtesy and respect for others, and maintains a good and clean lifestyle.

For more information regarding the National Honor Society or the selection process, go to the national website [www.nhs.us](http://www.nhs.us) or contact one of the National Honor Society Advisors.

## **ACADEMIC ELIGIBILITY POLICY**

For the purpose of this Academic Eligibility Policy, extra-curricular activities are any non-credit bearing activities offered by the school, which include but are not limited to athletic activities, Key Club, student council, class officer, ski club, prom and prom committee, drama club, FFA, and productions.

## **EXTRACURRICULAR ELIGIBILITY RULES**

The following rules will apply to students who choose to participate in sports, school clubs, and other after school activities:

1. Students who fail two or more courses during any 10-week marking period may not participate in any extracurricular activity for the succeeding 2-week period. Eligibility is reinstated when the 2-week report indicates that there is no longer a failure in two or more courses.
2. Students who fail two courses at the conclusion of the school year are ineligible for participation in extracurricular activities for the first marking period of the following school year. In the event that the student attends summer school and successfully completes failed courses to the extent that the remaining failed courses are less than two, the above rule will not apply.
3. Students who do not attend school on a given day will not be allowed to attend extra-curricular activities. Exceptions: Legal and medical excuses cleared through administration.
4. Any senior failing a course required for graduation will be ineligible to participate in any extracurricular activity or sport until they are passing the course.

\*\*Student athletes must refer to the Athletes' Code of Conduct

## **AGENDAS**

Students are to utilize their agendas for recording homework assignments and hall passes. Agendas must be presented as hall passes.

## **WORKING PAPERS**

Students 14-17 years old requesting working papers (employment certificates and permits) will report to the main office. Any student not attending school or in violation of the NAC Attendance Policy will not be provided working papers. Students with working papers that are in violation of the NAC Attendance Policy will have their working papers revoked.

## **HEALTH REQUIREMENTS**

The nurse plays an important part in the routine running of school. Try to explain to your student the purpose of the nurse's office. The following are some regulations that could at some point pertain to your student's health.

Health appraisals (physicals) are required for grades Pre k or K, 2, 4, 7, and 10, all new students and any student playing intramural sports for the district. Ideally, the child's primary health care provider should perform the health appraisal; however the school medical director will provide physicals as needed. If a parent chooses to have their provider complete the physical, it must be dated within the calendar year that it is required (grades Pre k or k, 2, 4, 7, and 10). A sports physical is valid for qualifying a student's participation for a period of 12 continuous months and expires at the end of the month in which it is dated.

The New York State Education Department identifies that health appraisals of students before participation in interscholastic athletics are performed for two reasons:

- To provide for the health and well-being of the athlete. Knowledge of the athlete's physical status, functional ability, growth, and maturation is necessary to make a medical decision as to the level of participation in athletics.
- To identify significant health problems which may preclude safe and effective athletic participation.

**The school physician has the final authority to determine the physical capability of a student to participate in sports.**

Prior to the beginning of each new sports season, parents are required to provide a new health history of injury or illness, sign the concussion statement, and make sure the student's physical is up to date. New legislation in regards to concussion management began in 2012 and the Policy is posted on our District website. Our District is currently utilizing the Impact Program as a tool for physicians to evaluate concussions and return to play.

### **Medication Requirements**

New York State **requires** all necessary medications (even over the counter medication) be administered by a nurse. The following requirements **must** be followed:

- Each prescription **OR** over-the-counter medication, must have a doctor's order with his/her signature, the name of the student, and parental consent.
- Each medication prescribed is required to have dosage and administration guidelines.
- All medication must be provided from home, in the original **UNOPENED** container or prescription bottle.
- All medication **MUST** be delivered to school by an adult. **NO** medications are to be transported on a bus.
- Every attempt will be made to notify parents in the event the nurse will not be available to administer medication.
- For the safety and security of our students, there will be no exceptions to this policy. Medications delivered in any other manner will **not** be administered.

In regards to inhalers:

The elementary health office will maintain control of all inhalers and nebulizers. It is the goal to teach the students how to appropriately use and when to use this medication so they will be able to be self-directed in the middle and high school levels. This medication still requires a physician's order and requires delivery to school by a parent or guardian at the elementary level. **In the case of Middle and High school students that have an order on file for that given school year, and they have documented proficiency and knowledge of the use and administration of this medication, they may carry their inhaler during the school day. Anyone identified as abusing this privilege will have the privilege revoked.**

Epi pens, a life-saving medication used for anaphylactic reaction to an allergen, are required for some students. Five to six percent of the pediatric population has had an occurrence of a food allergy with eight foods accounting for 90% of these reactions. (Peanuts, shellfish, fish, tree nuts, eggs, milk, soy and wheat) There is no cure for these allergies and the best we can hope is to prevent exposure and be ready in case of incidental occurrences. In the Elementary building there is a red bag program where the epi pen prescribed for that student is with them at all times throughout the day. Some parents opt to have the epi pen in the health office. In middle and high school, students will follow the same procedure as for self-directed inhalers. A student must show proficiency and knowledge in the use of this device with life-saving medication. **Any use of an Epi pen at school will be followed by a call to 911 and transport to a local hospital.**

### Screenings

The health office in both buildings will provide New York State mandated screenings at some point throughout the school year. As previously stated health appraisals are required for grades K, 2, 4, 7, 10 and all new students to the district. Per a new requirement dental appraisals will also be requested during the years that physicals are required.

Scoliosis screening is required in grade 5 through grade 9.

Vision screening is required in grades K, 1, 2, 3, 5, 7, and 10.

Hearing screening is required in grades K, 1, 3, 5, 7, and 10.

Parents will be notified of any screening failure or discrepancy, and be expected to provide a definitive treatment plan for the deficit identified. If there is an issue providing services please let the health office know so we can be of assistance.

### Illness

If a student becomes ill in school, they will report to the health office in their building. The nurse will decide on a plan of action. At no time should a staff member send a student home or should a student decide to leave on their own accord.

If a parent has been notified that a student has become ill at school, it is expected that arrangements will be made to take the student home or to the doctors immediately if necessary.

### Immunization Requirements

Immunizations are due at the time of entrance into school unless a legal exemption is on file with the health office and approved by the Board of Education. Failure to provide adequate immunization records may delay entrance into school. The school nurse will work with your provider to set up an immunization schedule for any missed vaccinations. Inadequate immunization may also mean your child may not be able to attend school. In the case of any student on a catch-up schedule, if there is a communicable disease in our community, that student will not be allowed to attend school.

Mandated immunizations are listed on the website for each school year.

Please notify the nurse if your student had a communicable disease, surgery, severe injury or illness and any immunizations they may have received during the school year or the summer months. If the medical personnel suspect that your student may have a contagious illness, the child must have a doctor's permission slip to be readmitted to school.

### **Head lice and Scabies**

Head lice and scabies are two problems that occur in most schools. To help control these public health problems, parents are encouraged to check their own children weekly. The nurse will perform a check upon notification by parent or school staff. Please do not forget, both of these problems are treatable.

To protect all children, our school has adopted a live lice free policy:

- Any student found to have live pediculosis (Head lice) or a large number of nits, the parent(s) will be contacted immediately. The student will be removed from school until the hair is treated. There are to be no exceptions.
- Should a child be referred for head lice three times within a two month time period, the family will be referred to the Public health department in order to provide assistance.
- The parent or guardian must be called to transport students with live head lice or a large number of nits home. Following treatment, parents must also transport the student to school. Upon arriving in the morning, the parent and student are to report to the health office. Once the student is free of live pediculosis (Head lice) they may return to school and ride the school bus.
- Scabies requires treatment and physician order to return to school.

### **Accident Reports**

Accidents happen at school. Everyone is responsible for reporting injuries when they happen so that appropriate forms can be initiated. All accidents or injuries, no matter how small or seemingly unimportant, should be reported by the student involved to both his/her teacher or coach and the nurse. This needs to be done immediately so that a written record of the event can be established.

All accidents that occur during school hours or during school sponsored activities must be reported to the supervising adult or to the nurse immediately. This applies to students, visitors or staff. An accident report must be filed with the school for insurance purposes.

School Insurance is for students who have an accident during the school day or a related school activity. Forms are available in the nurse's office. This policy does not cover illness or chronic conditions. The Parents Insurance is primary coverage with the school insurance as a secondary only after a \$100 parental deductible is met. Please keep all documentation from any services obtained as it relates to an injury occurring at school.

### **Medical Excuses**

Any absence from school requires a note from a parent. Any absences exceeding three days may require a physician note to return to school.

Any medical excuse and/or limitation will require a note from a physician and must be on file in the health office. Parental excuses for release from PE class are accepted for one day only - any further release requires a physician order.

Students with a medical release may have an alternative activity/assignment at an alternative site.

All adaptive/modified physical education physician orders will be reviewed and planned with the Administrator in conjunction with the health office staff. Physician's certificates and school nurse forms are used to determine individual limitations which will result in adaptations.

Medical excuses/limitations that extend beyond the current school year will need a new physician's order at the beginning of the next school year.

Student's returning to physical education or intramural sports after an extended excuse will require a physician's order of release to return to activity.

Physical education grades will not be changed if the physician's note is received three days after the date of missed class unless extenuating circumstances are presented to the Administrator or the health office personnel.

## **PHYSICAL EDUCATION**

**REQUIREMENTS:** The graduation requirement for students in grades 9-12 is a ½ credit unit per year for a total of 2 units of credit in physical education.

**PARTICIPATION:** Students are required to change and participate in physical education classes. Students not changing or not participating will receive a zero for their daily grade for that class. A zero (0) may be made up before the end of the quarter during a study hall.

**ATTIRE:** Due to safety and hygiene purposes, students are required to change from their school clothes into appropriate athletic clothing (including sneakers). In the Fall and Spring students should be prepared to be either inside or outside



weather permitting. For safety reasons, jewelry and piercings such as studs, earrings, lip rings, and nose rings should be removed prior to class. Chewing gum should be removed as well. Failure to do so will result in a lower grade for that class.

**LOCKERS:** Each student will be assigned a physical education lock and locker at the beginning of the school year. Students are responsible for their own personal property in the locker room. Items such as jewelry, money, or other valuables must be LOCKED in the locker. Locks are to be turned to homeroom teachers at the end of the school year. A lost lock will result in a \$5.00 charge.

## **NAC CAMPUS CONDUCT AND DISCIPLINE**

It is the Board's belief that each student should be treated as a person who can reasonably be expected to be responsible for his/her own behavior. The school administration will assist each student in this program of personal responsibility with a few sensible rules of conduct, focusing on safety and respect for the rights and property of others consistently applied in the classrooms and throughout the school. Students who cannot accept this responsibility and violate school rules will be required to accept the penalties and more regulated supervision.

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that is viewed as fair and impartial by the student. Therefore, before seeking outside assistance, teachers will first use all their resources to create a change of behavior in the classroom. When the teacher has made every effort to bring about positive behavioral change, and has been unsuccessful, the student will be referred to the administration. Once done, the administration assumes the role of deciding what further action will be taken.

Disciplinary action, when necessary, will be firm, fair, and consistent in order to be most effective in changing behavior.

### **NAC Discipline Code**

A student may be suspended from school or subjected to other disciplinary action when the student:

1. Engages in conduct which is:
  - a. Disorderly, or reckless, such as
    - i. Fighting or engaging in violent or threatening behavior
    - ii. Making unreasonable noise
    - iii. Using abusive, objectionable, sexual, racially offensive, or obscene language or gestures (including public displays of affection)
    - iv. Obstructing vehicular or pedestrian traffic
    - v. Creating a hazardous or physically offensive condition
    - vi. Threatening or intimidating other students
  - b. Insubordinate, i.e., failing to comply with the lawful directions of the teacher, school administrator or other school employee in charge of the student

2. Vandalism/Burglary

Stealing, destroying, or defacing of another person's property, or entering another person's locker, will be viewed as a most serious matter. Examples of vandalism include, but are not limited to, defacing walls, lockers, furniture, books or other school equipment (including buses and seat covers) and materials; damage to floors, walls, ceilings, doors, windows, bulletin boards and exterior buildings and grounds.

According to New York State Law, a student's parent or guardian is responsible for the first \$1,000.00 of vandalism caused by their child. Vandalism of a major value will be reported to the state or local authorities for their investigation.

**\*NOTE:** Every effort must be made to repay the damages, monetarily or through community and school service, within a time limit arranged by parent and administrator.

3. Endangers the safety, health or welfare of others by any act, including but not limited to:
  - a. Selling, using, possessing or under the influence of alcohol, drugs, or other controlled substances or drug paraphernalia including bath salts and synthetic cannabinoids.
  - b. Selling, using or possessing weapons, fireworks, or other dangerous instruments of contraband
  - c. Selling, using or possessing obscene materials
  - d. Smoking or possession of tobacco products or smoking and smokeless paraphernalia (vapes, e-cigarettes).
  - e. Gambling
  - f. Hazing
  - g. Engaging in lewd behavior/ inappropriate sexual behavior/inappropriate touching/public displays of affection (PDA).
  - h. Any behavior that violates penal law
  
4. Engages in any other following forms of academic misconduct:
  - a. Truancy, tardiness, missing or leaving school or class without permission or excuse
  - b. Cheating, including, but not limited to:
    - i. Copying/Plagiarism
    - ii. Using unauthorized help sheets
    - iii. Illegally obtaining tests in advance
  - c. Forgery
  
5. Engages in conduct, which violates Board rules and regulations for the maintenance of public order on school property.
  
6. Any student that engages in bullying, cyberbullying, sexting (any inappropriate electronic communication), sexual harassment or hazing shall be subject to consequences under the NAC Code of Conduct. Threatening, hazing, harassing students or school personnel over the phone, internet or other electronic media, using message boards to convey threats, derogatory comments or post pornographic pictures of students or school personnel  
\*"Weapon" means a firearm as defined in 18 USC §921 for purposes of the Gun-Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.  
#"Violent student" means a student under the age of 21 who:
  1. Commits an act of violence upon a school employee, or attempts to do so.
  2. Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function, or attempts to do so.
  3. Possess, while on school property or at a school function, a weapon.
  4. Displays, while on school property or at a school function, what appears to be a weapon.
  5. Threatens, while on school property or at a school function, to use a weapon.
  6. Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
  7. Knowingly and intentionally damages or destroys school district property.

## **SEXUAL HARASSMENT**

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature.

Please refer to the district policy manual (policy # 0110 and 0110R) for the Sexual Harassment Policy. The Policy is also included on Page 24 of this handbook.

### **ANTI-BULLYING POLICY**

Bullying is understood to be a repeated activity which harms or induces fear through the threat of further aggression and/or creates terror. In order to facilitate implementation of this policy, provide meaningful guidance and prevent behaviors from rising to a violation of law, this policy will use the term bullying (which is usually subsumed under the term “harassment”) to describe a range of misbehaviors such as harassment, hazing, intimidation or discrimination. The accompanying regulation provides more guidance regarding the definition and characteristics of bullying.

Please refer to the district policy manual (policy # 0115 and 0115R) for the Anti-Bullying Policy. The Policy is also included on Page 38 of this handbook.

### **PERMISSIBLE DISCIPLINARY ACTIONS**

The ranges of actions which may be imposed for violations of the Student Discipline Code include the following:

- Verbal warning – any member of the district staff.
- Parent contact – transportation supervisor, activity advisor, athletic director, coaches, school counselors, teachers, director of special education, principal, superintendent.
- Written warning – hall and lunch monitors, coaches, school counselors, teachers, athletic director, director of special education, principal, superintendent.
- Written notification to parents – hall and lunch monitors, coaches, school counselors, teachers, athletic director, director of special education, principal, superintendent.
- Special assignment (written or oral) – school counselors, teachers, athletic director, director of special education, principal, superintendent.
- Behavioral contract – school counselors, teachers, athletic director, director of special education, principal, superintendent.
- Teacher/Parent/Student Conference – school counselors, teachers, athletic director, director of special education, principal, superintendent.
- School Counselor Referral for follow-up.
- Detention – teachers, principal, superintendent.
- Suspension from transportation – director of transportation, principal, superintendent.
- Suspension from athletic participation – coaches, athletic director, principal, superintendent.
- Suspension from social or extracurricular activities – activity director, principal, superintendent.
- Suspension of other privileges – principal, superintendent.
- In-school suspension – principal, superintendent.
- Removal from classroom – teachers, principal.
- Short-term (five days or less) suspension from school – principal, superintendent.

- Long-term (more than five days) suspension from school – principal, superintendent.
  - Involuntary transfer – principal, superintendent.
  - Alternative Education Placement/Homebound Instruction; Special Education Temporary Educational Placement; CV-TEC – director of special education, principal, superintendent.
  - Outside Agency Referral – school counselor, director of special education, principal, superintendent.
  - Law Enforcement Referral – principal, superintendent.
  - Permanent suspension from school – superintendent.
- NOTE: \* Pass restriction means that students may not be given passes out of classes and out of study halls. Emergency situations will be at the discretion of the teacher or principal.
  - \*\* Activity restriction means that students may not attend or participate in any non-academic school activity which includes sports as well as social activities (dances, Ag Fair, health fair...).
  - \*\*\* For repeat offenses, students will be awarded more severe penalties up to and including suspension from school.

**PLEASE NOTE:** The administration reserves the right to alter any disciplinary action based upon individual circumstances.

The following rules will apply to any student who owes disciplinary consequences at the end of the school year:

1. Graduating seniors **will not** be allowed to participate in the graduation ceremony;
2. Returning students will be required to make up their owed consequences at the beginning of the next school year.

### **SUSPENSIONS**

Disciplinary measures used by the school administration may include In-School Suspension (ISS) or Out-of-School Suspension (OSS). In-School Suspension is served in a separate room supervised by a teacher assistant or certified teacher where movement and privileges are restricted. Assignments are provided for students when in ISS. A STUDENT WHO REFUSES TO BE PLACED IN ISS MAY RECEIVE OSS. Also, a student suspended from school is responsible for all schoolwork missed while on suspension.

### **DETENTION**

There is a bus provided for students in detention at 4:30. Students will be notified by teacher(s) or administration in writing when a student is assigned to detention. Failure to report to an assigned detention or failure to follow the rules of detention may result in additional penalties to include a full day in ISS.

Students may be retained after school by a teacher or administrator for a violation of the Code of Conduct, make-up work, misconduct, lateness, etc. Whenever possible, students are notified one day in advance of their scheduled detention. Students are to report to the detention room immediately after going to their lockers at the close of school. Students are to bring enough work or reading material to keep busy until 4:30. No food or beverage will be allowed in the detention room.

Failure to stay for detention without an acceptable reason will result in one day of In-School Suspension in addition to the detention.

### **RULES FOR STUDENTS ATTENDING SCHOOL FUNCTIONS**

1. Students are not to arrive at school if they have had any alcohol, drugs, etc.

2. Students may not have possession of or consume alcohol, drugs, etc in school.
3. Everyone is expected to be courteous to the chaperones at all times.
4. To attend a school dance, students must be no more than 19 years of age and currently enrolled in a MS/HS. Also, no one will be admitted to a dance after 8:00 p.m.
5. If you leave the school building, it is assumed that you are going home, and you must leave school grounds and not return to the dance.
6. You need permission from the Principal if you wish to bring a student from another school district.
7. Refreshments are not to be brought into the gym.
8. Couples must show good manners and decorum and not engage in displays of public affection.
9. There will be an adult assigned to oversee the parking lot area during the dance. The specific responsibilities will be as follows:
  - a. To see that students drive safely.
  - b. To see that students enter school as soon as they arrive by 8:00 p.m.
  - c. To prevent loitering.
  - d. To see that anyone leaving the building before 10:00 p.m. leaves school grounds immediately.
10. The dance will be over promptly at 10:00 p.m. Please have your ride waiting since the building must be locked immediately following the dance.
11. Prom – Jr./Sr. Prom is a formal dance involving students in grades 9-12. Students must be in attendance on “Prom Day” in order to attend the prom that evening. Students are expected to remain in school until at least 10:30 a.m. should prom be on a Friday. Guests may not be over twenty years of age and must be enrolled in a high school in good academic and behavioral standing. Students that have dropped out of school are not allowed to attend prom.
12. Any form of noisemaker (cowbells, air horns, whistles...) that interferes with a school event may be confiscated.

## **Transportation**

All pupils being transported are under the authority of the bus driver, and MUST OBEY his/her requests. Specific regulations are posted on each bus. Pupils who refuse to obey the directions of the bus driver promptly or refuse to obey regulations shall forfeit their right to ride on the buses. Students are required to be prepared to board the bus when it arrives and not create a delay for the bus drivers.

**Bus Notes:** will only be issued for child care/ babysitting and parent custody agreements

Northern Adirondack Central School provides transportation to and from school and CV- TECH as a privilege to our students. The safety of our students is the primary concern. All guidelines are established to ensure that safety and control by the bus driver is maintained throughout the trip. Students are expected to conduct themselves in a reasonable manner whenever they ride a bus. The following guidelines will be followed:

1. Riders must follow the driver’s instructions at all times.
2. Riders must remain seated while the bus is in motion.
3. Riders will keep their hands to themselves.
4. Riders will speak appropriately, both in volume and in language.

5. Riders will abide by other guidelines as established by the individual drivers.

Drivers have been instructed to report misbehavior to the administration and disciplinary action will be taken as follows:

### **Disciplinary Action:**

1<sup>st</sup> Reported Offense: Sanctions may range from a verbal warning to possible loss of transportation, depending on the severity of the incident. Parents will be notified

2<sup>nd</sup> Reported Offense: Parents notified – verbal reprimand, Detention (1-3 days), Possible loss of transportation (1 – 3 days)

3<sup>rd</sup> Reported Offense: Parent conference, Detention, Loss of transportation up to 5 days

Subsequent Offenses: Parents notified, Student may lose transportation from one day, up to and including permanent removal from the bus.

During the time a student is suspended from riding the bus, parents will be responsible for providing transportation to and from school. In cases of extreme misconduct, suspension of bus privilege may take place immediately.

### **PROHIBITED ARTICLES AND SUBSTANCES**

Students will be subject to disciplinary action for having any of the following items in school: alcohol, skateboards, fireworks, noisemakers, all tobacco products, all smoking and smokeless Electronic smoking devices(water vapor cigarette) paraphernalia, any form of incense, synthetic cannabinoids, bath salts, potpourri, herbal mixtures, water guns, water balloons, beepers, pornographic material, any controlled drugs/over the counter medications or any item that interferes with the learning environment . Also, any racist, anti-semetic, political, confederate symbols or display of the confederate flag, hats, bandanas and sunglasses are prohibited from being worn on campus or at school functions. Hats and sunglasses must be kept in student’s lockers during the school day. **School personnel will confiscate any prohibited item.**

### **ELECTRONIC DEVICES & CELL PHONES**

Cell phones, i-pods, handheld radios, mp3 players, palm pilots, video game systems, cameras, video recorders, laptops, headphones, earbuds and all other electronic devices not provided by the school are prohibited during school hours. Cell phones must be turned off and kept in a student’s locker during school hours (7:55 a.m. – 2:38 p.m.). Students in possession of a cell phone during school hours will have their phones confiscated and be given a warning for the first offense. Subsequent offenses will require that a parent/guardian pick up the phone in the main office. No photography or video-taping is allowed without prior approval from the school principal. Exception: Electronic devices to be utilized for educational purposes must fall under the guidance of school policy 5695.

### **MOTOR VEHICLES**

Driving is a senior privilege. All students driving to school must register their vehicles with the School Administration and park only in the student parking lot. They must obtain a parking permit for identification purposes and adhere to student driving regulations. Permits are issued to seniors on a first come, first served basis. Registration/Driving forms are available in the office. Vehicles not registered with the school are subject to being towed at the owner’s expense. Any vehicle parked on school grounds is subject to search at any time by administration and/or law enforcement. **Loitering in the student parking lot is not permitted.** The school is **NOT** responsible for the theft or damage of student vehicles. Drivers who do not follow the driving regulations may incur penalties up to and including loss of driving privileges. Disciplinary actions could include loss of driving privileges for the school year.

**Driving is a privilege.**

**Driving is a senior privilege.**

**Juniors are eligible to drive after the end of the second marking period (January) if there are any spaces available.**

**No other students are allowed to drive.**

**Students caught driving without permission will lose their privilege to drive to school.**

**A Student Driver must be in good academic and behavior standing and maintain regular attendance.**

**An approved Student Driver cannot transport any other student during the school day.**

### **RULES FOR CAFETERIA**

1. NO line cutting allowed.
2. NO food is to be taken from the cafeteria during lunch.
3. Trays, utensils, papers, and other refuse are to be returned to the receiving area.
4. Students are not allowed to leave the cafeteria.
5. Re-sealable containers are NOT permitted outside the cafeteria during school hours, which includes juice, milk cartons and cans. A clear plastic bottle containing water only will be allowed outside the cafeteria.
6. All drinks outside of the cafeteria must be in a non-spillable container.
7. The only students allowed in the cafeteria during lunch are those students that are assigned to that lunch period.
8. Excessive noise and throwing of food is not permitted.

### **CAFETERIA – Breakfast/Lunch**

If you would like to apply for the Free/Reduced Price Meals, please contact the food service manager for questions or applications. **AN APPLICATION THAT IS NOT COMPLETE CANNOT BE APPROVED.**

### **PASSES**

Any time it is necessary for a student to be outside of a classroom during class time, he/she must have a pre-signed pass (MS students must use agendas). If he/she is outside of class without permission, disciplinary action may be taken. Students who abuse pass and hall privileges may be placed on a “pass restriction list.” Bus passes or early release excuses must be brought to the main office before first period.

### **RULES FOR QUIET STUDY HALL**

1. Students must attend all quiet study halls.
2. Be prepared to study or begin homework, and have books/materials.
3. Students must have pre-signed passes to the Main Office, School Counseling Office or to a classroom teacher for academic assistance.
4. Students must remain in their assigned seats.
5. There will be NO wandering around the room – or disturbing others. NO TALKING.
6. Sign out for the bathroom privilege – a maximum of five (5) minutes is allowed.
7. Students are not to leave the quiet study hall for any reason other than with a pre-signed pass.
8. No sitting on tables or tipping chairs.
9. No food or drink.
10. Students are not allowed to put their heads down on the desk or sleep.

### **RULES FOR IN-SCHOOL SUSPENSION (ISS)**

1. Students will sit in assigned seats when told.
2. Students will be seated with their feet and all four chair legs on the floor.
3. **ABSOLUTELY NO TALKING OR COMMUNICATING** among students. If help is needed with assignments, ask the teacher in charge.
4. Students must come prepared to do school work.
5. Students may not leave the room without permission. Students will be escorted to the bathroom in the morning and afternoon.

6. NO EATING is allowed except during regular lunch sets. Lunch is served in the ISS room. Late arrivals receive no credit for that day. NO SHOWS will have a lunch set added for each no show.
7. Do NOT pass “anything” to other students.
8. Do NOT write on desks, seats, etc.
9. The use of foul language or inappropriate discussion/behavior will not be tolerated and will result in disciplinary action.
10. REMAIN IN YOUR SEAT until the bell rings or students are released.

## **LOCKERS**

Each student is assigned a locker and lock, and is expected to use ONLY that locker. All students are advised to keep their lockers locked at all times. Students should not tamper with another locker nor give their combinations to others. The school is NOT responsible for lost or stolen items. It is suggested that students use their lockers BEFORE FIRST SET, BEFORE LUNCH, END OF LUNCH and at the END OF THE DAY. Locks will be returned to homeroom teachers in June. Students will be expected to pay \$5.00 for a lock if not returned.

- \*Lockers MUST be locked even if they are empty.
- \*All locks are numbered. Students are responsible for their assigned numbered lock. If a student loses his/her lock, he/she will be responsible for paying for a replacement lock at a fee of \$5.00.
- \*Students: learn your combination, but DO NOT share your combination.
- \*Locks and lockers are supposed to put an end to lost/strayed books, papers, coats, etc. The school is not responsible for lost, strayed or stolen items. PLEASE KEEP LOCKERS LOCKED!
- \*Only school locks may be used on lockers. All other locks will be removed.
- \*All lockers are to be emptied at the end of the school year. Materials left in lockers will be removed and discarded.
- \*All lockers are the property of the school district and are subject to inspection by the Administration at any time to include law enforcement.

## **ASSEMBLIES**

During assemblies students are expected to: Enter and leave the auditorium quietly; sit as a class with their teacher; follow teacher/monitors’ directions; give persons participating in the program courtesy and attention; show appreciation by clapping NOT by yelling, whistling or other noises; sit in seats with feet on the floor; do not leave the auditorium until directed unless it is an emergency. Students who misbehave during an assembly program will be denied the privilege of attending any future performances and will be subject to disciplinary action.

## **TELEPHONES**

Students may use office phones, with permission, FOR EMERGENCIES ONLY.

## **LOST AND FOUND**

Lost and found articles will be kept near the middle school entrance. Items will be disposed of monthly. The school is not responsible for lost or stolen items.

## **FIRE ALARM**

When the fire alarm rings, students are to leave the building immediately by the designated route posted in each classroom. They are to walk quietly and listen for instructions from teacher supervisors. All students should move 50 feet from the building. Students who pull an alarm will be prosecuted to the full extent of the law.

## **EMERGENCY EVACUATION**



In the event that there is a bomb threat or other emergency, the building will be evacuated immediately. Students will leave the building according to the fire exit plans and proceed to the designated area in an orderly fashion to wait for the buses. Students may be transported to another location where they will wait until the building is cleared for them to return or be transported home.

### **LIBRARY MEDIA CENTER**

The library media center is open to all students attending NACS Middle School-High School. It is designed to provide students with a wide variety of information to enhance academic and personal development. Resources include books, periodicals, audio-visual materials and Internet-accessible computers. Students are encouraged to take advantage of our extensive collection.

**Use of Library During Study Hall** – In addition to coming to the library with regularly scheduled classes to work on research assignments, students may use the library during study halls.

Students who wish to use the library must report directly to the library to sign in. Students who arrive late without a pass will be sent to study hall. A sign-in sheet at the library is provided to the study hall. Permission to enter will be determined by the library staff on a space availability basis.

Study hall teachers/monitors are expected to be aware of who is on the failing and pass restriction list in order to pre-screen students wishing to use the library.

Students are expected to exhibit appropriate behavior in the library at all times. Students with behavior problems will be sent to ISS for the balance of the period and a referral will be sent to the office by the library staff. Any disciplinary action taken will be in accordance with school policy.

**Students On The Failing List** – Students receiving a failing grade are allowed to use the library during study hall under the following conditions:

1. Students working on a specific, teacher assigned project may use the library for research purposes during study hall, upon presenting a pass pre-signed by the assigning teacher and administrator only. Students are allowed to remain in the library as long as they are on task.
2. Students may receive a pass from the study hall teacher/monitors for the first ten minutes of study hall to go to the library to return and/or check out library books, returning to study hall for the balance of the period.

**Computer Usage** – The library has a 13 unit computer lab. These networked computers allow students access to the library's online public access catalog (OPAC), the Internet, Microsoft PowerPoint, Microsoft Excel and Microsoft Word. Computers are to be for legitimate academic assignments only. The Internet Acceptable Use Policy will be strictly enforced.

**Book Checkout and Return** – Books are checked out for a period of three weeks. If a student wishes to renew a book, it may be renewed for an additional three weeks, unless another student has requested that book. Students with overdue books will not be allowed to check out additional books until the overdue book is returned. Periodicals are to be read in the library and may not be checked out.

Students sent to the library to make-up tests must first report to the librarian. No passes will be issued from the library.

***No food is allowed in the library – Water bottles only (no other beverages)***

### **TEXTBOOKS AND SCHOOL EQUIPMENT**

All textbooks and school equipment are issued on a loan basis. It is the student's responsibility to care for these materials and to return them in good condition at the end of the year. Materials not returned or brought back in a deteriorated condition will lead to parents being billed for their replacement or repair. Writing in or on textbooks is not

allowed. Books are not to be abused in any way. Compensation monetarily or in the form of school community service will be expected.

### **Continuous Public Notification**

The Northern Adirondack Central School District hereby advises students, parents, employees, and the general public that it offers employment and educational opportunities, including vocational educational opportunities without regard to age, gender, race, color, religion, marital status, sexual preference, national origin, or disability. It is the responsibility of Northern Adirondack Central school district to identify and evaluate students with disabilities under section 504 who, within the intent of section 504 of the rehabilitation act of 1973, need special services or programs in order that such students may receive the required free appropriate education. Each qualified student within the district who is eligible to receive regular or special education or related aides and services, regardless of the nature or severity of the condition necessitating such programs or services, shall receive a free appropriate public education in the district. Questions regarding this policy may be referred to:

Robert Witkiewicz  
Title IX Coordinator  
5572 Rt. 11  
PO Box 164  
Ellenburg, Depot, NY 12935  
518-594-3962

Darcy Rabideau  
504 Compliance Officer  
5572 Rt. 11  
PO Box 164  
Ellenburg, Depot, NY 12935  
518-594-3986

Please refer to the district policy manual (policy 0100) for the Equal Opportunity and Nondiscrimination Policy. The Policy is also included on Page 53 of this handbook.

NORTHERN ADIRONDACK CENTRAL SCHOOL  
NORTHERN ADIRONDACK CENTRAL SCHOOL  
ELLENBURG DEPOT, NEW YORK 12935  
2023-2024 SCHOOL YEAR

Dear Parents/Guardians:

This document must be publicized and provided in writing to all parents. Parents/guardians should review the documents with their student(s) and sign this statement form.

Each year many forms and information sheets are sent home for your signature. In order to reduce the paper load for parents and to make the process more efficient, we are including permission, on this same form, for:

- Field Trips
- Photographs and videotapes to be taken of your child
- Inclusion of your child's picture or video on our web page and Bobcat Bulletin
- Medical Treatment

Please review these documents with your child. If you have any questions and/or concerns, submit them in writing to the building principal. Please sign and return this form by Friday, September \_\_\_\_.

Thank You

Email (optional)

-----  
Date: \_\_\_\_\_ Building: \_\_\_\_\_ Grade: \_\_\_\_\_ Homeroom: \_\_\_\_\_

Child's Name/Signature: \_\_\_\_\_

Parent's/Guardian's Name/Signature: \_\_\_\_\_

- Yes \_\_\_\_\_ No \_\_\_\_\_ We have reviewed and understand the District's School Conduct and Discipline policy as well as the building policy.
- Yes \_\_\_\_\_ No \_\_\_\_\_ We have reviewed and understand the NAC MS/HS Attendance Policy.
- Yes \_\_\_\_\_ No \_\_\_\_\_ I give permission for my child to participate in all field trips taken by his/her class/group for the 2023-24 school year.
- Yes \_\_\_\_\_ No \_\_\_\_\_ For out of country trips – Is your child a U.S. Citizen?
- Yes \_\_\_\_\_ No \_\_\_\_\_ I give permission for my child to be photographed or videotaped. It is understood that these photos or videotapes may be used for presentations, articles, Internet web pages, and/or NAC District Publications.
- Yes \_\_\_\_\_ No \_\_\_\_\_ I give permission for my child to receive medical treatment, should it become necessary, while in the care of NAC school personnel.
- Yes \_\_\_\_\_ No \_\_\_\_\_ Section 9528 of the No Child Left Behind Act of 2001 allows school districts to provide names, addresses and telephone numbers to military recruiters. For students in Grades 11 and 12, do you consent to allow your child's name to be released?
- YES \_\_\_\_\_ No \_\_\_\_\_ I have read the District Computer Acceptable Use Policy. I agree that my child will follow the rules contained in this policy. If my child violates the rules, his/her account will be terminated and will face disciplinary measures.

Thank you for your cooperation.

Section: Policy Update - March 2020 - Second Installment

**SEXUAL HARASSMENT**

Sexual harassment is against federal and state law. The Board is committed to maintaining an educational and working environment free from such harassment, and therefore prohibits sexual harassment of students and employees in the district. The district will establish detailed policies and regulations for both students and employees which address definitions, protections, prohibited behavior (including retaliation), prevention activities, training/education, complaint reporting, investigations, and consequences.

Cross-ref: 0110.1, Sexual Harassment of Students 0110.2, Sexual Harassment of Employees

Ref: Education Amendments of 1972, Title IX, 20 U.S.C. §1681 et seq.; 34 CFR 106 et seq. Title VII of Civil Rights Act (1964), 42 U.S.C. §2000-e; 34 CFR §100 et seq. Education Law §§10-18 (Dignity for All Students Act) Executive Law §296-d (prohibition of sexual harassment of employees and non-employees) Labor Law §201-g (required workplace sexual harassment policy and training) Civil Practice Law and Rules §§5003-b (nondisclosure agreements optional); 7515 (mandatory arbitration prohibited) General Obligations Law §5-336 (nondisclosure agreements optional) Davis v. Monroe County Board of Education, 526 U.S. 629, 652 (1999) Gebser v. Lago Vista Independent School District, 524 U.S. 274 (1998) Faragher v. City of Boca Raton, 524 U.S. 775 (1998) Burlington Industries v. Ellerth, 524 U.S. 742 (1998) Oncale v. Sundowner Offshore Services, Inc., 523 U.S. 75 (1998) Franklin v. Gwinnett County Public Schools, 503 U.S. 60 (1992) Meritor Savings Bank, FSB v. Vinson, 477 U.S. 57 (1986) Cannon v. University of Chicago, 441 U.S. 677 (1979) Office for Civil Rights Revised Sexual Harassment Guidance (January 19, 2001) Office for Civil Rights, Dear Colleague Letter: Sexual Harassment Issues (2006) Office for Civil Rights, Dear Colleague Letter: Bullying (October 26, 2010)

Adoption Date: April 20, 2020

Classification:

Revised Dates: ; 03.20

## SEXUAL HARASSMENT REGULATION

This regulation is intended to create and preserve an educational and working environment free from unlawful sexual harassment on the basis of sex, gender and/or sexual orientation in furtherance of the district's commitment to provide a healthy and productive environment for all students and employees that promotes respect, dignity and equality.

### Sexual Harassment Defined

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature.

"Gender-based harassment" means verbal, non-verbal or physical aggression, intimidation or hostility that is based on actual or perceived gender identity or expression.

Sexual or gender-based harassment occurs when:

1. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of an employee's employment or a student's education (including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education); or
2. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting an employee's employment or a student's education; or
3. the conduct or communication has the purpose or effect of substantially or unreasonably interfering with an employee's work performance or a student's academic performance or participation in school-sponsored activities, or creating an intimidating, hostile or offensive working or educational environment.

### Unacceptable Conduct

School-related conduct that the district considers unacceptable and which may constitute sexual harassment includes, but is not limited to, the following:

1. rape, attempted rape, sexual assault, attempted sexual assault, forcible sexual abuse, hazing, and other sexual and gender-based activity of a criminal nature as defined under the State Penal Law;
2. unwelcome sexual invitations or requests for sexual activity in exchange for grades, promotions, preferences, favors, selection for extracurricular activities or job assignments, homework, etc.;
3. unwelcome and offensive public sexual display of affection, including kissing, making out, groping, fondling, petting, inappropriate touching of one's self or others, sexually suggestive dancing, and massages;
4. any unwelcome communication that is sexually suggestive, sexually degrading or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance or activities; sexual jokes; sexual gestures; public conversations about sexual activities or exploits; sexual rumors and "ratings lists;" howling, catcalls, and whistles; sexually graphic computer files, messages or games, etc;
5. unwelcome and offensive name calling or profanity that is sexually suggestive, sexually degrading, implies sexual intentions, or that is based on sexual stereotypes or sexual orientation, gender identity or expression;
6. unwelcome physical contact or closeness that is sexually suggestive, sexually degrading, or sexually intimidating such as the unwelcome touching of another's body parts, cornering or blocking an individual, standing too close, spanking, pinching, following, stalking, frontal body hugs, etc.;
7. unwelcome and sexually offensive physical pranks or touching of an individual's clothing, such as hazing and initiation, "streaking," "mooning," "snuggies" or "wedgies" (pulling underwear up at the waist so it goes in between the buttocks), bra-snapping, skirt "flip-ups," "spiking" (pulling down someone's pants or swimming suit); pinching; placing hands inside an individual's pants, shirt, blouse, or dress, etc.;
8. unwelcome leers, stares, gestures, or slang that are sexually suggestive; sexually degrading or imply sexual motives or intentions;
9. clothing with sexually obscene or sexually explicit slogans or messages;
10. unwelcome and offensive skits, assemblies, and productions that are sexually suggestive, sexually degrading, or that imply sexual motives or intentions, or that are based on sexual stereotypes;
11. unwelcome written or pictorial display or distribution of pornographic or other sexually explicit materials such as magazines, videos, films, Internet material, etc.;
12. any unwelcome behavior that is offensive, degrading, intimidating, or demeaning, including, but not limited to:
  - a. disparaging remarks, slurs, jokes about or aggression toward an individual because the person displays mannerisms or a style of dress inconsistent with stereotypical characteristics of the person's sex;
  - b. ostracizing or refusing to participate in group activities with an individual during class projects, physical education classes or field trips because of the individual's sex, gender expression or gender identity;
  - c. taunting or teasing an individual because they are participating in an activity not typically associated with the individual's sex or gender

For purposes of this regulation, action or conduct shall be considered "unwelcome" if the student or employee did not request or invite it and regarded the conduct as undesirable or offensive. In addition, in the remainder of this regulation, the term sexual harassment will refer to both sexual and gender-based harassment.

### Determining if Prohibited Conduct is Sexual Harassment

Complaints of sexual harassment will be thoroughly investigated to determine whether the totality of the behavior and circumstances meet any of the elements of the above definition of sexual harassment and should therefore be treated as sexual harassment. Not all unacceptable conduct with sexual connotations may constitute sexual harassment. In many cases (other than quid pro quo situations where the alleged harasser offers academic or employment rewards or threatens punishment as an inducement for sexual favors), unacceptable behavior must be sufficiently severe, pervasive and objectively offensive to be considered sexual harassment. If the behavior doesn't rise to the level of sexual harassment, but is found to be objectionable behavior, the individual will be educated and counseled in order to prevent the behavior from continuing.

In evaluating the totality of the circumstances and making a determination of whether conduct constitutes sexual harassment, the individual investigating the complaint should consider:

1. the degree to which the conduct affected the ability of the student to participate in or benefit from his or her education or altered the conditions of the student's learning environment or altered the conditions of the employee's working environment;
2. the type, frequency and duration of the conduct;
3. the identity of and relationship between the alleged harasser and the subject of the harassment (e.g., sexually based conduct by an authority figure is more likely to create a hostile environment than similar conduct by another student or a co-worker);
4. the number of individuals involved;
5. the age and sex of the alleged harasser and the subject of the harassment;
6. the location of the incidents and context in which they occurred;
7. other incidents at the school; and
8. incidents of gender-based, but non-sexual harassment.

### Reporting Complaints

Any person who believes he or she has been the target of sexual harassment by a student, district employee or third party related to the school is required to report complaints as soon as possible after the incident in order to enable the district to effectively investigate and resolve the complaint. Targets are encouraged to submit the complaint in writing; however, complaints may be filed verbally.

Complaints should be filed with the **Principal or the Title IX coordinator**.

Any school employee who receives a complaint of sexual harassment from a student shall inform the student of the employee's obligation to report the complaint to the school administration, and then shall immediately notify the **Principal and/or the Title IX coordinator**.

In order to assist investigators, targets should document the harassment as soon as it occurs and with as much detail as possible including: the nature of the harassment; dates, times, places it has occurred; name of harasser(s); witnesses to the harassment; and the target's response to the harassment.



## Confidentiality

It is district policy to respect the privacy of all parties and witnesses to complaints of sexual harassment. To the extent possible, the district will not release the details of a complaint or the identity of the complainant or the individual(s) against whom the complaint is filed to any third parties who do not need to know such information. However, because an individual's need for confidentiality must be balanced with the district's legal obligation to provide due process to the accused, to conduct a thorough investigation, or to take necessary action to resolve the complaint, the district retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know. The staff member responsible for investigating complaints will discuss confidentiality standards and concerns with all complainants.

If a complainant requests that his/her name not be revealed to the individual(s) against whom a complaint is filed, the staff member responsible for conducting the investigation shall inform the complainant that:

1. the request may limit the district's ability to respond to his/her complaint;
2. district policy and federal law prohibit retaliation against complainants and witnesses;
3. the district will attempt to prevent any retaliation; and
4. the district will take strong responsive action if retaliation occurs.

If the complainant still requests confidentiality after being given the notice above, the investigator will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as doing so does not preclude the district from responding effectively to the harassment and preventing the harassment of other students or employees.

## Investigation and Resolution Procedure

### A. Initial (Building-level) Procedure

The Principal or the Title IX coordinator shall conduct a preliminary review when they receive a verbal or written complaint of sexual harassment, or if they observe sexual harassment. Except in the case of severe or criminal conduct, the **Principal or the Title IX coordinator** should make all reasonable efforts to resolve complaints informally at the school level. The goal of informal investigation and resolution procedures is to end the harassment and obtain a prompt and equitable resolution to a complaint.

As soon as possible but no later than three working days following receipt of a complaint, the **Principal or Title IX coordinator** should begin an investigation of the complaint according to the following steps:

1. Interview the target and document the conversation. Instruct the target to have no contact or communication regarding the complaint with the alleged harasser. Ask the target specifically what action he/she wants taken in order to resolve the complaint. Refer the target, as appropriate, to school social workers, school psychologists, crisis team managers, other school staff, or appropriate outside agencies for counseling services.
2. Review any written documentation of the harassment prepared by the target. If the target has not prepared written documentation, instruct the target to do so, providing alternative formats for individuals with disabilities and young children, who have difficulty writing and need accommodation.
3. Interview the alleged harasser regarding the complaint and inform the alleged harasser that if the objectionable conduct has occurred, it must cease immediately. Document the conversation. Provide the alleged harasser an opportunity to respond to the charges in writing.
4. Instruct the alleged harasser to have no contact or communication regarding the complaint with the target and to not retaliate against the target. Warn the alleged harasser that if he/she makes contact with or retaliates against the target, he/she will be subject to immediate disciplinary action.
5. Interview any witnesses to the complaint. Where appropriate, obtain a written statement from each witness. Caution each witness to keep the complaint and his/her statement confidential.
6. Review all documentation and information relevant to the complaint.
7. Where appropriate, suggest mediation as a potential means of resolving the complaint. In addition to mediation, use appropriate informal methods to resolve the complaint, including but not limited to:
  - a. discussion with the accused, informing him or her of the district's policies and indicating that the behavior must stop;
  - b. suggesting counseling and/or sensitivity training;
  - c. conducting training for the department or school in which the behavior occurred, calling attention to the consequences of engaging in such behavior;
  - d. requesting a letter of apology to the complainant;
  - e. writing letters of caution or reprimand; and/or
  - f. separating the parties.
8. Parent/Student/Employee Involvement and Notification

- a. Parents of student targets and accused students shall be notified within one school day of allegations that are serious or involve repeated conduct.
- b. The parents of students who file complaints are welcome to participate at each stage of both informal and formal investigation and resolution procedures.
- c. If either the target or the accused is a disabled student receiving special education services under an IEP or section 504/Americans with Disabilities Act accommodations, the committee on special education will be consulted to determine the degree to which the student's disability either caused or is affected by the discrimination or policy violation. In addition, due process procedures required for persons with disabilities under state and federal law shall be followed.
- d. The **Principal or Title IX Coordinator** (i.e., the investigator) shall submit a copy of all investigation and interview documentation to the Superintendent.
- e. The investigator shall report back to both the target and the accused, notifying them in writing, and also in person as appropriate regarding the outcome of the investigation and the action taken to resolve the complaint. The investigator shall instruct the target to report immediately if the objectionable behavior occurs again or if the alleged harasser retaliates against him/her.
- f. The investigator shall notify the target that if he/she desires further investigation and action, he/she may request a district level investigation by contacting the Superintendent of Schools. The investigator shall also notify the target of his/her right to contact the U.S. Department of Education's Office for Civil Rights and/or a private attorney. Employees may also contact the U.S. Equal Employment Opportunity Commission or the New York State Division of Human Rights.

If the initial investigation results in a determination that sexual harassment did occur, the investigator will promptly notify the Superintendent, who shall then take prompt disciplinary action in accordance with district policy, the applicable collective bargaining agreement or state law.

If a complaint received by the **Principal or the Title IX Coordinator** contains evidence or allegations of serious or extreme harassment, such as employee to student harassment, criminal touching, quid pro quo (e.g., offering an academic or employment reward or punishment as an inducement for sexual favors), or acts which shock the conscience of a reasonable person, the complaint shall be referred promptly to the Superintendent. In addition, where the **Principal or the Title IX coordinator** has a reasonable suspicion that the alleged harassment involves criminal activity, he/she should immediately notify the Superintendent, who shall then contact appropriate child protection and law enforcement authorities. Where criminal activity is alleged or suspected by a district employee, the accused employee shall be suspended pending the outcome of the investigation, consistent with all contractual or statutory requirements.

Any party who is not satisfied with the outcome of the initial investigation by the **Principal or the Title IX coordinator** may request a district-level investigation by submitting a written complaint to the Superintendent within 30 days.

## B. District-level Procedure

The Superintendent shall promptly investigate and resolve all sexual harassment complaints that are referred to him/her by a **Principal or Title IX coordinator**, as well as those appealed to the Superintendent following an initial investigation by a **Principal or Title IX coordinator**. In the event the complaint of sexual harassment involves the Superintendent, the complaint shall be filed with or referred to the Board President, who shall refer the complaint to a trained investigator not employed by the district for investigation.

The district level investigation should begin as soon as possible but not later than three working days following receipt of the complaint by the Superintendent or Board President.

In conducting the formal district level investigation, the district will use investigators who have received formal training in sexual harassment investigation or that have previous experience investigating sexual harassment complaints.

If a district investigation results in a determination that sexual harassment did occur, prompt corrective action will be taken to end the harassment. Where appropriate, district investigators may suggest mediation as a means of exploring options of corrective action and informally resolving the complaint.

No later than 30 days following receipt of the complaint, the Superintendent (or in cases involving the Superintendent, the Board-appointed investigator) will notify the target and alleged harasser, in writing, of the outcome of the investigation. If additional time is needed to complete the investigation or take appropriate action, the Superintendent or Board-appointed investigator will provide all parties with a written status report within 30 days following receipt of the complaint.

The target and the alleged harasser have the right to be represented by a person of their choice, at their own expense, during sexual harassment investigations and hearings. In addition, targets have the right to register sexual harassment complaints with the U.S. Department of Education's Office for Civil Rights.

Employee targets also have the right to register complaints with the federal Equal Employment Opportunity Commission and the New York State Division of Human Rights. Nothing in these regulations shall be construed to limit the right of the complainant to file a lawsuit in either state or federal court.

## Retaliation Prohibited

Any act of retaliation against any person who opposes sexually harassing behavior, or who has filed a complaint, is prohibited and illegal, and therefore subject to disciplinary action. Likewise, retaliation against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing of a sexual harassment complaint is prohibited. For purposes of this policy, retaliation includes but is not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action, up to and including suspension or termination.

## Discipline/Penalties

Any individual who violates the sexual harassment policy by engaging in prohibited sexual harassment will be subject to appropriate disciplinary action. Disciplinary measures available to school authorities include, but are not limited to the following:

Students: Discipline may range from a reprimand up to and including suspension from school, to be imposed consistent with the student conduct and discipline policy and applicable law.

Employees: Discipline may range from a warning up to and including termination, to be imposed consistent with all applicable contractual and statutory rights.

Volunteers: Penalties may range from a warning up to and including loss of volunteer assignment.

Vendors: Penalties may range from a warning up to and including loss of district business.

Other individuals: Penalties may range from a warning up to and including denial of future access to school property.

### False Complaints

False or malicious complaints of sexual harassment may result in corrective or disciplinary action taken against the complainant.

### Training

All students and employees shall be informed of this policy in student and employee handbooks, on the district website and student registration materials. A poster summarizing the policy shall also be posted in a prominent location at each school. All secondary school student body officers shall receive district training about the policy at the beginning of each school year.

In addition, age-appropriate curricular materials will be made available so that it can be incorporated in instruction K-12 to ensure that all students are educated to recognize and report sexual harassment.

All new employees shall receive information about this policy and regulation at new employee orientation. All other employees shall be provided information at least once a year regarding this policy and the district's commitment to a harassment-free learning and working environment. Principals, Title IX coordinators, and other administrative employees who have specific responsibilities for investigating and resolving complaints of sexual harassment shall receive yearly training on this policy, regulation and related legal developments.

Principals in each school and program directors shall be responsible for informing students and staff on a yearly basis of the terms of this policy, including the procedures established for investigation and resolution of complaints, general issues surrounding sexual harassment, the rights and responsibilities of students and employees, and the impact of sexual harassment on the target.

1<sup>st</sup> Reading Revisions: April 17, 2012

Adoption date: May 07, 2012

## STUDENT HARASSMENT AND BULLYING PREVENTION AND INTERVENTION

The Board of Education is committed to providing an educational and working environment that promotes respect, dignity and equality. The Board recognizes that discrimination, such as harassment, hazing and bullying, are detrimental to student learning and achievement. These behaviors interfere with the mission of the district to educate its students and disrupt the operation of the schools. Such behavior affects not only the students who are its targets but also those individuals who participate and witness such acts.

To this end, the Board condemns and strictly prohibits all forms of discrimination, such as harassment, hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events.

Discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds which can be reasonably expected to materially and substantially interfere with the requirements of appropriate discipline in the operation of the school or impinge on the rights of other students are prohibited, and may be subject to disciplinary consequences.

### **Definitions**

#### **Bullying**

Bullying is understood to be a repeated activity which harms or induces fear through the threat of further aggression and/or creates terror. In order to facilitate implementation of this policy, provide meaningful guidance and prevent behaviors from rising to a violation of law, this policy will use the term bullying (which is usually subsumed under the term “harassment”) to describe a range of misbehaviors such as harassment, hazing, intimidation or discrimination. The accompanying regulation provides more guidance regarding the definition and characteristics of bullying.

#### **Discrimination**

Discrimination is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as enumerated in the *Definitions* section, under Harassment, below).

#### **Hazing**

Hazing is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

#### **Harassment**

Harassment has been defined in various ways in federal and state law and regulation. The Board recognizes that these definitions are important standards, but the Board’s goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially



interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. The harassing behavior may be based on any characteristic, including but not limited to a person’s actual or perceived:

- race,
- color,
- weight,
- national origin,
- ethnic group,
- religion,
- religious practice,
- disability,
- sex,
- sexual orientation, or
- gender (including gender identity and expression),
- socio-economic status

In some instances, bullying or harassment may constitute a violation of an individual’s civil rights. The district is mindful of its responsibilities under the law and in accordance with district policy regarding civil rights protections.

### **Prevention**

The school setting provides an opportunity to teach children, and emphasize among staff, that cooperation with and respect for others is a key district value. A program geared to prevention is designed to not only decrease incidents of bullying but to help students build more supportive relationships with one another by integrating the bullying prevention program into classroom instruction. Staff members and students will be sensitized, through district-wide professional development and instruction, to the warning signs of bullying, as well as to their responsibility to become actively involved in the prevention of bullying before overt acts occur.

Curricular material that raises awareness and sensitivity to discrimination or harassment and civility in the relationships of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, sexes or gender expression or identities will be included in the instructional program K-12.

In order to implement this program the Board will designate at its annual organizational meeting a ***Bullying Prevention Coordinator (BPC)***. The role of the **BPC** is to coordinate and enforce this policy. In addition, the Superintendent will establish a district-wide ***Task Force on Bullying Prevention***, as well as ***Bullying Prevention Coordinating Committees*** in each school that will be overseen by the **BPC**. Committees will include representation from staff, administration, students and parents. The district-wide task force and the school-level committee will assist the administration in developing and implementing specific prevention initiatives, including early identification of bullying and other strategies. In addition, the program will include reporting, investigating, remedying and tracking allegations of bullying. The accompanying regulation provides more detail on the specific programs and strategies implemented by the district.

### **Intervention**

Intervention by adults and bystanders is an important step in preventing escalation and resolving issues at the earliest stages. Intervention will emphasize education and skill-building.

Successful intervention may involve remediation. Remedial responses to bullying and harassment include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target. Remediation may be targeted to the individual(s) involved in the bullying behavior or environmental approaches which are targeted to the school or district as a whole.

In addition, intervention will focus upon the safety of the target. Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this policy and regulation.

### **Provisions for students who do not feel safe at school**

The Board acknowledges that, notwithstanding actions taken by district staff, intervention may require a specific coordinated approach if the child does not feel safe at school. Students who do not feel safe at school are limited in their capacity to learn and reach their academic potential. Staff, when aware of bullying, should determine if accommodations are needed in order to help ensure the safety of the student and bring this to the attention of the building principal. The building principal, other appropriate staff, the student and the student's parent will work together to define and implement any needed accommodations.

The district recognizes that there is a need to balance accommodations which enhance student safety against the potential to further stigmatize the targeted student. Therefore, each case will be handled individually. The student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

### **Training**

The Board recognizes that in order to implement an effective bullying prevention and intervention program, professional development is needed. The Superintendent, the **BPC** and the District Professional Development Team will incorporate training to support this program in new teacher orientation and the annual professional development plan, as needed. Training opportunities will be provided for all staff, including but not limited to bus drivers, cafeteria and hall monitors and all staff who have contact with students. The **BPC** will be trained in accordance with state requirements and will continue their professional development so as to successfully support this policy and program.

### **Reporting and Investigation**

Although it can be difficult to step forward, the district can't effectively address bullying if incidents are not reported. Students who have been bullied, parents whose children have been bullied or other students or staff who observe bullying behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided. At all times, complaints will be documented, tracked and handled in accordance with the regulations and procedures accompanying this policy, or, if applicable, **[0100, Equal Opportunity and Nondiscrimination, or 0110, Sexual Harassment]** and the district's Code of Conduct. If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with their supervisor. Incidents will be included in the Violent and Disruptive Incident Reporting (VADIR) system when applicable.

There shall be a duty for all school personnel to report any incidents of student-to-student and staff-to-student bullying that they observe to their building principal or other administrator who supervises their employment. In addition, there shall be a further duty for all school personnel to report any incidents of

student-to-student and staff-to-student bullying of which they are made aware by students to their building principals or other administrator who supervises their employment. Supervisors will refer the information to appropriate district staff for investigation as designated in regulation. A district employee may be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident, whether or not the target complains.

The results of the investigation shall be reported back to both the target and the accused in accordance with the accompanying regulation. If either of the parties disagrees with the results of the investigation, they can appeal the findings in accordance with the regulations that accompany this policy.

### **Disciplinary Consequences/Remediation**

While the focus of this policy is on prevention, bullying acts may still occur. In these cases, offenders will be given the clear message that their actions are wrong and the behavior must improve. Student offenders will receive in-school guidance in making positive choices in their relationships with others. If appropriate, disciplinary action will be taken by the administration in accordance with the district's Code of Conduct, as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, and must be consistent with the district's Code of Conduct.

### **Non-Retaliation**

All complainants and those who participate in the investigation of a complaint in conformity with state law and district policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

### **Dissemination, Monitoring, Review, and Reporting**

This policy, or a plain language summary, shall be published in student registration materials, student, parent and employee handbooks, and posted on the district's website. A bullying complaint form will be available on the district's website. The district will ensure that the process of reporting bullying is clearly explained.

Each year, as part of the annual review of the Code of Conduct, this policy will be reviewed to assess its effectiveness and compliance with state and federal law. If changes are needed, revisions will be recommended to the Board for its consideration.

The Board will receive the annual VADIR report, for each building and for the district as whole, with particular attention to the trends in the incidence of bullying. In addition, the Board will receive on an annual basis a more detailed report of the number of bullying incidents that occur, disaggregated by school, student demographic information and type of incident. Based on the review of the data, the Board may consider further action, including but not limited to modification of this policy and additional training.

The district will ensure that reporting of information to the public will be in a manner that complies with student privacy rights under the Family Educational Rights and Privacy Act (FERPA).

**Cross-ref:** 0100, Equal Opportunity and Nondiscrimination

0110, Sexual Harassment  
4321, Programs for Students with Disabilities  
5300, Code of Conduct  
5710, Violent and Disruptive Incident Reporting  
9700, Staff Development

Ref. Dignity for All Students Act, Education Law, §10 – 18  
Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*  
Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.*  
Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.*; 34 CFR §100 *et seq.*  
Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*  
§504, Rehabilitation Act of 1973, 29 U.S.C. §794  
Individuals with Disabilities Education Law, 20 U.S.C §§1400 *et seq.*  
Executive Law §290 *et seq.* (New York State Human Rights Law)  
Education Law §§313(3), 3201, 3201-a  
*Tinker v. DesMoines Independent Community School Dist.*, 393 US 503, (1969) *Davis v. Monroe County Board of Education*, 526 U.S. 629 (1999)  
*Gebser v. Lago Vista Independent School District*, 524 U.S. 274 (1998)  
*Faragher v. City of Boca Raton*, 524 U.S. 775 (1998)  
*Burlington Industries v. Ellerth*, 524 U.S. 742 (1998)  
*Oncale v. Sundowner Offshore Services, Inc.*, 523 U.S. 75 (1998)

**Policy 0115**

*Franklin v. Gwinnett County Public Schools*, 503 U.S. 60 (1992)  
*Meritor Savings Bank, FSB v. Vinson*, 477 U.S. 57 (1986)

1<sup>st</sup> Revised Reading: April 17, 2012  
Adoption date: May 07, 2012

## STUDENT HARASSMENT AND BULLYING PREVENTION AND INTERVENTION REGULATION

The Board condemns and strictly prohibits all forms of discrimination, such as harassment, hazing, intimidation and bullying on school grounds, school buses and at all school-sponsored activities, programs and events.

### Definitions

#### **Bullying**

In order to facilitate implementation, provide meaningful guidance and prevent behaviors from rising to a violation of law, this policy will use the term bullying (which is usually subsumed under the term “harassment”), which is understood to be a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror. Bullying may be premeditated or a sudden activity. It may be subtle or easy to identify, done by one person or a group. Bullying often includes the following characteristics:

1. **Power imbalance** - occurs when a bully uses his/her physical or social power over a target.
2. **Intent to harm** - the bully seeks to inflict physical or emotional harm and/or takes pleasure in this activity.
3. **Threat of further aggression** - the bully and the target believe the bullying will continue.
4. **Terror** - when any bullying increases, it becomes a “systematic violence or harassment used to intimidate and maintain dominance.”

(Barbara Coloroso, *The Bully, The Bullied & The Bystander*, 2003)

There are at least three kinds of bullying: verbal, physical and social/relational.

- Verbal bullying includes name calling, insulting remarks, verbal teasing, frightening phone calls, violent threats, extortion, taunting, gossip, spreading rumors, racist slurs, threatening electronic communications (“cyberbullying”), anonymous notes, etc.
- Physical bullying includes poking, slapping, hitting, tripping or causing a fall, choking, kicking, punching, biting, pinching, scratching, spitting, twisting arms or legs, damaging clothes and personal property, or threatening gestures.
- Social or relational bullying includes excluding someone from a group, isolating, shunning, spreading rumors or gossiping, arranging public humiliation, undermining relationships, teasing about clothing, looks, giving dirty looks, aggressive stares, etc.

The New York State Education Department provides further guidance on bullying and cyberbullying prevention on the following website: [http://www.p12.nysed.gov/technology/internet\\_safety/documents/cyberbullying.html](http://www.p12.nysed.gov/technology/internet_safety/documents/cyberbullying.html)

### **Discrimination**

Discrimination is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as listed under *Harassment* as defined below).

### **Harassment**

Harassment has been defined in various ways in federal and state law (including the penal law) and regulation. The Board recognizes that these definitions are important standards, but the Board's goal is to prevent behaviors from escalating to violations of law and, instead, to promote a positive school environment and limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. The harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- race,
- color,
- weight,
- national origin,
- ethnic group,
- religion,
- religious practice,
- disability,
- sex,
- sexual orientation, or
- gender (including gender identity and expression).
  - Gender identity is one's self-conception as being male or female, as distinguished from actual biological sex or sex assigned at birth.
  - Gender expression is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms,
- Social-economic status

## Hazing

Hazing is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

## Prevention

Prevention is the cornerstone of the district's effort to address bullying and harassment. The components of such an effort involve the following:

- Following the principles and practices of *“Educating the Whole Child Engaging the Whole School: Guidelines and Resources for Social and Emotional Development and Learning (SEDL) in New York State – Adopted by the Board of Regents July 18, 2011.”* District curriculum will emphasize developing empathy, tolerance and respect for others.
- Learning about and identifying the early warning signs and precursor behaviors that may lead to bullying.
- Gathering information about bullying at school directly from students (through surveys and other mechanisms); analyzing and using the data gathered to assist in decision-making about programming and resource allocation.

- Establishing clear school wide and classroom rules about bullying consistent with the district’s code of conduct.
- Training adults in the school community to respond sensitively and consistently to bullying.
- Raising awareness among adults, through training, of the school experiences of marginalized student populations (as enumerated in the *Definitions* section above), social stigma in the school environment, gender norms in the school environment, and strategies for disrupting bullying, intimidation, harassment or other forms of violence.
- Providing adequate supervision, particularly in less structured areas such as in the hallways, cafeteria, school bus and playground.
- Raising parental awareness and involvement in the prevention program and in addressing problems.
- Using educational opportunities or curriculum, including, if applicable, the Individual Educational Program (IEP), to address the underlying causes and impact of bullying.

### **Role of the Bullying Prevention Coordinator (BPC)**

The Board of Education will annually designate a staff member, who has been thoroughly trained in human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression), and sex, as the Bullying Prevention Coordinator (BPC), accountable for implementation of this policy. The BPC will be responsible for coordinating and enforcing this policy and regulation in each school building, including but not limited to coordination of:

- the work of the building-level committees;
- professional development for staff members and,
- the complaint process, and
- management of the Dignity Act’s civility curriculum components.

## **Reporting and Investigation**

In order for the Board to effectively enforce this policy and to take prompt corrective measures, it is essential that all targets and persons with knowledge of bullying report such behavior immediately to **the principal or the principal's designee** as soon as possible after the incident so that it may be effectively investigated and resolved. The district will also make a bullying complaint form available on its website to facilitate reporting. The district will collect relevant data from written and verbal complaints to allow reporting to the Board on an annual basis.

The district will promptly and equitably investigate all complaints, formal or informal, verbal or written. To the extent possible, all complaints will be treated in a confidential manner, although limited disclosure may be necessary to complete a thorough investigation.

In order to assist investigators, individuals should document the bullying as soon as it occurs and with as much detail as possible including: the nature of the incident(s); dates, times, places it has occurred; name of perpetrator(s); witnesses to the incident(s); and the target's response to the incident.

If, after appropriate investigation, the district finds that a student, an employee or a third party has violated this policy, prompt corrective and possibly disciplinary action will be taken in accordance with the code of conduct, applicable collective bargaining agreement, district policy and state law. If the reported behavior constitutes a civil rights violation, the complaint procedure associated with that policy will be followed, as applicable. If either of the parties disagrees with the findings of the initial investigation, an appeal may be made to the Superintendent in accordance with the process described below.

## **Confidentiality**

It is district policy to respect the privacy of all parties and witnesses to bullying. To the extent possible, the district will not release the details of a complaint or the identity of the complainant or the individual(s) against whom the complaint is filed to any third parties who do not need to know such information. However, because an individual's desire for confidentiality must be balanced with the district's legal obligation to provide due process to the accused, to conduct a prompt and thorough investigation, and/or to take necessary action to resolve the complaint, the district retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances to individuals with a need to know. The staff member responsible for investigating complaints will discuss confidentiality standards and concerns with all complainants.

If a complainant requests that his/her name not be revealed to the individual(s) against whom a complaint is filed, the staff member responsible for conducting the investigation shall inform the complainant that:

1. the request may limit the district's ability to respond to his/her complaint;
2. district policy and federal law prohibit retaliation against complainants and witnesses;
3. the district will attempt to prevent any retaliation; and
4. the district will take strong responsive action if retaliation occurs.

If the complainant still requests confidentiality after being given the notice above, the investigator will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as doing so does not preclude the district from responding effectively to the bullying and preventing the bullying of other students.

## **Investigation and Resolution Procedure**



## A. Initial (Building-level) Procedure

Whenever a complaint of bullying is received whether verbal or written, it will be subject to a preliminary review and investigation. Except in the case of severe or criminal conduct, the **principal, or the principal's designee** shall make all reasonable efforts to resolve complaints informally at the school level. The goal of informal procedures is to end the bullying, prevent future incidents, ensure the safety of the target and obtain a prompt and equitable resolution to a complaint.

As soon as possible, but no later than **three working days** following receipt of a complaint, **the principal or the principal's designee** should begin an investigation of the complaint by:

- Reviewing any written documentation provided by the target(s).
- Conducting separate interviews of the target(s), alleged perpetrator(s), and witnesses, if any, and documenting the conversations.
- Providing the alleged perpetrator(s) a chance to respond and notify him/her that if objectionable behavior has occurred, it must cease immediately. The individual will be made aware of remediation opportunities as well as potential disciplinary consequences.
- Determining whether the complainant needs any accommodations to ensure his/her safety, and following up periodically until the complaint has been resolved. Accommodations may include, but are not limited to:
  - A “permanent” hall pass that allows the student to visit a designated adult at any time;
  - Access to private bathroom facilities;
  - Access to private locker room facilities;
  - An escort during passing periods;
  - If the student feels unsafe in a specific class, an opportunity for individual tutoring or independent study until the case is resolved;
  - An opportunity for independent study at home with district-provided tutor until the case is resolved;
  - Permission to use personal cell phone in the event that the student feels threatened and needs immediate access to parent or guardian;
  - Assignment of a bus monitor.

The district recognizes that there is a need to balance accommodations which enhance student safety against the potential to further stigmatize the targeted student. Therefore, each case will be handled individually, and the student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

Parents of student targets and accused students should be notified within one school day of allegations that are serious or involve repeated conduct.

Where appropriate, informal methods may be used to resolve the complaint, including but not limited to:

- a. discussion with the accused, informing him or her of the district's policies and indicating that the behavior must stop;
- b. suggesting counseling, skill building activities and/or sensitivity training;

- c. conducting training for the department or school in which the behavior occurred, calling attention to the consequences of engaging in such behavior;
- d. requesting a letter of apology to the target;
- e. writing letters of caution or reprimand; and/or
- f. separating the parties.

Appropriate disciplinary action shall be recommended and imposed in accordance with district policy, the applicable collective bargaining agreement or state law. School districts should make every effort to attempt to first resolve the misconduct through non-punitive measures.

The investigator shall report back to both the target and the accused, within **one week** notifying them in writing, and also in person, as appropriate, regarding the outcome of the investigation and the action taken to resolve the complaint. The actions taken will be in conformance with the *Remediation/Discipline/Penalties* section of this regulation. The target shall report immediately if the objectionable behavior occurs again or if the alleged perpetrator retaliates against him/her.

If a complaint contains evidence or allegations of serious or extreme bullying, or a civil rights violation, the complaint shall be referred promptly to the Superintendent. The complainant will also be advised of other avenues to pursue their complaint, including contact information for state and federal authorities.

In addition, where the **principal or the principal's designee** has a reasonable suspicion that the alleged bullying incident involves criminal activity, he/she should immediately notify the Superintendent, who shall then contact the school attorney, appropriate child protection and, if appropriate, law enforcement authorities.

Any party who is not satisfied with the outcome of the initial investigation may request a district-level investigation by submitting a written complaint to the Superintendent within 30 days.

## B. District-level Procedure

The Superintendent or his/her designee shall promptly investigate and equitably resolve all bullying complaints that are referred to him/her, as well as those appealed to the Superintendent following an initial investigation. In the event the complaint involves the Superintendent, the complaint shall be filed with or referred to the Board President, who shall refer the complaint to an appropriate independent individual for investigation.

The district level investigation should begin as soon as possible **but not later than three working days** following receipt of the complaint by the Superintendent or Board President.

In conducting the formal district level investigation, the district will endeavor to use individuals who have received formal training regarding such investigations or that have previous experience investigating such complaints.

If a district level investigation results in a determination that bullying did occur, prompt corrective action will be taken to end the misbehavior in accordance with the *Remediation/Discipline/Penalties* section of this regulation.

No later than 30 days following receipt of the complaint, the Superintendent (or in cases involving the Superintendent, the Board-appointed investigator) will notify the target and alleged perpetrator, in writing, of the outcome of the investigation. If additional time is needed to complete the investigation or take appropriate action, the Superintendent or Board-appointed

investigator will provide all parties with a written status report within 30 days following receipt of the complaint.

Any party who is not satisfied with the outcome of the district-level investigation may appeal to the Board of Education by submitting a written request to the Board President within 30 days.

### C. Board-level Procedure

When a request for review by the Board has been made, the Superintendent shall submit all written statements and other materials concerning the case to the President of the Board.

The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within 15 school days of the receipt of the request of the complainant.

The Board shall render a decision in writing within 15 days after the hearing has been concluded.

The district shall retain documentation associated with complaints and investigations in accordance with Schedule ED-1.

### **Retaliation Prohibited**

Any act of retaliation against any person who opposes bullying behavior, or who has filed a complaint, is prohibited and illegal, and therefore subject to disciplinary action. Likewise, retaliation against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing of a bullying complaint is prohibited. For purposes of this policy, retaliation includes but is not limited to: verbal or physical threats, intimidation, ridicule, bribes, destruction of property, spreading rumors, stalking, harassing phone calls, and any other form of harassment. Any person who retaliates is subject to immediate disciplinary action up to and including suspension or termination.

### **Remediation/Discipline/Penalties**

Any individual who violates this policy by engaging in bullying will be subject to appropriate action, which may include disciplinary action. Remedial responses to bullying include measures designed to correct the problem behavior, prevent another occurrence of the behavior, and protect the target of the act. Appropriate remedial measures may include, but are not limited to:

- Restitution and restoration;
- Peer support group;
- Corrective instruction or other relevant learning or service experience;
- Changes in class schedule
- Supportive intervention;
- Behavioral assessment or evaluation;
- Behavioral management plan, with benchmarks that are closely monitored;
- Student counseling;
- Parent conferences; or
- Student treatment or therapy.

Environmental remediation may include, but is not limited to:

- School and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- Modification of schedules;
- Adjustment in hallway traffic and other student routes of travel;
- Targeted use of monitors;
- Parent education seminars/workshops;
- Peer support groups.

Disciplinary measures available to school authorities include, but are not limited to the following:

Students: Discipline may range from a reprimand up to and including suspension from school, to be imposed consistent with the Code of Conduct and applicable law.

Employees: Discipline may range from a warning up to and including termination, to be imposed consistent with all applicable contractual and statutory rights.

Volunteers: Penalties may range from a warning up to and including loss of volunteer assignment.

Vendors: Penalties may range from a warning up to and including loss of district business.

Other individuals: Penalties may range from a warning up to and including denial of future access to school property.

### **Policy Dissemination**

All students and employees shall be informed of this policy in student and employee handbooks, on the district website and student registration materials.

All employees shall receive information about this policy and regulation at least once a year.

Principals in each school shall be responsible for informing students and staff on a yearly basis of the terms of this policy, including the procedures for filing a complaint and information about the impact of bullying on the target and bystanders.

### **Training**

Training needs in support of this bullying prevention and intervention program will be reflected in the district's annual professional development plan, new teacher orientation, in curriculum and will be considered in the budget process. The bullying prevention coordinator, administrative employees and other staff, such as counselors or social workers who have specific responsibilities for investigating and/or resolving complaints of bullying shall receive yearly training to support implementation of this policy, regulation and on related legal developments.

1<sup>st</sup> Revised Reading: April 17, 2012

Adoption date: May 07, 2012

**HARASSMENT AND/OR BULLYING COMPLAINT FORM**

The purpose of this form is to inform the district of an incident or series of incidents of bullying and/or harassment so we can investigate and take appropriate steps. **If you feel unsafe, or if your child feels that way, fill out this form, but we urge you to speak directly with (the building principal by either visiting the office or calling as soon as possible so we can address your concerns.**

Student Name: \_\_\_\_\_ Student ID: \_\_\_\_\_  
Grade: \_\_\_\_\_ School: \_\_\_\_\_

Describe the incident(s). Please include when and where it happened.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List the name(s) of the individual(s) accused of bullying and/or harassment.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Were there any witnesses?  Yes  No If yes, please list the names of the individual(s).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*I certify that all statements on this form are accurate and true to the best of my knowledge.*

\_\_\_\_\_  
Signature Date

Please attach any supporting documentation (i.e., copies of emails, notes, photos, etc.).

Return this form to: ***Building Principal  
Northern Adirondack Central School District  
PO Box 154, 5572 Rt. 11  
Ellenburg Depot, NY 12935***

Note on confidentiality: In order to investigate the complaint, the district will disclose the content of the complaint only to those persons who have a need to know. This form will not be shown to the accused student(s)/staff.

Cc: Bullying Prevention Coordinator

## EQUAL OPPORTUNITY AND NONDISCRIMINATION

The Board of Education, its officers and employees, shall not discriminate in its programs and activities on the basis of race, color, national origin, creed, religion, marital status, sex, age, sexual orientation, disability or predisposing genetic characteristic. The district will provide notice of this policy in accordance with federal and state law and regulation.

This policy of nondiscrimination includes access by students to educational programs, counseling services for students, course offerings, and student activities, as well as recruitment and appointment of employees and employment pay, benefits, advancement and/or terminations.

The Board of Education, its officers and employees shall not discriminate against students on the basis of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).

A finding that an individual has engaged in conduct in violation of this policy may result in disciplinary action and/or filing of a report with third parties in the manner prescribed by the district code of conduct, the law or applicable contract.

Nothing in this policy shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction or activity based on a person's gender that would be permissible under the law, or to prohibit, as discrimination based on disability, actions that would be permissible under the law.

### *Annual Notification*

At the beginning of each school year, the district shall publish a notice of the established grievance procedures for resolving complaints of discrimination to parents/guardians, employees, students and the community. The public notice shall:

1. inform parents, employees, students and the community that education programs, including but not limited to vocational programs, are offered without regard to actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex; sexual orientation, or gender (including gender identity and expression);
2. provide the name, address and telephone number of the person designated to coordinate activities concerning discrimination; and
3. be included in announcements, bulletins, catalogs, and applications made available by the district.

The **Superintendent** has been designated to handle inquiries regarding the district's non-discrimination policies. Contact information for the **Superintendent** is available on the district's website. Complaints of sexual harassment or discrimination are covered by policy 0110.

All complainants and those who participate in the investigation of a complaint in conformity with state law and district policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

The Board authorizes the Superintendent of Schools to establish such rules, regulations and procedures necessary to implement and maintain this policy.

Cross-ref: 0110, Sexual Harassment  
5030, Student Complaints and Grievances  
5300, Code of Conduct  
9140.1, Staff Complaints and Grievances

Ref: Age Discrimination in Employment Act of 1967 29 U.S.C. §621 *et seq.*  
Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*  
Title VI, Civil Rights Act of 1964, 42 U.S.C. §2000d *et seq.* (nondiscrimination based on race, color, and national origin in federally assisted programs)  
Title VII, Civil Rights Act of 1964, 42 U.S.C. §2000e *et seq.* (nondiscrimination based on race, color, and national origin in employment)  
Title IX, Education Amendments of 1972, 20 U.S.C. §1681 *et seq.* (nondiscrimination based on sex)  
§504, Rehabilitation Act of 1973, 29 U.S.C. §794  
Individuals with Disabilities Education Law, 20 U.S.C §§1400 *et seq.*

Genetic Information Nondiscrimination Act of 2008 P.L. 110-233

34 C.F.R. §§ 100.6, 104.8, 106.9, 110.25

Executive Law §290 *et seq.* (New York State Human Rights Law)

[Education Law §§10-18 \(The Dignity for All Students Act\)](#)

Education Law §§313(3), 3201, 3201-a

1<sup>st</sup> Reading of Revisions: April 17, 2012

Adoption date: May 07, 2012



**EQUAL OPPORTUNITY AND NONDISCRIMINATION****REGULATION**

The procedures set forth in this regulation do not supersede any protection complainants are provided under existing state or federal law.

*Definitions*

1. *Complainant* shall mean an applicant, employee, student or vendor who alleges that they have been subjected to discrimination, which may be a violation of this policy, as well as a violation of federal or state law or associated regulations, which has affected him/her.
2. *Complaint* shall mean any alleged act of discrimination which may be a violation of this policy, which may also violate federal and state civil rights laws or associated regulations.
3. *Compliance Officer* shall mean the employee designated by the Board of Education to coordinate efforts to comply with and carry out responsibilities under the Civil Rights Act of 1964, Section 504 and the ADA. The district's compliance officer is the Middle School Principal.

The investigation and resolution of any complaints alleging an action prohibited by the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act or the ADA shall be dealt with in the following prompt, equitable and impartial manner:

*A. Stage I--Compliance Officer*

1. As soon as practicable, if possible within 30 days after the events giving rise to the allegation, the complainant shall file a complaint, preferably in writing using the district's complaint form, with the Compliance Officer. The Compliance Officer may informally discuss the complaint with the complainant. He/She shall promptly and thoroughly investigate the matter. All employees and students of the school district shall cooperate with the Compliance Officer in such investigation.
2. Within 15 days of receipt of the complaint, the Compliance Officer shall make a finding in writing that there has or has not been a violation of the Civil Rights Act, Section 504 of the Rehabilitation Act or the ADA. In the event the Compliance Officer finds that there has been a violation, he/she shall propose a resolution of the complaint.
3. If the complainant is not satisfied with the finding of the Compliance Officer, or with the proposed resolution of the complaint, the complainant may, within 15 days after he/she has received the report of the Compliance Officer, file a written request for review by the Superintendent of Schools.

*B. Stage II--Superintendent of Schools*

1. The Superintendent may request that the complainant, the Compliance Officer, student, or any member of the school district staff present a written statement to him/her setting forth any information that such person has relative to the complaint and the facts surrounding it.
2. The Superintendent shall notify all parties concerned as to the time and place when an informal hearing will be held where such parties may appear and present oral and written statements supplementing their position in the case. Such hearing shall be held within 15 school days of the receipt of the appeal by the Superintendent.
3. Within 15 days of the hearing, the Superintendent shall render his/her determination in writing. Such determination shall include a finding that there has or has not been a violation of the Civil Rights Act, Section 504 of the Rehabilitation Act or the ADA, and if applicable, a proposal for equitably resolving the complaint.
4. If the complainant is not satisfied with the determination of the Superintendent or the proposed resolution, the complainant may, within 15 days after its receipt, file with the Clerk of the Board of Education, a written request for review by the Board.

*C. Stage III--Board of Education*

1. When a request for review by the Board has been made, the Superintendent shall submit all written statements and other materials concerning the case to the President of the Board.
2. The Board shall notify all parties concerned of the time and place when a hearing will be held. Such hearing will be held within 15 school days of the receipt of the request of the complainant.
3. The Board shall render a decision in writing within 15 days after the hearing has been concluded.

1<sup>st</sup> Reading of Revisions:

Adoption date: May 07, 2012

# Northern Adirondack Central School District

## Code of Conduct and Discipline Policy

### INTRODUCTION

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

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

The board recognizes the need to clearly define these expectations for acceptable conduct on school property, to identify the possible consequences of unacceptable conduct, and to ensure that discipline when necessary is administered promptly and fairly. To this end the board adopts this code of conduct (“code”).

Unless otherwise indicated, this code applies to all students, school personnel, parents and other visitors when on school property or attending a school function.

#### **A. Annual Implementation and Review**

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

- Providing copies of a summary of the code to all students. A discussion of the Code of Conduct will be at a general assembly held at the beginning of each school year.
- Providing all current teachers and other staff members with a copy of the Code and a copy of any amendments to the Code as soon as practicable after adoption.
- Providing all new employees with a copy of the current Code of Conduct when they are hired.
- Making copies of the Code available for review by students, parents and other community members.
- Providing the Code of Conduct online.

#### **B. Definitions**

For the purpose of this Code, the following definitions apply.

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

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

**School property** means in or within any building, structure, athletic playing ball field, playground, parking lot or land contained within the real property boundary line of a public elementary or secondary school, or on a school bus, as defined in Vehicle and Traffic Law §142.

**School Function** means any school-sponsored extracurricular event or activity.

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

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

**Weapon** means a firearm as defined in 18 USC §921 for purposes of the Gun Free Schools Act. It also means any other gun, BB gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, brass knuckles, slingshot, metal knuckle knife, box cutter, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, explosive or incendiary bomb, or other device, instrument, material or substance that can cause physical injury or death when used to cause physical injury or death.

**Controlled substance** means a drug or other substance identified in certain provisions of the Federal Controlled Substances Act specified in both federal and state law and regulations applicable to this policy.

**Disorderly conduct** means any act committed by an elementary or secondary student through the age of 21 that is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom.

**Public Display of Affection** means excessive and/or offensive display of physical affection in a public setting.

**Insubordination** means the outright refusal to comply with the reasonable request of any staff member or responsible adult serving in the capacity of chaperone by an elementary or secondary student through the age of 21.

### **C. Public concerns**

The Board recognizes the right of community members to register individual or group concerns regarding instruction, district programs, materials, operations, and/or staff members. The main goal of this district is to resolve such concerns with only the parties involved, whenever possible. Public concerns about the school district will be directed to proper administrative personnel. Concerns about specific classroom practices shall be directed to the teacher concerned. If the matter is not settled satisfactorily, the complainant shall then contact the building principal; if there is no resolution on this level, the Superintendent of Schools shall be contacted. The Superintendent shall refer the issue to the Board for final resolution. It is the responsibility of the building principal to help in resolving the problem or concern, and/or refer individuals to the next level of appeal. Matters involving specific classes, teachers or school rules, should be brought to an administrator's attention before an individual addresses members of the Board. All matters referred to the Superintendent and/or the Board must be *in writing*. Concerns registered directly to the Board as well as a whole or to an individual Board member shall be referred, as

soon as it is reasonably possible, to the Superintendent for investigation, report and/or resolution. The continued interest and support of district schools by members of the school community is vital to the success of NACS students.

## **STUDENT RIGHTS AND RESPONSIBILITIES**

### **A. Student Rights and Responsibilities**

The Board assures district students that they shall have all the rights afforded them by federal and state constitutions and statutes. The district recognizes all federal, state and local laws in connection with these rights, and reminds students that certain responsibilities accompany these rights. The district's aim is to provide an environment in which a student's rights and freedoms are respected, and to provide opportunities which stimulate and challenge a student's interest and abilities to his/her highest potential. These opportunities will be available as long as the student pursues these interests and studies in an appropriate manner, and does not infringe upon the rights of others.

It shall be the right of each district student:

- To have a safe, healthy, orderly and courteous school environment.
- To take part in all district activities on an equal basis regardless of race, sex, color, national origin or handicapping condition.
- To attend school and participate in school programs unless suspended from instruction and participation for legally sufficient cause as determined in accordance with due process of law.
- To have school rules and conditions available for review and, whenever necessary, explanation by school personnel.
- To be suspended from instruction only after his/her rights pursuant to Education Law §3214 have been observed.
- In all disciplinary matters, to have the opportunity to present his/her version of the facts and circumstances leading to imposition of disciplinary sanctions to the professional staff member imposing such sanction.
  - To express his/her opinions verbally, as long as his/her expression does not interfere with the rights of others or disrupt normal school operation.

It shall be the responsibility of each district student:

- To be familiar with and abide by all district policies, rules and regulations pertaining to student conduct.
- To work to the best of his/her ability in all academic and extracurricular pursuits and strive toward the highest level of achievement possible.
- To conduct himself/herself, when participating in or attending school sponsored extracurricular events, as a representative of the district and as such hold himself/herself to the highest standards of conduct, demeanor and sportsmanship.
- To seek help to develop mechanisms to control anger and to solve problems that might lead to conduct referral.
- To be in regular attendance at school and in class unless legally excused.
- To arrive at school and class, on time, and prepared to learn.
- To contribute to the maintenance of an environment that is conducive to learning and to show due respect to other persons and property.
- To dress in accordance with standards as identified by the Board and the Superintendent.
- To make constructive contributions to the school and to report fairly on circumstances of school related issues.

- To react to direction given by teachers, administrators and other school personnel in a respectful, positive manner.
- To accept responsibility for his/her actions.

## **B. Recognition of Responsible Student Behavior And Accomplishments**

Educators have learned that although steps to stop inappropriate behavior are necessary, praise and reward for responsible student behavior do more to encourage positive traits than anything else. Educators at Northern Adirondack Central School are encouraged to practice assertive discipline techniques that are positive and realistic when responding to negative behavior.

The Northern Adirondack Central School District recognizes responsible student behavior in many ways and encourages additional methods of recognition:

- Publicity of student achievement and activities in local newspapers and the District Newsletter
- Certificates for perfect attendance
- Individual Recognition Awards given by classroom teachers for positive social and academic growth
- National Honor Society/Jr. Honor Society Induction ceremony and reception
- Publications of Honor and High Honor Rolls
- Athletic Awards Ceremony
- Recognition of Student Council and Class Officers
- Math Contest Awards
- Elementary School Awards Program (Academic, Athletic, and Behavior)
- Middle School Awards Program
- Academic Awards Ceremony
- Administrative Letters of Recognition

## **C. Student Due Process Rights**

In situations involving misconduct, students shall have the opportunity to present their version of the facts and circumstances, and students will not be suspended unless their rights to due process, as identified in Education Law §3214, have been observed. Building principals may suspend a student for a period of up to five days. In cases of this type, the Principal conducts an informal hearing with the student and other individuals who may have information concerning the situation. When a suspension is imposed, the student and parent(s) are notified and a written record of the case is made. If the student and parents request an informal conference, it will be held at which time the parents may question the person whose complaint initiated the suspension. School personnel will identify problems and pursue appropriate, reasonable measures to affect student behavior. Parents, students and school personnel must work together to ensure the maintenance of the proper atmosphere for learning. Our objective is to provide all students an equal opportunity to grow intellectually, ethically, socially, emotionally and physically.

The responses to student misconduct are designed to be fundamentally fair without imposing unreasonable burdens upon school authorities or students. General requirements in all instances include:

- Oral or written notice detailing the rules violation resulting in the conduct referral.
- An opportunity for the referred student to “tell his/her side of the story” to the person whose responsibility it is to investigate the situation.

- Explanation of the evidence of violation upon which action is being taken, should the student deny the infraction has occurred.

When a student is referred to an administrator/designee for appropriate action, the administrator investigates the incident by meeting with the student and/or staff member and additional students/staff members as deemed necessary. Parental involvement ranges from written notification of the offense and consequence, to parent conferences with staff, student, and if need be, outside agencies/authorities.

## **ESSENTIAL PARTNERS IN EDUCATION**

### **A. Parents**

All parents are expected to:

- Recognize that the education of their children is a joint responsibility of the parents and the school community.
- Send their children to school ready to participate and learn.
- Ensure their children attend school regularly and on time.
- Ensure absences are excused.
- Insist their children be dressed and groomed in a manner consistent with the dress code.
- Help their children understand that in a democratic society, appropriate rules are required to maintain a safe and orderly environment.
- Know school rules and help children understand them.
- Convey to their children a supportive attitude toward education and the school district.
- Build good relationships with teachers, other parents and their children's friends.
- Help their children deal effectively with peer pressure.
- Inform school officials of changes in the home situation that may affect student conduct or performance.
- Provide a place for study and ensure homework assignments are completed.

### **B. Teachers**

All district teachers are expected to:

- Establish and maintain a safe, orderly and stimulating school environment that emphasizes active engagement of students in the learning process.
- Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
- Be prepared to teach.
- Demonstrate interest in teaching and concern for student achievement.
- Know school policies and rules, and enforce them in a fair and consistent manner.
- Communicate to students and parents:
  - Course objectives and requirements
  - Marking/grading procedures
  - Assignment deadlines
  - Expectations for students
  - Classroom conduct plan
- Communicate regularly with students, parents and other teachers concerning growth and achievement.

### **C. School Counselors**

All district school counselors are expected to:

- Assist students in coping with peer pressure and emerging personal, social and emotional problems.
- Initiate teacher/student/counselor conferences and parent/teacher/student/counselor conferences, as necessary, as a way to resolve problems.
- Regularly review with students their educational progress and career plans.
- Provide information to assist students with career planning.
- Encourage students to benefit from the curriculum and extracurricular programs.

### **D. Principals**

All district Principals are expected to:

- Promote a safe, orderly and stimulating school environment, supporting active teaching and learning.
- Ensure that students and staff have the opportunity to communicate regularly with the principal and approach the principal for redress of grievances.
- Evaluate on a regular basis all instructional programs.
- Support the development of and student participation in appropriate extracurricular activities.
- Be responsible for enforcing the code of conduct and ensuring that all cases are resolved promptly and fairly.

### **E. Superintendent**

The Superintendent is expected to:

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

### **F. Board Of Education**

The Board of Education is expected to:

- Collaborate with student, teacher, administrator, parent organizations, school safety personnel and other school personnel to develop a code of conduct that clearly defines expectations for the conduct of students, district personnel and visitors on school property and at school functions.
- Adopt and review at least annually the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementations.
- Lead by example by conducting board meetings in a professional, respectful and courteous manner.



## **SPECIAL AREAS OF PROHIBITED CONDUCT**

There is a direct connection between the way students behave and the way they learn. Positive student behavior helps set the educational environment that allows teachers to teach and encourages students to learn. The District Conduct Committee cannot reasonably write a Code of Conduct in such detail as to anticipate every type of misconduct that could possibly occur. Therefore, various rules and policies (school district Code of Conduct, handbooks, etc.) serve as a guideline encouraging students to become self-disciplined, responsible students making proper decisions which keep our school respectful, safe and organized for learning.

Students who cannot accept responsibility and violate school rules will be required to accept penalties and more regulated supervision. The vast range of penalties is listed in the Responses to Student Misconduct section. These penalties may be imposed either alone or in combination. Depending upon the nature of the violation, it is the Board's desire that responses to student misconduct be progressive, i.e. a student's first violation should merit a lighter penalty than subsequent violations. It is also the Board's desire that an employee or agent take into account all other relevant factors in determining an appropriate penalty.

A number of areas involving student conduct merit special attention and are addressed in this section. Federal law and the Project SAVE legislation provide for automatic suspensions in the cases of weapons possession, violent behavior and repeated disruptiveness.

### **A. Dangerous Weapons In School**

No student may have in his or her possession upon school premises, in a school vehicle or at a school sponsored program, any rifle, shotgun, pistol, revolver, other firearm, explosive, knives, dangerous chemical, or any object which is not necessary for school activities and which could be used as a weapon. The Federal Gun-Free Schools Act of 1994 requires that any student, other than a student with a disability, found guilty of bringing a weapon onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214. The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the following:

- The student's age.
- The student's grade in school.
- The student's prior disciplinary record.
- The superintendent's belief that other forms of discipline may be more effective.
- Input from parents, teachers and/or others.
- Other extenuating circumstances.

The student with a disability may be suspended only in accordance with the requirements of state and federal law.

### **B. Other Violent Acts**

Any student, who is found to have committed a violent act, other than bringing a weapon onto school property, could be subject to suspension from school for at least five days. If the proposed penalty is the minimum five-day suspension, the student and the student's parents will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds the minimum

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

### **C. Repeated Substantial Disruption or Interference With School Procedure**

Any student, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom, may be suspended from school for at least five days. For purposes of this Code of Conduct, "repeatedly is substantially disruptive" means engaging in conduct that results in the student being removed from the classroom by teacher(s) pursuant to Education Law §3214 (3-a) and this Code on four or more occasions during a semester.

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

### **D. Dress Code**

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in a school setting. A student's dress, grooming and appearance, including hair style/color, jewelry or other accessories, make-up and nails, shall:

- Be safe, appropriate and not disrupt or interfere with the educational process. The following items are specifically prohibited: spiked jewelry and long pocket chains.
- Recognize that extremely brief garments and see-through garments are prohibited. Examples include: muscle shirts, strapless tube tops, midriff tops, spaghetti straps, halter-tops, low-cut tops, etc. Shirts must touch the top of pants. Also recognize that any garment/accessory that detracts from the learning environment or is inappropriate is not allowed.
- Ensure that under garments are discreetly covered with outer clothing. The length of skirts or shorts will be no shorter than 5 inches above the kneecap.
- Not include the wearing of pajama bottoms and/or tops.
- Include footwear at all times. Footwear that is a safety hazard will not be allowed. Slippers are not appropriate footwear. Sneakers are required to participate in physical education classes.
- Ensure that all tank top straps are two fingers wide.
- Not include the wearing of hats, bandanas, or other head covering except for a medical or religious purpose.
- Not include eyewear (i.e., tiger, alien, cat eye contact lenses, sunglasses) that obscures the natural appearance of the eye.
- Not include items that are sexually suggestive, vulgar, obscene, and libelous or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation, disability or gang related activities.

- Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

Each building principal or his or her designee shall be responsible for informing all students and their parents of the student dress code at the beginning of the school year and any revisions to the dress code made during the school year. Students who violate the student dress code shall be required to remove the offending item and replace it with an acceptable item. Any student who refuses to do so shall be subject to a misconduct penalty, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further penalty, up to and including out of school suspension.

#### **E. Student Protests, Demonstrations and Sit-Ins**

The Board and the Superintendent have the authority and responsibility to maintain order and discipline with the district's schools as is necessary to protect the safety and welfare of the students, to secure the educational environment within the schools, and to protect the real and personal property owned and maintained by the district from damage. While the Board recognizes that students have a constitutional right to demonstrate peacefully during school hours, students are prohibited from engaging in conduct which otherwise endangers the safety, morals, health or welfare of themselves or others. The Board prohibits students from willfully disrupting the routine and daily schedule of the school or a school-sponsored event by participating in an individual or group activity, which has as its purpose the encouragement of noncompliance with an existing school policy, regulation or administrative decision. In addition, the Board prohibits students as individuals or groups from participating in sit-ins, stand-ins, walk-outs and other similar conduct which disrupts the order and discipline of the school and/or endangers the safety and welfare of themselves and other students in the school.

#### **F. Drug/Alcohol Policy**

No student shall possess, use, transmit, or attempt to possess, use, or transmit, or be under the influence of any of the following substances on school premises during any school term or off school premises at a school-related activity, function or event:

- Any controlled substance or dangerous drug as defined by law, without regard to amount, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate;
- Any synthetic cannabinoids, potpourri, herbal mixtures or bath salts produced distributed, marketed and sold as legal alternatives to marijuana;
- Alcohol or any alcoholic beverage;
- Any glue, aerosol paint or any other chemical substance intended for inhalation;
- Any other intoxicant or mood-changing, mind-altering drugs;
- Any medication including over the counter drugs is administered by the school nurse and must have the prescription label on it with a note from the doctor regarding dosage and time to be given. An adult must transport it to school. Please do not send your child with the prescription or over the counter medicines. He/she cannot self-medicate.

“Use” means a student has smoked, ingested, injected, imbibed, inhaled or otherwise taken internally, a prohibited substance recently enough that is detectable by the student's physical appearance, actions, breath or speech. “Under the influence” means a student's faculties are noticeably impaired, but the student need not be legally intoxicated. Students are reminded that they are granted choices and if they choose to violate the Drug/Alcohol rule, the consequences of their behavior will be to serve the necessary discipline. It is the intention of

the Northern Adirondack Central School District to intervene at the earliest stages of student involvement with drug/alcohol use. Any student with an infraction of this drug/alcohol rule will be recommended to intervention services established by the District Drug and Alcohol Policy and Referral Program. Appropriate referrals and parental contact shall be made in any case involving substance misuse. Outside agencies may be contacted by the administrator/designee as a means of following up the behaviors related to this section.

### **Drug/Alcohol Use and Special Student Functions**

Students under the influence and/or possession of drugs and/or alcohol at events sponsored by Northern Adirondack Central School, including but not limited to school dances, athletic events, junior prom, senior ball and/or class trip, will be immediately removed from the event, have a parental contact made, be subject to further conduct review and in the case of seniors, may not be allowed to participate in the graduation ceremony.

#### **G. Corporal Punishment**

Corporal punishment is any act of physical force upon a student for the purpose of punishing that student. Corporal punishment of any student by any district employee is strictly forbidden. However, in situations where alternative procedures and methods that do not involve the use of physical force cannot reasonably be used, reasonable physical force may be used to:

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

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

### **Investigation of Complaints**

Any complaint about the use of corporal punishment shall be submitted in writing to the Superintendent. This written complaint will be forwarded to the school attorney within seven days. The Superintendent will investigate the complaint to determine whether an incident actually took place, and if so, to determine the identity of the person or persons who administered the punishment, the identity of the student or students punished and the reasons for the action and any other relevant facts or circumstances. Results of this investigation will be forwarded to the school attorney upon completion of the investigation.

#### **H. Student Searches and Interrogations**

The Board is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a misconduct penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of "Miranda"-type warning before being questioned by school officials, nor are school officials required to contact a student's parent before questioning the student. However, school officials will tell all students why they are being questioned. In addition, the Board authorizes the Superintendent, building principals, law enforcement and school nurse to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will result in evidence that the student violated the law or the

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

### **1. Student Lockers, Desks, and other School Storage Places**

The rules in this code of conduct regarding searches of students and their belongings do not apply to student lockers, desks and other school storage places. Students have no reasonable expectation of privacy with respect to these places and school officials retain complete control over them. This means that student lockers, desks and other school storage places may be subject to search at any time by school officials, without prior notice to students and without their consent. The school district may also from time to time use trained police dogs for searches of school property, possessions of individuals on school property or [vehicles on school property.

#### **Documentation of Searches**

The authorized school official conducting the search shall be responsible for promptly recording the following information about each search:

- a. Name, age and grade of student searched.
- b. Reasons for the search.
- c. Name of any informant(s).
- d. Purpose of search (that is, what item(s) were being sought).
- e. Type and scope of search.
- f. Person conducting search and his or her title and position.
- g. Witnesses, if any, to the search.
- h. Time and location of search.
- i. Results of search (that is, what item(s) were found).
- j. Disposition of items found.
- k. Time, manner and results of parental notification.

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

### **2. Police Involvement in Searches and Interrogations of Students**

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

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

Before police officials are permitted to question or search any student, the building principal or his or her designee shall first try to notify the student's parent to give the parent the opportunity to be present during the police questioning or search. The principal or designee will also be present during any police questioning or search of a student on school property or at a school function. Students who are questioned by police officials on school property or at a school function will be afforded the same rights they have outside of school. This means:

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

### **3. Child Protective Services Investigations**

Consistent with the district's commitment to keep students safe from harm and the obligation of school officials to report to child protective services when they have reasonable cause to suspect that a student has been abused or maltreated, the district will cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

All requests by child protective services to interview a student on school property shall be made directly to the building principal or his or her designee. The principal or his or her designee shall set the time and place of the interview. The principal or designee shall decide if it is necessary and appropriate for a school official to be present during the interview, depending on the age of the student being interviewed and the nature of the allegations. If the nature of the allegations is such that it may be necessary for the student to remove any of his or her clothing in order for the child protective services worker to verify the allegations, the school nurse or other district medical personnel must be present during that portion of the interview. No student will be required to remove his or her clothing in front of a child protective services worker or school district official of the opposite sex.

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if he or she were not removed from school before a court order can reasonably be obtained. If the worker believes the student would be subject to danger of abuse, the worker may remove the student without a court order and without the parent's consent.

### **Discipline of Students with Disabilities**

The board recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The board is committed to

ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

## **Strip Searches**

A strip search is a search that requires a student to remove any or all of his or her clothing, other than an outer coat or jacket. If an authorized school official believes it is necessary to conduct a strip search of a student, the school official may do so only if the search is authorized in advance by the superintendent or the school attorney. The only exception to this rule requiring advanced authorization is when the school official believes there is an emergency situation that could threaten the safety of the student or others.

Strip searches may only be conducted by an authorized school official of the same sex as the student being searched and in the presence of another district professional employee who is also of the same sex as the student.

In every case, the school official conducting a strip search must have probable cause – not simply reasonable cause – to believe the student is concealing evidence of a violation of law or the district code. In addition, before conducting a strip search, the school official must consider the nature of the alleged violation, the student’s age, the student’s record and the need for such a search.

School officials will attempt to notify the student’s parent by telephone before conducting a strip search or in writing after the fact if the parent could not be reached by telephone.

## **Referrals**

### **1. Counseling**

The Guidance Office shall handle all referrals of students to counseling.

### **2. PINS Petitions**

The district may file a PINS (person in need of supervision) petition in Family Court on any student under the age of 16 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant and not attending school as required by part one of Article 65 of the Education Law.
- b. Engaging in an ongoing or continual course of conduct which makes the student ungovernable or habitually disobedient and beyond the lawful control of the school.
- c. Knowingly and unlawfully possesses marijuana in violation of Penal Law §221.05. A single violation of §221.05 will be a sufficient basis for filing a PINS petition.

### **3. Juvenile Delinquents and Juvenile Offenders**

The superintendent is required to refer the following students to the County Attorney for a juvenile delinquency proceeding before the Family Court:

- a. Any student under the age of 16 who is found to have brought a weapon to school, or
- b. Any student 14 or 15 years old who qualifies for juvenile offender status under the Criminal Procedure Law §1.20 (42).

## **Maintenance and Enforcement of Public Order in School**

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of the code, “public” shall mean all persons when on school property or attending a school function including students, teachers and district personnel. The restrictions of public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The district recognizes that free inquiry and free expression are indispensable to the objectives of the district. The purpose of this code is to maintain public order and prevent abuse of the rights of others. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

### **A. Prohibited Conduct**

No person, either alone or with others, shall:

- Intentionally injure any person or threaten to do so.
- Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee or any person lawfully on school property, including graffiti or arson.
- Disrupt the orderly conduct of classes, school programs or other school activities.
- Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
- Intimidate, harass or discriminate against any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation or disability.
- Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed.
- Obstruct the free movement of any person in any place to which this code applies.
- Violate the traffic laws, parking regulations or other restrictions on vehicles.
- Possess, consume, sell, distribute or exchange alcoholic beverages and/or controlled substances, or be under the influence of either on school property or at a school function.
- Possess or use weapons in or on school property or at a school function, except in the case of law enforcement officers or except as specifically authorized by the school district.
- Loiter on or about school property.
- Play card or casino type games for money.
- Refuse to comply with any reasonable order of identifiable school district officials performing their duties.
- Willfully incite others to commit any of the acts prohibited by this code.
- Violate any federal or state statute, local ordinance or board policy while on school property or while at a school function.
- Leave school grounds without authorization.
- Possess or use a skateboard on school grounds.
- Smoke on school grounds.
- Possess, consume, sell, distribute or exchange tobacco, tobacco products, smokeless tobacco, paraphernalia for smoking and electronic cigarettes on school property or at a school function.



## **B. Penalties**

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

- Visitors: Their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they shall be subject to ejection.
- Students: They shall be subject to a conduct referral as the facts may warrant, in accordance with the due process requirements.
- Tenured faculty members: They shall be subject to disciplinary action as the facts may warrant, in accordance with Education Law §3020-a or any other legal rights they may have.
- Staff members in classified service of the civil service entitled to the protection of Civil Service Law §75. They shall be subject to immediate ejection and disciplinary action as the facts may warrant, in accordance with Civil Service Law §75 or any other legal rights they may have.
- Staff members other than those described above: They shall be subject to warning, reprimand, suspension or dismissal as the facts may warrant, in accordance with any legal rights they may have.

## **C. Enforcement**

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

## **PROCEDURES/REFERRALS/PENALTIES**

**The types of misconduct and levels of severity are applicable to students in K-12. Specific rules and regulations for students in the elementary, middle and high school are found in the student rules/handbooks/brochures.**

### **A. Procedures**

The amount of due process a student is entitled to receive before a penalty is imposed depends on the penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must inform the student of the alleged misconduct and must investigate, to the extent necessary, the facts surrounding the alleged misconduct. All students will have an opportunity to present their version of the facts to the school personnel imposing the disciplinary penalty in connection with the imposition of the penalty. Students who are to be given penalties other than a verbal warning, written warning or written notification to their parents are entitled to additional rights before the penalty is imposed. These additional rights are explained below and in the student due process section of the Code.

#### **1. Detention**

Teachers, principals and the superintendent may use after school detention as a penalty for student misconduct in situations where removal from the classroom or suspension would be inappropriate. The student will be provided transportation home.

## **2. Suspension from transportation**

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the building principal's attention. Students who present serious conduct problems may have their riding privileges suspended by the building principal, the superintendent or the designees. In such cases, the student's parent will become responsible for seeing that his or her child gets to and from school safely. Should the suspension from transportation amount to a suspension from attendance, the district will make appropriate arrangements to provide for the student's education. A student subjected to a suspension from transportation is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the building principal or the principal's designee to discuss the conduct and the penalty involved.

## **3. Suspension from athletic participation, extracurricular activities and other privileges**

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

## **4. In-school suspension**

The board recognizes the school must balance the need of students to attend school and the need for order in the classroom to establish an environment conducive to learning. As such, the board authorizes building principals and the superintendent, to place students who would otherwise be suspended from school as the result of a code of conduct violation, in "in-school suspension." A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law §3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the district official imposing the in-school suspension to discuss the conduct and the penalty involved.

## **5. Teacher disciplinary removal of disruptive students**

A student's behavior can affect a teacher's ability to teach and can make it difficult for other students in the classroom to learn. In most instances, the classroom teacher can control a student's behavior and maintain or restore control over the classroom by using good classroom management techniques. These techniques may include practices that involve the teacher directing a student to briefly leave the classroom to give the student an opportunity to regain his or her composure and self-control in an alternative setting. Such practices may include, but are not limited to: (1) short-term "time-out" in an in-school suspension classroom or in an administrator's office; (2) sending a student into the hallway briefly; (3) sending a student to the principal's office for the remainder of the class time only; or (4) sending a student to a school counselor or other district staff member for counseling. Time-honored classroom management techniques such as these do not constitute disciplinary removals for purposes of this code.

On occasion, a student's behavior may become disruptive. For purposes of this code of conduct, a disruptive student is a student who is substantially disruptive of the educational process or substantially interferes with the

teacher's authority over the classroom. A substantial disruption of the educational process or substantial interference with a teacher's authority occurs when a student demonstrates a persistent unwillingness to comply with the teacher's instructions or repeatedly violates the teacher's classroom behavior rules.

A classroom teacher may remove a disruptive student from class for up to two days. The removal from class applies to the class of the removing teacher only.

If the disruptive student does not pose a danger or ongoing threat of disruption to the academic process, the teacher must provide the student with an explanation for why he or she is being removed and an opportunity to explain his or her version of the relevant events before the student is removed. Only after the informal discussion may a teacher remove a student from class.

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

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

Within 24-hours or on the next school day after the student's removal, the principal or another district administrator designated by the principal must notify the student's parents, in writing, that the student has been removed from class and why. The notice must also inform the parent that he or she has the right, upon request, to meet informally with the principal or the principal's designee to discuss the reasons for the removal.

The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the student's removal at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting parents.

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

If at the informal meeting the student denies the charges, the principal or the principal's designee must explain why the student was removed and give the student and the student's parents a chance to present the student's version of the relevant events. The informal meeting must be held within 48 hours of the student's removal or on the second school day following the removal. The timing of the informal meeting may be extended by mutual agreement of the parent and principal.

The principal or principal's designee may overturn the removal of the student from class if the principal finds any one of the following:

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

The principal or his or her designee may overturn a removal at any point between receiving the referral form issued by the teacher and the close of business on the day following the 48-hour period for the informal conference, if a conference is requested. No student removed from the classroom by the classroom teacher will be permitted to return to the classroom until the principal makes a final determination, or the period of removal expires, whichever is less.

Any disruptive student removed from the classroom by the classroom teacher shall be offered continued educational programming and activities until he or she is permitted to return to the classroom. Each teacher must keep a complete log (on a district provided form) for all cases of removal of students from his or her class. The principal must keep a log of all removals of students from class.

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

## **6. Suspension from school**

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

The board retains its authority to suspend students, but places primary responsibility for the suspension of students with the superintendent and the building principals.

Any staff member may recommend to the superintendent or the principal that a student be suspended. All staff members must immediately report and refer a violent student to the principal or the superintendent for a violation of the code of conduct. All recommendations and referrals shall be made in writing unless the condition underlying the recommendation or referral warrants immediate attention. In such case a written report is to be prepared as soon as possible by the staff member recommending the suspension.

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

### **a. Short-term (5 days or less) suspension from school**

When the superintendent or principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education law §3214(3), the suspending authority must immediately notify the student verbally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known address for the parents. Where possible, notice should also be provided by telephone if the school has been provided with a telephone number(s) for the purpose of contacting the parents.

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

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

After the conference, the principal shall promptly advise the parents in writing of his or her decision. The principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the superintendent within five business days, unless they can show extraordinary circumstances precluding them from doing so. The superintendent shall issue a written decision regarding the appeal within 10 business days of receiving the appeal. If the parents are not satisfied with the superintendent's decision, they must file a written appeal to the board of education with the district clerk within 10 business days of the date of the superintendent's decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner within 30 days of the decision.

b. Long-term (more than 5 days) suspension from school

When the superintendent or building principal determines that a suspension for more than five days may be warranted, he or she shall give reasonable notice to the student and the student's parents of their right to a fair hearing. At the hearing the student shall have the right to be represented by counsel, the right to question witnesses against him or her and the right to present witnesses and other evidence on his or her behalf.

The superintendent shall personally hear and determine the proceeding or may, in his or her discretion, designate a hearing officer to conduct the hearing. The hearing officer shall be authorized to administer oaths and to issue subpoenas in conjunction with the proceeding before him or her. A record of the hearing shall be maintained, but no stenographic transcript shall be required. A tape recording shall be deemed a satisfactory record.

The hearing officer shall make findings of fact and recommendations as to the appropriate measure of discipline to the superintendent. The report of the hearing officer shall be advisory only, and the superintendent may accept all or any part thereof.

An appeal of the decision of the superintendent may be made to the board that will make its decision based solely upon the record before it. All appeals to the board must be in writing and submitted to the district clerk within 10 business days of the date of the superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so. The board may adopt in whole or in part the decision of the superintendent. Final decisions of the board may be appealed to the Commissioner within 30 days of the decision.

c. Permanent suspension

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

## **B. Penalties**

Students who are found to have violated the district's code of conduct may be subject to the following penalties, either alone or in combination. The school personnel identified after each penalty are authorized to impose the penalty, consistent with the student's right to due process.

- Verbal warning – any member of the district staff.
- Parent contact – transportation supervisor, activity advisor, athletic director, coaches, school counselors, teachers, director of special education, principal, superintendent.

- Written warning – hall and lunch monitors, coaches, school counselors, teachers, athletic director, director of special education, principal, superintendent.
- Written notification to parent – hall and lunch monitors, coaches, school counselors, teachers, athletic director, director of special education, principal, superintendent.
- Special assignment (written or oral) – school counselors, teachers, athletic director, director of special education, principal, superintendent.
- Behavioral contract – school counselors, teachers, athletic director, director of special education, principal, superintendent.
- Teacher/Parent/Student Conference – school counselors, teachers, athletic director, director of special education, principal, superintendent.
- School Counselor Referral for follow-up
- Detention – teachers, principal, superintendent.
- Suspension from transportation – director of transportation, principal, superintendent.
- Suspension from athletic participation – coaches, athletic director, principal, superintendent.
- Suspension from social or extracurricular activities – activity director, principal, superintendent.
- Suspension of other privileges including pass or activity restrictions – principal, superintendent.
- In-school suspension – principal, superintendent.
- Removal from classroom – teachers, principal.
- Short-term (five days or less) suspension from school – principal, superintendent.
- Long-term (more than five days) suspension from school – principal, superintendent.
- Involuntary transfer – principal, superintendent.
- Alternative Education Placement/Homebound Instruction; Special Education Temporary Educational Placement; CV-TEC – director of special education, principal, superintendent.
- Outside Agency Referral – school counselor, director of special education, principal, superintendent.
- Law Enforcement Referral – principal, superintendent.
- Permanent suspension from school – superintendent.

**Any illegal act may be reported to the proper authority!**

**PLEASE NOTE:** The administration reserves the right to alter any disciplinary action based upon individual circumstances.

**NORTHERN ADIRONDACK CENTRAL SCHOOL**  
**DISTRICT PERSONNEL**

**DISTRICT OFFICES**

**Superintendent of Schools** – James Knight Jr.

**Business Manager** – Brian Tousignant

**Chairperson of Special Education** – Darcy Rabideau

**Transportation Director** – Corey McCasland

**School Lunch Manager** – Lisa Carter

**Athletic Director** – Robert Witkiewicz

**MIDDLE/HIGH SCHOOL**

**Middle School Principal** – Robert Witkiewicz

**Middle School Counselor** – Amy Hayes

**High School Principal** – Michael Loughman

**High School Counselor** – Timothy McAfee

**MS/HS Nurse** – Jennifer Gilmore

**ELEMENTARY SCHOOL**

**Elementary Principal** – Lisa Silver

**Elementary Counselor** – Christine Brudvig

**Elementary School Nurse** – Al Pageau

**ADMINISTRATIVE ASSISTANTS**

**Superintendent's Office** – Brittany LaBombard

**Business Office** – Sandy Dominic, Kyle Patnode & Pamela Griffin

**High School/Middle School** – Darla Bilow, Jamie Lord & Nicole Gilmore

**Elementary School** – Tricia Brassard, Brandy Smith & Melissa Reif

**Counseling Office** – Rebecca LeClair

**Special Education** – Tina Trombley

