

WELCOME TO APPLEBY ELEMENTARY

Principal's Welcome

September 2024

Dear Students and Parents:

Welcome to a new school year! Whether you're a returning student or a student who is new to our school, my hope is that this will be a productive and enjoyable year for both you and your family.

This handbook contains information about our school and the policies and procedures in which you and your parents will need to be familiar with to have a successful year. Please keep this handbook for reference and use it as a resource throughout the school year as questions and concerns arise.

All of the adults at Appleby are here to help. We want you to achieve your goals. You know that you only have to ask if you need our help. Your safety and success during the 2023-2024 school year are priorities for all of us!

This summer, a group of teachers at Appleby created building wide behavior expectations for all students. These expectations that we have created will be posted in every room, said on the announcements every morning and will be the expectations of every student in our building.

As an Appleby student...

- I will be kind.
- I will be respectful.
- I will be responsible.
- I will try my best.

On behalf of the entire staff, we wish you well and hope you have a happy, healthy and successful school year.

Sincerely,

Mr. Hillis

Appleby Phone Numbers

Sue Light and Jonathan Hillis, Main Office.....	849-3282
Kara-Beth Ross, Health Office	849-3180
Karl Morsey, Bus Garage	849-3325
Christopher Leins, Special Education Director....	849-3169
Patti Trabucco, Director of Instruction.....	849-1102

School Hours

- Students transported by parents and guardians should not arrive before 7:50 am.
- Students must be in their homerooms before **8:10 am**.
- Dismissal will begin for car riders at 2:35 pm. The buses will load at 2:40 pm and leave Appleby by 2:50 pm.
- Office personnel are available from 7:30 a.m. until 3:30 p.m. each day.
- Emergency closings will be sent to you via ParentSquare (text, call or email).

Health Office

The Health Office is open from 7:50 a.m. until 3:05 p.m. each day. Mrs. Ross offers medical care to all students. Students must have permission from their teacher to visit the Health Office. Parents may call the Health Office directly at 849-3180.

Attendance

- Children enrolled in public school in New York State are **required to attend school on a daily basis**. When a child is absent from school the child is required to bring an excuse to school explaining the absence.
 - **Excused Absences:** student illness, death in the family, religious observance, medical appointments
 - **Unexcused Absences:** Truancy, over-sleeping, missing the bus, caring for a sibling, family vacations

Students have approximately 20 days in which there is no school. **PLEASE do not schedule family vacations during regular instruction times.**

- **Tardiness:** Students who arrive after the 8:15 bell are considered tardy and must sign in at the Main Office. Students who are chronically tardy may not be able to participate in special events, including field trips. When students are late, they are not ready to start their day of learning with their classmates. Students who are tardy must present an excuse each time they are tardy.

PARENTS/GUARDIANS PLEASE NOTE:

It is expected that children will become ill during the course of the school year. All children need a day or two to recover from a fever or the stomach bug. While all children react to illness differently, most children will not miss more than 5 days during the school year.

Regular school attendance is linked to success and consistent progress in school.

Children experiencing chronic absences, (unrelated to health issues) lose academic ground quickly because they miss instruction and have a difficult time making up for the missed work. Parents of children with excessive absences/ tardiness will receive letters indicating their child is on track to be chronically absent. We will also make phone calls home and if absences continue, parents will have to meet with Mr. Hillis to develop a plan to deal with the excessive absences/tardiness.

- **IMPORTANT**

Students who have more than 18 absences a year are considered chronically absent. This may result in the need to repeat the same grade since so much instruction time has been missed.

Bus Rules

Marathon Central School employs an outstanding group of bus drivers. These dedicated people transport our children safely to and from school. Your child's safety and that of all of their riders is each driver's priority. Bus rules must be followed to ensure the safety of the students, the driver and the other drivers on the road. Bus transportation is a privilege. Students who refuse to follow the rules and regulations may lose the privilege of using bus transportation. The rules are in place for each child's safety.

- The bus driver is in charge of his/her bus.
- Seatbelts must be worn.
- No food or drink on the bus.
- Older elementary students are expected to be positive role models for younger students.
- Students must remain seated in their assigned seats.
- Students must keep their hands and feet to themselves.

- Offensive and or abusive language/gestures/noises **will not** be tolerated. Inappropriate language and behavior will be reported to Mr. Hillis and may be subject to a consequence.
- Students may only carry projects that will fit on their laps.
- Students are prohibited from bringing playing cards on the bus.

Appleby School Rules

- Treat all people respectfully, as you wish to be treated respectfully.
- Say something nice or say nothing at all.
- Trading cards of any type are prohibited. Trading cards are a big source of conflict on the bus and in the classroom.
- Gum chewing is prohibited in school.
- Keep your hands and feet to yourself at all times.
- The use of non-essential electronic devices inside the school, on the playground and in classrooms is prohibited. Any student who uses a non-essential electronic device in school will have it confiscated and held until a parent comes in to pick it up, or until the end of the school year. The one exception is riding the school bus. Students are allowed to use electronic devices as long as they are not disruptive. Before students get off the bus, the items need to be stored in their backpack and remain there until the end of the day. Students will be responsible for the storage and safekeeping of their electronic devices during the school day.

Cell Phones:

- Cell phones in the elementary school create huge distractions for students. Cell phones are not necessary for elementary students. Should students need to call home during the day, they may use the phone in the elementary office. Parents may leave messages for their children in the elementary office.
- In the event that a parent feels that it is necessary for their child to have a cell phone the following rules will apply:
 - i. Cell phones are to be turned off and be put away between the hours of 7:45 a.m. and 3:00 p.m.
 - ii. They are not to be used during the school day. First infraction of this rule will result in the phone being kept in the office until the end of the day. The second infraction will require parents to come to the office to pick up the phone.
- Parents are requested to respect these rules and NOT call or text their children during the school day.

Discipline

The overall goal of any good discipline system is for all students to work and play in a safe environment. We are blessed to have students who are well behaved and work hard to follow our school rules. Sometimes our children make mistakes, it is how they learn. All of the Appleby staff is dedicated to helping our students learn from their mistakes. Our discipline system is based on logical consequences for inappropriate behavior. The majority of our students learn from their mistakes and work hard to make positive choices. Usually a reminder from their teacher or other supervising adult is all that is required.

In the event a student has repeated difficulty complying with bus, school and/or classroom rules, the child will visit with Mr. Hillis and will be given logical consequence. This consequence will correlate to the frequency and severity of the violation.

Consequences may include:

- A verbal warning, phone call home, note home, recess or lunch detention, missing assemblies or special events, parent conference, in-school suspension *, out-of-school suspension *
(* reserved for the most serious violations)

Homework

Homework is a very important part of a student's overall education. Most homework is given to allow students to practice skills and strategies that they have learned during the instructional part of their day. ***Homework is not an option. It is a student's responsibility to complete homework and return it to school on time.*** Students who regularly and consistently complete homework have greater success in school. **All students should read or be read to for at least 20 minutes per day.**

MARATHON CENTRAL SCHOOL

CODE OF CONDUCT 2024-2025

TABLE OF CONTENTS

I. Introduction	4
II. Definitions	4
III. Dignity for All Students Act.....	9
IV. Student Rights and Responsibilities	12
V. Essential Partners	13
VI. Student Dress Code	17
VII. Prohibited Student Conduct	19
VIII. Reporting Violations of the Code of Conduct	22
IX. Disciplinary Procedures and Penalties	25
X. Alternative Instruction	32
XI. Discipline of Students with Disabilities	32
XII. Corporal Punishment	34
XIII. Student Searches and Interrogations	34
XIV. Visitors to the Schools	37
XV. Public Conduct on School Property	37

**XVI. Standards and Procedures to Assure the Security and Safety
of Students and School Personnel 39**

XVII. Dissemination and Review 39

XVIII. Prohibition of Retaliation..... 40

I. INTRODUCTION

The Board of Education (“Board”) is committed to providing a safe and orderly school environment where students may receive and district personnel may deliver quality educational services without disruption or interference. Responsible behavior by students, teachers, other district personnel, parents, and other visitors is essential to achieving this goal. The district has a long-standing set of expectations for conduct on school property and at school functions. These expectations are based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity. The District recognizes the need to clearly define these expectations for acceptable conduct on Marathon Central School District property, identify the possible consequences of unacceptable behavior, and to ensure that discipline when necessary, is administered promptly and fairly. To this end, the Board of Education adopts the Code of Conduct. Unless otherwise indicated, this Code applies to all students, school personnel, parents/guardians, and visitors when on Marathon Central School District property or when attending a Marathon Central School District function.

II. DEFINITIONS

For the purposes of this code, the following definitions apply.

“**Abusive**” means improper use or treatment.

“**Act of Violence**” means an infliction of evil, injury or damage.

“**Assault**” means intentional or reckless act causing impairment of physical condition or substantial pain.

“**Criminal Harassment**” means striking, shoving, or kicking another person or subjecting another person to unwanted physical contact with the intent to harass, annoy, or alarm another person.

“**Custodial Interview**” means an investigation by police authorities, as a suspect in the commission of a crime, after he/she has been detained by them, regarding the facts and circumstances of the crime, for the purposes of prosecution.

“**Cyber bullying**” means harassment/bullying, as defined below, through any form of electronic communication.

“**Disability**” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment.

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

“Disruptive Student” – A 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.

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

“Employee” means any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to Title 9-B of Article 5 of the Social Services Law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.

“Gender” means a person’s actual or perceived sex and includes a person’s gender identity or expression. “Gender expression” is the manner in which a person represents or expresses gender to others, including but not limited to behavior, clothing, hairstyle, activities, voice or mannerisms. “Gender identity” is one’s self-conception of their gender, whether or not such self-conception is different from that traditionally associated with the person’s physiological sex or sex assigned at birth.

“Harassment” and/or “Bullying” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that either (1) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being, including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or (2) reasonably causes or would reasonably be expected to cause physical injury to a student or to cause a student to fear for his or her physical safety. Such definition includes acts of harassment or bullying that occur:

- a. on school property; and/or
- b. at a school function; or
- c. off-school property where such acts create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

For the purposes of this definition, the term “threats, intimidation or abuse” shall include verbal and non-verbal actions. For the purpose of this definition, “race” shall include traits historically associated

with race, including but not limited to hair texture and protective hairstyles (including, but not limited to, such hairstyles as braids, locks, and twists).

Such conduct shall include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status.

“Harassment” may include, but is not limited to, threatening, stalking, or seeking to coerce or compel a person to do something; engaging in verbal or physical conduct that threatens another with harm, including but not limited to intimidation through the use of epithets or slurs involving race, ethnicity, national origin, religion, religious practices, gender, sexual orientation, age or disability that substantially disrupts the educational process.

“Bullying” may include, but is not limited to, the use of aggression with the intention of hurting another person which results in pain and distress to the victim, as well as, emotional, physical, racist, sexual, homophobic, verbal, and cyber acts.

“Sexual Harassment” means harassment based on sex or sexual orientation, which consists of unwelcome sexual advances, request for sexual favors, sexually motivated physical conduct or other verbal or physical conduct of sexual nature.

“Hazing” is defined as any humiliating or dangerous activity expected of a student to join a group, regardless of their willingness to participate. Acts constituting hazing may range in severity from teasing or embarrassing a student to various forms of physical, emotional, and/or sexual abuse. Hazing behaviors include but are not limited to:

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

Hazing activities are demeaning and abusive behaviors that harm victims, are inconsistent with the educational goals of the District, and may constitute criminal conduct. Consequently, the hazing of students by other students or groups of students is strictly prohibited on school property, in school buildings, on school buses, by school sponsored groups, clubs or teams, and at school sponsored events and/or activities whether occurring on or off-campus. Hazing is prohibited regardless of the victim's apparent willingness to participate in the activity.

Hazing is a form of harassment and bullying, as those terms are defined under the Dignity for All Students Act, and may constitute discrimination. As such, the District's response to reports of hazing will be governed by applicable law, the District's Code of Conduct, and Policy #7550 and its

implementing regulations. In the event allegations involve hazing based on a student's race, color, religion, national origin, sex, sexual orientation, or disability, the District may utilize the procedures set forth in Policy #3420 -- Non-Discrimination and Anti-Harassment in the School District, and its implementing regulations.

"Illegal Substances" include, but are not limited to, alcohol, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, barbiturates, ecstasy, heroin, steroids, any substances commonly referred to as designer drugs or synthetic drugs, lookalikes (including synthetic cannabinoids), prescription drugs, over-the-counter drugs, vitamins, supplements (including herbal supplements) or any unidentifiable substance including but not limited to powders, pills, tablets, and capsules of any kind, when possession of such substance is unauthorized or such substance is inappropriately used/consumed or shared/exchanged with or distributed/sold to others, or any other product which, when misused, will result in an impaired or altered state; as well as any drug related paraphernalia. Illegal Substances also include but are not limited to substances that are found not to be an illegal substance but are claimed to be, or the student believes to be, an illegal substance. For example, a student possesses or sells oregano, which the student claims to be marijuana; or a tablet which the student believes contains LSD, or a harmless pill which bears fake manufacturer's marking so as to falsely indicate that it is an illegal substance.

"Indecent" means grossly inappropriate or offensive to manners or morals.

"Insubordination" means not listening to authority; being disobedient.

"Investigatory Interview" an information seeking activity.

"Loitering" means to stand idly about; linger aimlessly.

"MCSD" means Marathon Central School District

"Marathon Central School District property" or "School Property" means in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of the District's elementary or secondary school, or in or on a school bus, as defined in this Code. This property is not limited to physical structures, but also includes materials purchased or donated for the educational process.

"Material Incident of Harassment, Bullying and/or Discrimination" means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying and/or discrimination by a student and/or employee on school property or at a school function. In addition, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, and is the subject of a written or oral complaint to the superintendent, Building Principal, or their designee, or other school employee. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin,

ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other legally protected status.

“Parent” means the biological, adoptive or foster parent, guardian or person in parental relation to a student.

“Retaliation” means the actions of an employee, student, or visitor that mistreats any person because he/she has reported, testified about, or otherwise assisted in an investigation, proceeding or hearing concerning alleged harassment or bullying or a student disciplinary matter.

“School Bus” means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities, or, privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.

“School District Function” or “School Function” means any MCSD-sponsored co-curricular event or activity including school sponsored events and activities (including but not limited to practices) held off School Property.

“School Resource Officer (SRO)” a law enforcement officer, with sworn authority, assigned by the employing police department to work at a school in collaboration with a school and community-based organizations.

“Sexual Orientation” means actual or perceived heterosexuality, homosexuality, or bisexuality.

“Suspension” means the disciplinary removal of a student from their regular educational program and activities pursuant to Education Law § 3214.

“Stealing” means unlawfully taking personal property of another.

“Threat of Violence” means an expression of intention to inflict emotional or physical injury or damage.

“Tardy” means late; not on time.

“Tobacco Products” means any tobacco-containing product in any form, vaping or other nicotine-containing devices and part of accessories to such devices, as well as matches, lighters and other related paraphernalia. This includes, but is not limited to, cigarettes, cigars, pipes, smokeless tobacco in

any form (such as dip, snuff or chewing tobacco), herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, e-cigarettes, vapes, cloves, bidis and kreteks.

“Truancy” means absent from school without permission.

“Under the Influence”: An individual shall be considered “Under the Influence” if he or she has consumed any quantity of an illegal substance or alcohol within a time period reasonably proximate to his/her presence on school property, on a school bus, in a school vehicle, or at a school-sponsored function and/or exhibits symptoms of such use as to lead to the reasonable conclusion of such consumption.

“Vandalism” means deliberate mischievous or malicious destruction or damage of property.

“Violence” means an unwarranted exertion of force or power.

“Violent Pupil” – A student under the age of 21 who:

- Commits an act of violence upon a school employee.
- Commits, while on school property or at a school function, an act of violence upon another student or any other person lawfully on school property or at the school function.
- Possesses a weapon while on school property or at a school function.
- Displays what appears to be a weapon while on school property or at a school function.
- Threatens to use a weapon while on school property or at a school function.
- Knowingly and intentionally damages or destroys the personal property of any school employee or any person lawfully on school property or at a school function.
- Knowingly and intentionally damages or destroys school district property.

“Weapon” means a firearm as defined in 18 USC § 921 for purposes of the Gun Free Schools Act. It also means, but is not limited to any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, ammunition, dagger, dirk, razor blade, stiletto, knife, switchblade knife, gravity knife, pocketknife, brass knuckles, sling shot, metal knuckle knife, box cutters, can 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 as a weapon.

“Weapon” also includes any look alike, toy or fake weapon.

III. DIGNITY FOR ALL STUDENTS ACT

The intent of the amended Dignity for All Students Act (Dignity Act) is to provide all public school students with an environment free from harassment, bullying (including cyber bullying) and discrimination, as well as to foster civility in public schools. The Dignity Act focuses on the prevention

of discriminatory behaviors, including harassment/bullying, through the promotion of educational measures meant to positively impact school culture and climate.

A.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. Staff members and students will be proactive in the prevention of bullying. Our increased awareness, which will include identification of bullying warning signs, as part of district instruction and professional development, will be designed to not only decrease incidents of bullying but to help students build more supportive relationships with one another.

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 are included in the district’s instructional program K-12.

In order to implement this program, the Board will designate at its annual organizational meeting a Dignity Act Coordinator (“DAC” or “DASA Coordinator”). The role of the DAC is to coordinate and enforce implementation of the Act. These individuals shall be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex and any other legally protected status.

The DACs shall be employed by the District and be licensed and/or certified by the Commissioner as a classroom teacher, school counselor, school psychologist, school nurse, school social worker, school administrator or supervisor or superintendent of schools.

The DACs for each building are:

<u>NAME</u>	<u>Building</u>	<u>Email</u>	<u>School Phone</u>
Kathleen Hoyt	District	hoytk@marathonschools.org	849-1228
Jonathan Hillis	Appleby	hillisj@marathonschools.org	849-3282
Jamie Coppola	JH/SH		849-3252

B. 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 focused on the individual(s) involved in the bullying behavior or environmental approaches which pertain to the school or district as a whole.

Students may be referred for remedial action as the facts may warrant, including but not limited to any of the measures listed below:

- a. peer support groups; corrective instruction or other relevant learning or service experience;
- b. supportive intervention;
- c. behavioral assessment or evaluation;
- d. behavioral management plans, with benchmarks that are closely monitored; and/or
- e. student counseling and parent conferences.

Beyond these individual-focused remedial responses, school-wide or environmental remediation may also be utilized. These strategies may include:

- a. school and community surveys or other strategies for determining the conditions contributing to the relevant behavior;
- b. adoption of research-based prevention programs;
- c. modification of schedules;
- d. adjustment in hallway traffic and other student routes of travel;
- e. targeted use of monitors;
- f. staff professional development;
- g. parent conferences;
- h. involvement of parent-teacher organizations; and/or
- i. peer support groups.

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.

C. 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 harassment including but not limited to bullying, should bring this to the attention of the building principal, the DASA Coordinator, or Title IX Compliance Officer. The building principal, DASA Coordinator, or Title IX Compliance Officer will work together to define and implement any needed action with other appropriate staff, the student and the student's parent.

The district recognizes the need to handle each case individually in order to create a safer environment for all students especially those that are targets of harassment or discrimination including but not limited to bullying. 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.

D. Training

The Board recognizes that in order to implement an effective harassment and discrimination, including bullying, prevention and intervention program, professional development is needed. The Superintendent, the DAC and the District Professional Development Committee 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.

IV. STUDENT RIGHTS AND RESPONSIBILITIES

A. Student Rights

The district is committed to safeguarding the rights given to all students under state and federal law. In addition to those rights, all district students have the right to:

- A safe, healthy, orderly, and civil school environment.
- Take part in all district activities on an equal basis regardless of age, race, religion, color, national origin, sex, sexual orientation, or disability.
- Present their version of the relevant events to school personnel authorized to impose a disciplinary penalty as in connection with the imposition of the penalty.
- Access school rules and, when necessary, receive an explanation of those rules from school personnel.
- Be free from discrimination, bullying and harassment on school property or school functions including but not limited to the educational program, activities, or admission policies of their school. Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic origin, ethnic group, religion, religious practices, disability, sex, sexual orientation, gender (including gender identity and expression), or any other legally protected category.

B. Student Responsibilities

All district students have the responsibility to:

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

V. ESSENTIAL PARTNERS

Parents/Guardians

All Parents/Guardians are expected to:

1. Recognize that the education of their child(ren) is a joint responsibility of the parents/guardians and the school community.
2. Send their children to school ready to participate and learn.
3. Ensure their children attend school regularly and on time unless legally excused.
4. Insist their children be dressed and groomed in a manner consistent with the school dress code.
5. Help their children understand that in a democratic society appropriate rules are required to maintain a safe, orderly environment.
6. Know and abide by school rules and help their children to do the same.
7. Convey to their children a supportive attitude toward education and to the school community.
8. Build good relationships with school staff, other parents/guardians, and their children's friends.
9. Help their children deal effectively with peer pressure.
10. Inform school officials of changes in the home situation that may affect student conduct or performance.

11. Provide a place for study and assist in ensuring homework assignments are completed.
12. Contribute to the health and safety of all individuals in the school environment. To promptly report any threats, discussion or plans for harm directed toward any individuals or property to the appropriate school officials.

District Personnel (Teacher Aides and other school employees)

All personnel are expected to:

1. Recognize that education of the child(ren) is a joint responsibility of the parents/guardians and the school community.
2. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
3. Know school policies and rules, and abide by and enforce them in a fair and consistent manner.
4. Contribute to the health and safety of all individuals in the school environment. To promptly report any threats, discussion or plans for harm directed toward any individuals or property to the appropriate school officials.
5. Communicate regularly with students, teachers, parents, and other staff concerning student growth and development.
6. Regularly participate in staff development and other training to continually improve their skills. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
7. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
8. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a school employee's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.

Teachers

All district teachers are expected to:

1. Maintain a climate of mutual respect and dignity, which will strengthen students' self-concept and promote confidence to learn.
2. Be prepared to teach each and every day.
3. Demonstrate interest in teaching and concern for student achievement.
4. Know school policies and rules, and abide by and enforce them in a fair and consistent manner.
5. Communicate to students and parents:
 - A. Course objectives and requirements
 1. Marking / grading procedures
 2. Assignment deadlines
 3. Expectations for students

4. Classroom discipline plan

6. Communicate regularly with students, teachers, parents, and other staff concerning student growth and development.
7. Regularly participate in staff development and other training to continually improve their skills.
8. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
9. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
10. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.

Guidance Counselors

All guidance counselors are expected to:

1. Assist students in coping with peer pressure and/or emerging personal, social, and emotional problems.
2. Initiate teacher/student/counselor conferences, as necessary, as a way to resolve problems and assist with academic improvement.
3. Regularly review with students their educational progress and career plan/portfolio requirements.
4. Provide information to assist students with career planning.
5. Encourage students to benefit from the curriculum and extracurricular programs.
6. Know school policies and rules, abide by and enforce them in a fair and consistent manner.
7. Communicate regularly with students, teachers, parents, and other staff concerning student growth and development.
8. Regularly participate in staff development and other training to continually improve their skills.
9. Refer students and/or parents to appropriate human service agencies outside the school.
10. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
11. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
12. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a counselor's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.

Building Principals

All Building Principals are expected to:

1. Promote a safe, orderly, and stimulating school environment that supports active teaching and learning each and every day.
2. Ensure that students and staff have the opportunity to communicate freely with the Building Principal on areas of interest.
3. Evaluate all instructional programs on a regular basis.
4. Support development of and participation in all school sponsored activities above and beyond the academic classroom.
5. Be responsible for enforcing the code of conduct and ensuring that all issues are resolved promptly and fairly.
6. Know school policies and rules, abide by and enforce them in a fair and consistent manner.
7. Communicate regularly with students, teachers, parents, and other staff concerning student growth and development.
8. Regularly participate in staff development and other training to continually improve their skills.
9. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
11. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a Building Principal's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.

Superintendent

The Superintendent is expected to:

1. Promote a safe, orderly, and stimulating school environment that supports active teaching and learning each and every day.
2. Review with district administrators the policies of the Board of Education and state and federal laws relating to school operations and management.
3. Inform the Board of Education about educational developments and issues.
4. Work to create effective instructional programs that are sensitive to student and teacher needs.
5. Work with district administrators in enforcing the code of conduct and ensuring that all issues are resolved promptly and fairly.
6. Know school policies and rules, abide by and enforce them in a fair and consistent manner.
7. Communicate regularly with students, teachers, parents, and other staff concerning student growth and development.
8. Regularly participate in staff development and other training to continually improve their skills.

9. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
10. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
11. Report incidents of discrimination and harassment that are witnessed or otherwise brought to the Superintendent's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.

Board of Education

The Board of Education is expected to:

1. Encourage collaboration between students, teachers, administrators, parent organizations, school safety personnel, and other district personnel to help develop a code of conduct that clearly defines expectations for the conduct of students, district personnel, and visitors on school property and at school functions.
2. Adopt and review at least once a year the district's code of conduct to evaluate the code's effectiveness and the fairness and consistency of its implementation.
3. Regularly participate in appropriate staff development and other training to continually improve their skills.
4. Know school policies and rules, abide by and enforce them in a fair and consistent manner.
5. Confront issues of bullying, discrimination and harassment or any situation that threatens the emotional or physical health or safety of any student, school employee or any person who is lawfully on school property or at a school function.
6. Address personal biases that may prevent equal treatment of all students in the school or classroom setting.
7. Report incidents of discrimination and harassment that are witnessed or otherwise brought to a teacher's attention to the building administrator and/or Dignity Act Coordinator in a timely manner.

VI. STUDENT DRESS CODE

The intent of the student dress code is to foster an environment that is sanitary, safe and conducive to teaching and student learning. It is also intended to provide guidance to prepare students for their role in the workplace and society. Every student needs to come to school prepared to learn and interact with adults and substantial numbers of other students. With this in mind, students need to give proper attention to personal cleanliness and to dress appropriately for the daily school environment, as well as all school sponsored events and functions. The teaching staff, administration, and all other school district personnel should exemplify and reinforce acceptable student dress and help the students develop an understanding of appropriate appearance in the school setting.

A. General Appearance

In general, a student's dress, grooming, and appearance (including, but not limited to, jewelry and other accessories, make-up, and nails) shall be safe, appropriate, and will not disrupt or interfere with the educational process. Student dress must:

1. Not endanger the health, safety, and welfare of self or others and not interfere with the educational process. Ensure that underwear and other undergarments are completely covered with outer clothing.
2. Garments that expose the midriff, lower abdominal area, gluteal area or chest are not permitted, and students may not wear clothing through which these areas of the body are visible. Shorts or skirts, whether stockings or leggings are also worn, must be appropriate in length. Appropriate length is defined as mid-thigh. Garments with holes or rips above the appropriate level are prohibited.
3. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
4. Not bear an expression, picture or insignia that is vulgar, obscene, or libelous or that denigrates any individual or group based upon race, sex, color, sexual orientation, religion, ancestry, or disability, or other protected class.
5. Not reference, promote or endorse the use of alcohol, tobacco products, cannabis products, or illegal substances or drugs and/or encourage other illegal or violent activities.
6. Not be comprised of any article or item that could be used as a weapon or that has no reasonable purpose in a school.
7. Not display words or pictures that are innuendos or have a "double meaning" that may be sexual or otherwise offensive in nature.
8. Not include the wearing of headgear, including but not limited to, hats, bandanas or hoods, or any other clothing item covering the head or face, except for a medical or religious purpose.
9. Ensure that all Physical Education clothes must fulfill the Dress Code requirements.

B. Hats, Coats & Backpacks

- Hats and coats are to be stored in student lockers. No hats or coats will be allowed in classrooms, hallways, the cafeteria, or any offices or other areas. This includes hoods and any other headgear, except for a medical or religious purpose.
- Backpacks are to be stored in student lockers.

C. Extracurricular Activities

It should be understood that students who participate in any extracurricular activities may be asked to meet a higher expectation regarding their dress. When in a position of representing the school district and the community as an "ambassador," these students have additional responsibility to meet guidelines for dress as prescribed by their advisor, coach, chaperones, or Building Principal.

Nothing in this Dress Code will be construed to limit the ability of students to wear clothing that allows them to express their gender identity, or to discipline students for doing so. In addition, nothing in this

Dress Code will be construed to limit the ability of students to wear certain protective hairstyles (including but not limited to, braids, locks and twists) or to wear their hair in particular texture, or to discipline students for doing so.

Each Building Principal shall be responsible for informing all students and their parents of the student dress code at the beginning of the year and any revisions to the dress code made during the school year.

Students who violate the dress code shall be required to modify their appearance by covering or removing the offending item, and if necessary or practical, by replacing the item. Any student who refuses to do as instructed or who fails to comply shall be subject to discipline, including suspension from school.

VII. PROHIBITED STUDENT CONDUCT

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

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

The Board recognizes the need to make specific and clear its expectations for student conduct while on school property or engaged in a school function. The rules of conduct listed below are intended to do that and focus on safety and respect for the rights and property of others. Students who violate these rules will be subject to the penalties listed in this Code.

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

A. Engage in conduct that is disorderly.

Examples of disorderly conduct include, but are not limited to:

1. Engaging in any willful act which disrupts the normal operation of the school community.
2. Running in hallways.
3. Making unreasonable noise.
4. Using abusive or lewd language or gestures, including racial or ethnic remarks, which are improper.
5. Obstructing vehicular or pedestrian traffic.

6. Trespassing. Students are not permitted in any school building, other than the one they regularly attend, without permission from the administrator in charge of the building.
7. Creating a hazardous or physically offensive condition by an act which serves no legitimate purpose.

B. Engage in conduct that is insubordinate.

Examples of insubordinate conduct include, but are not limited to:

1. Failing to comply with the lawful directions of teachers, school administrators, or other district personnel, or otherwise demonstrating disrespect.
2. Lateness to, missing from, or leaving school without permission.
3. Skipping detention or refusing to report to Time Out/In School Suspension.
4. Violating the Student Dress Code.

C. Engage in conduct that is disruptive.

Examples of disruptive conduct include, but not limited to:

1. Failing to comply with the lawful directions of teachers, school administrators, or other district personnel.
2. Presenting conduct or behavior that interferes with the educational process and/or disrupts student learning.
3. Engaging in bullying.

D. Engage in conduct that is violent.

Examples of violent conduct include, but not limited to:

1. Committing an act of violence (such as hitting, kicking, biting, punching, and scratching) upon a teacher, administrator, or other district personnel.
2. Committing an act of violence (such as hitting, kicking, biting, punching, and scratching) upon another student or any other person lawfully on school property.
3. Possessing a weapon. Authorized law enforcement officials are the only persons permitted to have a weapon in their possession while on school property or at a school function. Students that are required to bring tools on school property for BOCES or school district programming must check these tools in at the main office of the school building upon arrival. The District will provide a safe protected place to store these items during the school day until such items are needed or the student leaves the school building.
4. Acts of sexual harassment as defined in the district's sexual harassment policy.
5. Displays or possesses what appears to be a weapon or a fake weapon while on school property or at a school function This prohibition includes any toy or fake weapon or other object which can reasonably be mistaken as a weapon due to its color, shape, composition, and/or sound, and which is not used, or is attempted to be used by the student to threaten, intimidate, or cause bodily harm to another person.

6. Threatening to cause physical harm or to use any weapon.
7. Intentionally damaging or destroying the personal property of a teacher, administrator, other district personnel, or any person lawfully on school property, including graffiti or arson.
8. Intentionally damaging or destroying school property.
9. Possessing any other item that has no legitimate educational purpose and is intended to be used to bring harm to others or to destroy property.
10. Vandalism.

E. Engage in any conduct that endangers the safety, morals, health, or welfare of others.

Examples of such conduct include, but are not limited to:

1. Lying to school district personnel.
2. Stealing property of the district, students, staff or any other person lawfully on school property or attending a school function.
3. Intentionally damaging or removing district or personal property, or inappropriate use of district property while attending a school function.
4. Acts of harassment.
5. Selling, using, distributing, manufacturing or possessing obscene material.
6. Public displays of affection on school property or at any school district functions.
7. Gambling.
8. Possession or use of any tobacco products.
9. Possession of paraphernalia related to use of tobacco products, alcohol or other illegal substances.
10. Possessing, consuming, using, selling, manufacturing, sharing, distributing, or exchanging alcoholic beverages or Illegal Substances, or being under the influence of either.
11. Using, consuming, or possessing prescription or non-prescription medication, drugs, vitamins, supplements (including herbal supplements), or any unidentifiable substance including but not limited to powders, pills, tablets, and capsules of any kind not dispensed by the school nurse. Distributing, selling, sharing, exchanging, or manufacturing prescription or non-prescription medication, drugs, vitamins, supplements (including herbal supplements), or any unidentifiable substance including but not limited to powders, pills, tablets, and capsules of any kind.
- 11a. Purposely withholding information from a school investigation which results in the harm or potential harm of others.
12. Falsely reporting an incident.
13. Cyberbullying.
14. Bomb threat/false alarm including, but not limited to initiating a report or warning of fire, bomb, or catastrophe without valid cause, misuse of 911, or discharging a fire extinguisher.
15. Violation of another student's civil rights, meaning any behavior that interferes with and/or disrupts the educational process in a way that violates the civil rights of another student.

16. Recording students and/or staff through audio or video, without the individual's permission, and/or distributing the recording.

F. Engage in misconduct while on a school bus.

Students should refer to Board of Education policy #7340. It is crucial for students to behave appropriately while riding on school district school vehicles, to ensure their safety and that of other passengers. School vehicle drivers are authorized to assign seats. All students are to stay in their seats while riding. Students are to conduct themselves on the school vehicle in a manner consistent with established standards for classroom behavior. Excessive noise, profane language, pushing, shoving, fighting, vandalism, littering, eating, drinking, and smoking are prohibited. Students are to keep all body parts and all objects inside the school vehicle. Students waiting for school vehicles when not on school property are expected to conduct themselves in accordance with the school district Code of Conduct.

G. Engage in any form of academic misconduct.

Examples of academic misconduct include but are not limited to:

1. Plagiarism
2. Cheating
3. Altering a grade or another student's record on paper or in electronic form
4. Copying homework
5. Forgery of any kind

H. Engage in conduct that is a violation of New York State Law.

Examples of such conduct include, but are not limited to:

1. Riding a bicycle, skateboard, scooter or rollerblades without a required helmet if under 14 years of age.

VIII. REPORTING VIOLATIONS OF THE CODE OF CONDUCT

Any student observing a student violating this Code of Conduct, possessing a weapon, alcohol, or illegal substance on school property or at a school function shall report this information immediately to a teacher, the Building Principal or the Superintendent. Any weapons, alcohol, or illegal substances found shall be confiscated immediately, followed by notification of the parent of the student involved and the appropriate disciplinary action taken, up to and including permanent suspension and referral for prosecution.

All district staff who are authorized to impose disciplinary sanctions are expected to do so in a prompt, fair and lawful manner. District staff, including volunteers, who are not authorized to impose disciplinary sanctions are expected to promptly report violations of the code of conduct and any potential criminal

activity to their supervisor who shall in turn impose an appropriate disciplinary sanction, if so authorized or refer the matter to a staff member who is authorized to impose an appropriate sanction.

The Building Principal or his or her designee should immediately notify the appropriate local law enforcement agency of those code violations, and any other conduct that occurs on school property or at a school function or in travel to and from school, that is criminal in nature and substantially affects the physical, mental or emotional well-being of a student or the order, security or overall safety of the school, and, in the absence of extenuating circumstances, such notification should occur no later than the close of business the day the Building Principal or his or designee learns of the conduct. The notification should identify the persons involved in the conduct, the names of any victims and witnesses and an explanation of the conduct that may constitute a crime.

Minor offenses which involve conduct such as stealing, damaging property and physical violence that do not result in serious injuries are matters that may be handled by the administration without the assistance of law enforcement. Whenever criminal conduct occurs, school staff shall not discourage or prevent crime victims from filing a complaint with local law enforcement.

Whenever conduct involves drugs, assaults where there are serious injuries or inappropriate sexual acts, immediate notification to law enforcement by the building principal or his or her designee should be made.

Certain acts of misconduct which occur may require the exercise of reasonable judgment by staff in consultation with the Building Principal or superintendent in order to determine whether referral to law enforcement officials is appropriate, or whether the matter will be handled solely through the district's Code of Conduct and student discipline system.

A. Reporting Discrimination, Harassment and Bullying

The Building Principal is the school employee charged with receiving all reports of harassment, bullying and discrimination; however, students and parents may make an oral or written complaint of harassment, bullying or discrimination to any teacher, administrator or school employee. The district will act to promptly investigate all complaints, verbal or written, formal or informal, of allegations of discrimination, harassment and bullying; and will promptly take appropriate action to protect individuals from further discrimination, harassment and bullying. It is essential that any student who believes he/she has been subjected to discrimination, harassment, bullying or retaliatory behavior, as well as any individual who is aware of and/or who has knowledge of, or witnesses any possible occurrence, immediately report same to any staff member or administrator. The staff member/administrator to whom the report is made (or the staff member/administrator who witnesses or suspects bullying/cyber bullying behavior) shall document and take appropriate action to address the immediacy of the situation and shall promptly report in accordance with the following paragraphs.

Upon receipt of a complaint (even an anonymous complaint), or if a district official otherwise learns of any occurrence of possible conduct prohibited by this policy, the school employee shall promptly and orally notify the Building Principal no later than one school day after such school employee witnesses or receives the complaint or learns of such conduct. Such school employee shall also file a written report with the Building Principal no later than two school days after making such oral report.

After receipt of a complaint, the Building Principal shall lead or supervise a thorough investigation of the alleged harassing, bullying and/or retaliatory conduct. The Building Principal or the Building Principal's designee shall verify that such investigation is completed promptly and investigated in accordance with the terms of district policy. All complaints shall be treated as confidential and private to the extent possible within legal constraints.

Based upon the results of this investigation, if the district determines that a district official, employee, volunteer, vendor, visitor and/or student has violated the district's Code of Conduct or a material incident of harassment, bullying and/or discrimination has occurred, immediate corrective action will be taken as warranted, it will take prompt action reasonably calculated to end the violation, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and verify the safety of the student or students against whom such violation was directed.

As a general rule, responses to acts of harassment, bullying, and/or discrimination against students by students shall incorporate a progressive model of student discipline that includes measured, balanced and age-appropriate remedies and procedures that make appropriate use of prevention, education, intervention and discipline, and considers among other things, the nature and severity of the offending student's behavior(s), the developmental age of the student, the previous disciplinary record of the student and other extenuating circumstances, and the impact the student's behaviors had on the individual(s) who was physically injured and/or emotionally harmed. Responses shall be reasonably calculated to end the harassment, bullying, and/or discrimination, prevent recurrence, and eliminate the hostile environment.

In the event that the Building Principal is the alleged offender, the report will be directed to the Superintendent of Schools.

All complaints of alleged harassing, discriminatory, bullying and/or retaliatory conduct shall be:

1. promptly investigated in accordance with the terms of district policy;
2. forwarded to the school building's DAC for monitoring; and
3. treated as confidential and private to the extent possible within legal constraints. The Building Principal must notify promptly the Superintendent of Schools and the appropriate local law enforcement agency when he/she believes that any harassment, bullying or discrimination constitutes criminal conduct.

IX. DISCIPLINARY PROCEDURES AND PENALTIES

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. District personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

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

As a general rule, discipline will be progressive. This means that a student's first violation will usually merit a lighter penalty than subsequent violations. Additionally, a student's first offense in one category, coupled with multiple offenses in other categories may result in a harsher penalty than that of another student who does not have a similar violation history; however, the district reserves the right to impose any level of discipline, even for a first offense, as the facts may warrant.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of this code of conduct for disciplining students with a disability. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

A. 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 with one another. The school personnel identified after each penalty are authorized to impose that penalty, consistent with the student's right to due process.

1. Verbal warning (any member of the district staff).
2. Written referral (bus driver, hall and lunch monitors, supervisory personnel, teachers, Building Principal, Superintendent).
3. Written or verbal notification to parent (bus driver, hall and lunch monitors, supervisory personnel, teachers, Building Principal, Superintendent).
4. Temporary removal from the classroom through short-term, time-honored classroom management techniques such as "time out" in an elementary setting or in an administrator's office

or by sending students briefly into the hallway (hall and lunch monitors, supervisory personnel, teachers, Building Principal, Superintendent).

5. Teacher removal from classroom pursuant to Education Law 3214.
6. Detention (teachers, Building Principal, Superintendent).
7. Suspension from transportation (Building Principal, Superintendent).
8. Suspension from athletic participation (Building Principal, Superintendent).
9. Suspension from social or extracurricular activities (Building Principal, Superintendent).
10. Suspension of other privileges (Building Principal, Superintendent).
11. In-school suspension (Building Principal, Superintendent).
12. Short-term (five days or less) suspension from school (Building Principal, Superintendent, Board of Education).
13. Long-term (more than five days) suspension from school (Building Principal, Superintendent, Board of Education).
14. Permanent suspension from school (Superintendent, Board of Education).

B. Procedures

Any bus driver, hall/lunch monitor, supervisory personnel, teacher, administrator, Superintendent, Board member, parent, or other person may report a violation of the Prohibited Student Conduct section of this document to the Building Principal or his/her designee. The school personnel authorized to impose the penalty will then make an investigation of the charges as deemed appropriate and may institute an informal or formal disciplinary proceeding. If appropriate, a referral to the Committee on Special Education, may be necessary.

The amount of due process a student is entitled to before a penalty is imposed will depend on the type of penalty being imposed. In all cases, regardless of the penalty imposed, the school personnel authorized to impose the penalty must let the student know what misconduct the student is alleged to have committed, and must investigate 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 referral, written or verbal notification to their parents or detention during school hours are entitled to additional rights before the penalty is imposed. These additional rights are explained below.

After School Detention

Teachers, Building 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. Detention will be imposed as a penalty only after the student's parent has been notified to confirm that there is no parental objection to the penalty and the student has appropriate transportation

home following detention. Students unable to serve after school detention will receive appropriate alternative consequences, such as removal of privileges, lunch detention, in-school suspension, etc.

Suspension from Transportation

If a student does not conduct himself/herself properly on a bus, the bus driver is expected to bring such misconduct to the Building Principal's attention. Students who become a serious disciplinary problem may have their riding privileges suspended by the Building Principal or the Superintendent. 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 section 3214. However, the student and the student's parent will be provided with a reasonable opportunity for an informal conference with the Building Principal to discuss the conduct and the penalty invoked.

Suspension from Athletic Participation, Extra-curricular 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 section 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 invoked.

In-school Suspension & Time Out

The Board recognizes that 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 a result of a code of conduct violation in "in-school suspension." In-school suspension is the temporary assignment of students to another area of the school building designated for in-school suspension.

A student subjected to an in-school suspension is not entitled to a full hearing pursuant to Education Law section 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 invoked.

The concept of using "time out" as a disciplinary measure is more commonly used in an elementary setting. The primary distinction between time out and in-school suspension is that time out may be assigned for shorter periods of time.

Teacher Removal of Disruptive Students

The District has a long-standing set of expectations for school behavior, based upon the principles of civility, mutual respect, citizenship, character, tolerance, honesty, and integrity. These expectations apply to all members of the school community. 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. 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 more disruptive than a teacher can manage. 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 student from class and send them to the office. A referral will be generated through SchoolTool and the student will be addressed in the Main Office.

Suspension from School

Suspension from school is a severe penalty. The Board retains its authority to suspend students, but places primary responsibility for the suspension of students with the Superintendent and the Building Principals.

All staff members must immediately report and refer a student to the Building Principal or the Superintendent for a serious violation(s) of the code of conduct. All referrals shall be made in writing unless the conditions underlying the referral warrant immediate attention. In such cases a written report is to be prepared as soon as possible by the staff member.

The Superintendent or the Building Principal, when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary.

1.Short Term (five days or less) Suspension from School

When the Superintendent or Building Principal (referred to as the "suspending authority") proposes to suspend a student charged with misconduct for five days or less pursuant to Education Law section 3214(3), the suspending authority must immediately notify the student orally. If the student denies the misconduct, the suspending authority must provide an explanation of the basis for the proposed suspension. The suspending authority must also notify the student's parents in writing that the student may be suspended from school. The written notice must be provided by personal delivery, express mail delivery, or some other means that is reasonably calculated to assure receipt of the notice within 24 hours of the decision to propose suspension at the last known

address for the parents. Where possible, notice must 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 the suspension is proposed and shall inform the parent of the right to request an immediate informal conference with the Building Principal. Both the notice and the 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 Building Principal may establish.

The notice and the 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, in which case the notice and the opportunity for an informal conference shall take place as soon after the suspension as is reasonably practicable.

After the conference, the Building Principal shall promptly advise the parents in writing of his or her decision.

2. Long Term (more than five 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.

The decision of the Superintendent regarding the long-term suspension may be appealed to the Board of Education, which will make its decision based solely upon the record before it. All appeals to the Board must be in writing, specifying the reason for the appeal, and must be submitted to the district clerk within thirty (30) calendar days of the date of the Superintendent's decision.

There will be no personal appearances before the Board; the appeal will be considered solely in writing. The Board will not convene to consider and decide an appeal unless the full record of the appeal has been compiled and provided to the Board, and at least ten (10) business days remain before the next scheduled Board of Education meeting. If the written appeal is not received and the appeal record has not been compiled in full and provided to the Board at least ten (10) business days before the next scheduled Board meeting, then the appeal will not be considered and decided at that meeting. It will instead be considered at a later regularly scheduled Board meeting.

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 of Education within thirty (30) days of the Board's decision.

3. Permanent Suspension

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

MINIMUM PERIODS OF SUSPENSION

1. Students Who Bring or Possess a Weapon on School Property

Any student, other than a student with a disability, in accordance with the Gun-Free Schools Act of 1994, 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 section 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 the other forms of discipline may be more effective.
- Input from parents, teachers, and/or others.
- Other extenuating circumstances.

In the case of a student who is classified as possessing a disability under the Individuals with Disabilities Act and Part 200 of the Commissioner's Regulations, or as having a handicapping condition within the meaning of Section 504 of the Rehabilitation Act of 1973 and its accompanying regulations, the district shall follow the appropriate procedures in imposing any discipline under these procedures.

2. Students who commit violent acts other than bringing or possessing a weapon on school property

Any student that engages in conduct described as a "Violent Student" as defined herein, will be suspended for a minimum of five (5) days. If a suspension exceeds five (5) days, a Superintendent's Hearing will be required.

The Superintendent has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the Superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

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

Any student, other than a student with a disability, who repeatedly is substantially disruptive of the educational process or substantially interferes with the teacher's authority over the classroom will be suspended from school for a minimum period of one to 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 a classroom by teacher(s) pursuant to Education Law 3214 (3-a) and the Code on four or more occasions during a semester.

If the proposed penalty is suspension for five days or less, the student and the student's parent will be given the same notice and opportunity for an informal conference given to all students subject to a short-term suspension. If the proposed penalty exceeds a five-day suspension, the student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a long-term suspension. The Superintendent has the authority to modify the 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.

Upon the 5th removal from class, other educational options may be considered. In addition, there may be an occasion when it will be appropriate to refer a disruptive student to a school counselor or psychologist who in turn may refer a student (and parent) to appropriate human services organizations outside the school.

REFERRALS

1. Human Services Agencies

When any student need is beyond the scope of the District's resources, a referral to appropriate human service agencies will be made. All administrators, faculty, pupil services personnel, and other support staff will be responsible for communicating the need for such referrals to the principal or their designee.

2. PINS Petitions

The district may file a PINS (Person In Need of Supervision) petition in Family Court on any student under the age of 18 who demonstrates that he or she requires supervision and treatment by:

- a. Being habitually truant 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. Violating of Penal Law §230.00. A single violation of §230.00 will be a sufficient basis for filing a PINS petition.

3. Juvenile Delinquents and Juvenile Offenders

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

The Superintendent is required to refer the following students to the County Attorney (or the county presentment agency if not the county attorney) for a juvenile delinquency proceeding before the Family Court:

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

X. ALTERNATIVE INSTRUCTION

When a student of any age is removed from class by a teacher or a student of compulsory attendance age is suspended from school pursuant to Education Law section 3214, the district will take immediate steps to ensure the provision of continued educational programming and activities for such students, which shall include alternative educational programs appropriate to the individual student needs. Alternative instruction may be made available to any student over the compulsory attendance age who presents a sincere desire to complete his/her high school education.

XI. DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board of Education recognizes that it may be necessary to suspend, remove, or otherwise discipline students with disabilities to address disruptive or problem behavior. The Board also recognizes that students with disabilities enjoy certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing, or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state law and regulations.

A. Authorized Suspensions or Removals of Students with Disabilities

For the purposes of this section, the following definitions apply.

- A “suspension” means a suspension pursuant to Education Law section 3214.
- A “removal” means a removal for disciplinary reasons from the student’s current educational placement other than suspension and/or a change in placement to an interim alternative educational setting (IAES) in accordance with Part 201 of the Regulations of the Commissioner of Education.

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

- The Board, the District Superintendent of Schools, or a Building Principal may order the placement of a student with a disability into an IAES, another setting, or suspension for a period not to exceed five consecutive days and not to exceed the amount of time a nondisabled student would be subject for the same behavior.
- The Superintendent may order the placement of a student with a disability into an IAES, another setting, or suspension for up to 10 consecutive school days, inclusive of any period in which the student has been suspended or removed under the above paragraph for the same behavior, if the Superintendent determines that the student has engaged in behavior that warrants a suspension and the suspension or removal does not exceed the amount of time non-disabled students would be subject to suspension for the same behavior.
- The Building Principal may order additional suspensions, not to exceed five days at any one time, provided that the cumulative days out of school do not constitute a change in placement. The Superintendent of Schools may order additional suspensions, not to exceed 10 days at a time, provided they do not create a change in placement and may order a suspension in excess of 10 consecutive school days if the CSE determines that the misbehavior is not a manifestation of the disability.
- The Superintendent may order the placement of a student with a disability in an IAES to be determined by the committee on special education (CSE), for the same amount of time that a student without a disability would be subject to discipline, but not more than 45 days, if the student carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a State or local educational agency; or the student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency; or inflicts serious bodily injury upon another person while at school, on school premises or at a school function under the jurisdiction of a State or local educational agency.
 1. “Weapon” means a firearm as defined in 18 U.S.C. section 921 for purposes of the Gun Free Schools Act. It also means any other gun, pistol, revolver, shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade 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, material, or substance that can cause serious injury or death when used as a weapon.
 2. “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.
 3. “Illegal drugs” means a controlled substance except for those legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under the controlled Substances Act or any other federal law
 4. “Serious bodily injury” means bodily injury which involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss of impairment of the function of a bodily member, organ or mental faculty.
- Subject to specified conditions required by both federal and state law and regulations, an impartial hearing officer may order the placement of a student with a disability in an IAES setting

for up to 45 days at a time, if maintaining the student in his or her current educational placement poses a risk of harm to the student or others. The District also may apply to a state or federal court to change a student's placement if the student is likely to injure self or others and the student's parents do not agree to a change in placement.

B. Change of Placement Rule

A disciplinary change in placement means a suspension or removal from a student's current educational placement that is either:

- For more than 10 consecutive school days; or
- For a period of 10 consecutive school days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a year and because of such factors as the length of each suspension or removal, the total amount of time the student is removed, and the proximity of the suspensions or removals to one another.

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

C. Referral to Law Enforcement and Judicial Authorities

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

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

XII. 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 prohibited by school policy

XIII. STUDENT SEARCHES AND INTERROGATIONS

The Board of Education is committed to ensuring an atmosphere on school property and at school functions that is safe and orderly. To achieve this kind of environment, any school official authorized to impose a disciplinary penalty on a student may question a student about an alleged violation of law or the district code of conduct. Students are not entitled to any sort of "Miranda"-type warning before being

questioned by school officials, nor are school officials required to contact a student's parents before questioning the student. However, school officials will tell all students why they are being questioned.

In addition, the Board authorizes the Superintendent, the Building Principals, and other staff who are so directed by the Superintendent and/or the Building Principals 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.

Before searching the 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 to get the student to voluntarily consent to the search. Searches will be limited to the extent necessary to locate the evidence sought. Wherever practical, searches will be conducted in the privacy of administrative offices and students will be present when their possessions are being searched.

A. Student Lockers, Desks, and other School Storage Places

Board of Education Policy #7330 provides for the use of trained canines in searches.

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.

LOCKERS

All lockers are the property of the Marathon Central School District and may be searched at any time without warning and without suspicion. Only a school issued lock may be placed on a locker. Students are to keep their assigned lockers LOCKED AND CLEAN. The school cannot assume responsibility for lost articles; therefore, do not leave valuables or money in the lockers. Appropriate action will be taken in cases of theft. Students should not give their locker combinations to other students.

B. Securing of Evidence

The Superintendent and/or Building Principal shall be responsible for the custody, control, and disposition of any illegal or dangerous item taken from a student. The Superintendent and/or the Building Principal shall retain control of the items, unless the items are turned over to the police.

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 if they have:

- A search or an arrest warrant.
- Probable cause to believe a crime was committed on school property or at a school function.

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

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

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

NOTE – All overnight school field trips may consist of a K-9 search of luggage and belongings prior to departure from school.

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 provide data and assistance to local child protective services workers, or members of a multi-disciplinary team accompanying such workers, who are responding to allegations of suspected child abuse, and/or neglect, or custody investigations. Such data and assistance include access to records relevant to the investigation, as well as interviews with any child named as a victim in a report, or a sibling of that child, or a child residing in the home as the victim.

All requests by child protective services to interview a student on school property shall be made directly to the Superintendent or the Building Principal. Child protective service workers and any associated multi-disciplinary team members must comply with the District's procedures for visitors, provide identification and identify the child(ren) to be interviewed. The Principal or designee will decide if it is necessary and appropriate for a school staff member, including but not limited to an administrator or school nurse, to observe the interview either from inside or outside the interview room.

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 the 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.

XIV. VISITORS TO THE SCHOOLS

To promote effective communication between the citizens of the community and the school system, the Board of Education encourages parents and other citizens to visit their schools periodically during the course of the school year.

The Board recognizes that many visitations that will occur are regularly scheduled events, e.g., parent-teacher organization meetings, public gatherings, registering of pupils, etc. There are also occasions when parents or guardians desire to visit their child's classroom at other than regularly scheduled times. When such visitations occur, they shall be made on the basis of a defined need and shall be made only with the approval of their child's teacher and the Building Principal. The Board views these visits as constructive; however, no such visit shall be permitted to interfere with the educational process.

Anyone who is not a regular staff member or student of the school district will be considered a "visitor." Persons who are not students or staff shall report immediately to the appropriate Building Principal's office upon entering school property. The Building Principal or his/her designee will either grant or deny permission to remain on school property. Before moving from the office to the designated location, visitors will be required to sign the visitor's register and be issued a visitor's identification badge, which must be prominently worn at all times while in the school or on school grounds. The visitor must return the identification badge to the Building Principal's office and sign out before leaving the building.

Student visitors from other schools, unless they have a specific reason and prior approval of the Building Principal, shall not be given permission to enter school buildings. New students accompanied by their parents are always welcome.

All visitors are expected to abide by the rules for public conduct on school property contained in this code of conduct. Visits to school buildings and grounds are to be in accordance with the Board regulations posted in conspicuous places. A violation of the visitation policy shall be prosecuted pursuant to New York State law.

XV. PUBLIC CONDUCT ON SCHOOL PROPERTY

The district is committed to providing an orderly, respectful environment that is conducive to learning. To create this kind of an environment, it is necessary to regulate public conduct on school property and at school functions.

The restrictions on public conduct on school property and at school functions contained in this code are not intended to limit freedom of speech or peaceful assembly. The 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.

A. Prohibited Conduct

No person, either alone or with others, shall:

- Enter any portion of the school premises or property without authorization or remain in any building or facility after it is normally closed.
- Refuse to comply with any lawful order of identifiable school district officials performing their duties.
- Possess or use firearms or other weapons including (but not limited to) air guns, pistols, rifles, shotguns, ammunition, explosives, box cutters, knives, gas canisters, pepper spray or other noxious spray in or on school property or at a school function, except in the case of law enforcement officers as specifically authorized by the school district.
- Use tobacco products on school property or at a school function.
- Intentionally injure any person or threaten to do so.
- Intentionally damage or remove district property.
- 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, nationality, religion, age, sex, sexual orientation, or disability.
- 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.
- Loiter on or about school property.
- Gamble on school property or at school functions.
- 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.

B. Penalties

Persons who violate this code may be subject to any or all of (but not limited to) the following penalties:

- The person may be directed to correct the inappropriate action(s) or behavior.
- The person may be directed to leave school property. Refusal to abide by a direction to leave may further result in a charge of criminal trespass in the 3rd degree as per section 140.10 of the NYS Penal Code.
- The person may be denied future access to school property and/or school functions without prior written permission from the superintendent or his/her designee.
- The person may face civil or criminal legal action.
- If a district student, the person may be subject to penalties as indicated in this code of conduct.

C. Enforcement

The Superintendent shall be responsible for enforcing the conduct required by this code. The Superintendent may designate other district staff that is authorized to take action consistent with the code.

When the Superintendent or his/her designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the designated school official shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The school official 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 designated school official shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The district shall initiate disciplinary action against any student or staff member, as appropriate, with the "Penalties" section above. In addition, the district reserves its right to pursue a civil or criminal legal action against any person violating the code.

XVI. STANDARDS AND PROCEDURES TO ASSURE THE SECURITY AND SAFETY OF STUDENTS AND SCHOOL PERSONNEL

The District has established a District-level school safety plan, and a building-level emergency response plan for each District school building, which have been developed in accordance with applicable law and regulation to assure the security and safety of students and school personnel.

XVII. DISSEMINATION AND REVIEW

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

- Providing copies of a summary of the code to all students at a general assembly held at the beginning of each school year.
- Mailing a summary of the code of conduct written in plain language to all parents of district students before the beginning of the school year and making this summary available later upon request.
- 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 first hired.
- Making copies of the code available for review by student, parents and other community members.

On an annual basis, the code of conduct will be publicized and explained to all students and distributed, in writing, to parents and guardians of students. A copy of the code will be filed in each school building, where it will be available for review by any individual.

The Board will provide in-service education programs for all District staff members for the effective implementation of this Code, to promote a safe and supportive school climate while discouraging, among other things, harassment, bullying and discrimination against students by students and/or school employees and to include safe and supportive school climate concepts in the curriculum and classroom management. In-service education programs shall also include training on the social patterns of harassment, bullying and discrimination, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex, the identification and mitigation of harassment, bullying and discrimination, and strategies for effectively addressing problems of exclusion, bias and aggression in educational settings. The Superintendent may solicit the recommendations of the District staff, particularly teachers and administrators, regarding in-service programs pertaining to the management and discipline of students.

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

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

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

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

XVIII. PROHIBITION OF RETALIATION

Any person having reasonable cause to suspect that a student has been subjected to discrimination or harassment by an employee or student, on school grounds or at a school function, who acting reasonably and in good faith, either reports such information to school officials, to the commissioner, or to law enforcement authorities or otherwise initiates, testifies, participates or assists in any formal or informal proceedings under this subdivision, shall have immunity from any civil liability that may arise from the making of such report or from initiating, testifying, participating or assisting in such formal or informal proceedings. Relatedly, neither the District, nor an employee or student thereof shall take, request or cause a retaliatory action against any such person who, acting reasonably and in good faith, either makes a report or initiates, testifies, participates or assists in such formal or informal proceedings.

ELIGIBILITY FOR PARTICIPATING IN EXTRA-CURRICULAR (INCLUDING ATHLETIC) ACTIVITIES

EXTRACURRICULAR ACTIVITIES CODE OF CONDUCT

The Board of Education, Administration, Staff, Parents and Students, governing the participation of students in the extracurricular activities, has established the following policy. The philosophy of the board is to provide a wide opportunity for participation in this important aspect of our instructional program. Along with participation, comes the requirement for all students to abide by these rules.

Definition: Extra-curricular is defined as an official school sponsored activity that is outside the prescribed curriculum.

Examples of extra-curricular activities include but are not limited to:

Clubs/organizations (examples include: Drama, FBLA, Student Council, Marching Band, etc.)

School sponsored athletic teams (any sport- fall, winter, spring, and at any level - modified, JV, and varsity)

Attendance at school related function after hours (examples include: sporting events, concerts, plays, etc.)

School dance (examples include: regular school dances and formal dances)

Participation in all extra-curricular activities is a privilege that demands responsibility. The purpose of the extra-curricular program is to promote educational attitudes and behaviors that will help students find success in life beyond school. Participants have a responsibility to model behaviors that display high academic standards, leadership, sportsmanship, cooperation and service in both the school and community.

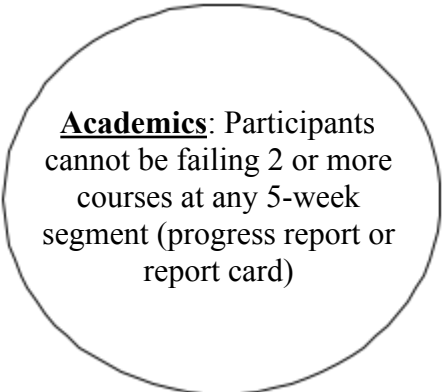
Why have a code of conduct for JSHS extra-curricular activities?

Participation in all extra-curricular activities is a privilege that demands responsibility. The purpose of the extra-curricular code is to promote educational attitudes and behaviors that will help students find success in life beyond school.

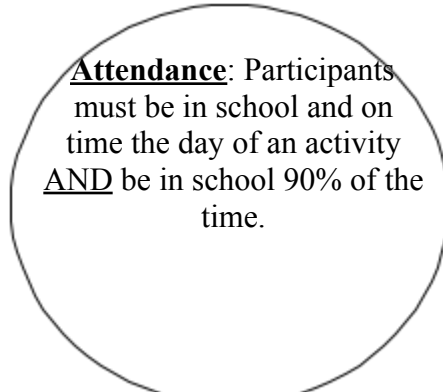
What are the requirements of the code?

The code has three (3) components.

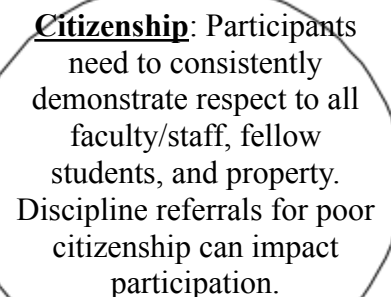
All three components weigh equally, and all three components must be achieved in order to earn eligibility for any extra - curricular activity.



Academics: Participants cannot be failing 2 or more courses at any 5-week segment (progress report or report card)



Attendance: Participants must be in school and on time the day of an activity **AND** be in school 90% of the time.



Citizenship: Participants need to consistently demonstrate respect to all faculty/staff, fellow students, and property. Discipline referrals for poor citizenship can impact participation.

What if one (or more) of the components to the code is not achieved?

If during any 5-week segment of the school year, a component(s) is not achieved, an administrator will notify the student about what component(s) was (were) not achieved. This student will be put on *probation* for the next 5-week segment.

The student on *probation* will be provided adequate time during the next consecutive 5-week segment to remedy the component(s) that was not achieved. Mandatory study table sessions will need to be attended for any student who does not meet the academic component. Effective in the 2022-2023 school year, study tables will not accumulate from one 5-week segment to another.

Once a student has been notified by administration or guidance that he/she has not met the code and is on *probation*, then he/she will continue to remain eligible for participation in all extra-curricular activities for the current 5-week segment as long as he/she is actively working on improving what is needed to meet the code's components. If at the end of the current 5 - week segment, a student has yet to meet the required three components, then he/she will become *ineligible* for participation in **any** extracurricular activities for the next 5-week segment. Any ineligible athlete may attend and participate in team practices. They may attend but not participate in home games. They may neither attend nor participate in away games. School assistance will always be provided to help encourage achieving the three required components to regain eligibility for extra-curricular activities. At the end of every 5-week segment, eligibility list, probation lists and ineligibility lists will be created.

Administration/Guidance will be in charge of notifying all students, parents, teachers, and advisers/coaches of code infractions, ineligibility, and eligibility for students.

Advisors and Coaches will be responsible for submitting accurate student rosters to the High School Main Office within one week from the start of their program. In addition, it is the advisers and coach's responsibility to keep the High School Main Office aware of additions and deletions to the student rosters throughout the remainder of the program term.

- A. **Academic Standards:** Participants who are experiencing academic difficulty **MUST** receive academic assistance. The student, parent(s), coach, teacher(s), advisor(s) and guidance or counseling staff should all participate in assisting the student in overcoming his/her deficiencies in the appropriate subject areas. Non-compliance may result in appropriate disciplinary action, including suspension from the extracurricular activity, until the student has satisfied his/her academic responsibilities.

In order to remain academically eligible to participate in extracurricular activities, the student will do the following:

- Meet with the appropriate teacher(s) and make arrangements for extra help in the specific courses.
- Be involved in organized study table sessions and/or organization group programs.
- Develop a plan for making up missed work and bringing themselves current in their deficient courses

It is the responsibility of the student, parent(s), coach, advisor(s), teachers, counselors and guidance personnel to see that this plan is developed and followed. Regular communication is essential between parties to insure success for the student.

1. All courses that earn a grade for a student are included in this code of conduct.
2. If you are failing 2 courses at any given 5-week segment you will automatically be placed on *probation list* for the next 5-week segment.
3. If you are failing 3 courses at any given 5-week segment you will automatically be placed on *ineligible list* for the next 5-week segment.

4. If a student is on probation he/she still will be eligible to participate in extra-curricular activities as long as that student attends an after school study table offered every Tuesday and Thursday or before school every Wednesday for a minimum of 4 study tables sessions for the entire 5-week probation segment. Students on probation must attend one study table each week. Late Bus transportation is available on Tuesday, Wednesday and Thursday afternoons. Student must sign up in the Main Office on these particular days. A student staying at after school study tables will request a note to provide the adviser/coach to enter the activity late due for entering the study table session. Students may choose which four days are most convenient for their schedule as long as one session is completed per week. Study tables are a quiet venue for students to individually complete work and better prepare for their courses. Meeting with individual teachers for extra help may be arranged in place of study tables.
5. If at the conclusion of the 5-week probation segment a student has been able to achieve the code's

standards, then he/she will no longer be on probation.

6. If at the conclusion of the 5-week probation segment a student has not been able to achieve the code's standards, the student will be ineligible until the standards are met.
7. Appeal of Academic Ineligibility – An ineligible student may appeal their status 2 ½ weeks (halfway) into the 5-week time period by:
 - a) Writing a letter to the principal, detailing what steps they have taken in each class to earn academic eligibility.
 - b) Having the student's coach write a letter of endorsement to appeal the ineligible status.
 - c) The principal will reach out to the student's teachers to see if they endorse the appeal.
 - d) The principal has final determination of moving a student's status from ineligible to probation at the 2 ½ week mark

B. Attendance Standards: To participate in extracurricular activities **STUDENTS ARE TO BE IN SCHOOL BY THE BEGINNING OF THEIR FIRST PERIOD CLASS – at 8:05 a.m. for the Junior/Senior High School.** Students who are absent from school for a full day due to personal illness or who are illegally absent cannot participate that day in the extracurricular activity. (An illegal absence is any reason not acceptable to the State Education Department's guidelines listed in the BOE Attendance Policy # 5100 or in the student parent handbook under the topic of student attendance.) If a student has a legal excuse, i.e., a doctor or dentist appointment, sickness or death in the family, a religious observance, inclement weather, court appearance, etc., he/she should bring a note to the administration immediately upon returning to school so that permission to participate may be granted. Abuse of this aspect of the policy may result in the need for consultation between the parent, athlete and administration. If it is deemed necessary, the administration may impose restrictions upon the student for repeated abuse of the policy. If there is continued abuse or if extraordinary circumstances exist, the administration has the prerogative to decide whether or not the student participates. Student are to be in all classes, study halls, lunch or any other locations to which they are assigned through their academic schedule.

1. All educational research concludes that success in the classroom is linked with attendance; therefore, students will be held accountable for all *unexcused* absences.
2. To ensure that unexcused absences do not occur, please be certain that for every tardy to school or absence that a parent /guardian provides a signed written note providing the reason for the tardy or absence to the attendance office.
3. In order to be eligible to participate the day of an extra-curricular activity, a student must be on time and in school for the entire day. If extenuating circumstances apply, please explain the situation to an administrator ASAP.
4. Additionally, a student must maintain an attendance rate of at least 90% in order to maintain eligibility.
5. If the attendance rate drops below the 90% a student will be placed on probation for the next 5-week segment and an attendance success plan will be arranged with an administrator to help encourage improved attendance rates.
6. If a student is on probation, he/she still will be eligible to participate in all extra-curricular activities as long as he/she is working towards improving attendance.
7. If at the end of the 5-week probation segment attendance rates meet the code's standards, the student will be removed from the probation list.
8. If at the end of that 5-week probation segment attendance rates do not meet the code's standards, the student will be become ineligible for all extracurricular activities for the next 5-week segment
9. If by the end of the 5-week ineligible segment, the student improves his/her attendance to meet the code's standards, then he/she will be placed on probation for the next five-week segment. At the conclusion of the 5-week probation segment a student may become removed from this list or added to the ineligible list.

C. Citizenship Standards: No participant is to conduct him/herself in such a manner that results in an assignment to in-school suspension or being placed on out of school suspension. Students who are assigned to in-school suspension may not participate in extracurricular activities on the day of the in-school suspension. The coach/advisor at his/her discretion may require the student to attend all practices/events from which he or she has

been suspended. In-school suspension effectively suspends student's participation on each day of assigned in-school suspension.

Student's whose behavior warrants being suspended out of school for one day or more will be suspended from their extracurricular activity during that time period.

1. Participation in any extra-curricular activity is a privilege earned by being a respectful citizen at Marathon Junior Senior High School. Participants are expected to be honest, to be lawful and to maintain high standards of conduct year round, both in school and out of school.
 2. Students demonstrating disrespectful behavior during any 5-week segment will be considered for probation for the next 5-week segment and a citizenship success plan may be arranged with an administrator to help encourage strong citizenship.
 3. Common infractions may include - but are not limited to - referrals, sent to the office, insubordination, late to class without a pass, skipping class, fighting, not following school rules (such as dress code, appropriate language, and cell phone policies), etc.
 4. If a student is on probation, he/she still will be eligible to participate in all extra-curricular activities as long as he/she is working to demonstrate improved citizenship.
 5. If at the end of the 5-week probation segment a student has demonstrated improved citizenship, then he/she will be removed from the probation list.
 6. If at the end of the 5-week probation segment a student has not demonstrated improved citizenship, then he/she will become ineligible to participate in any extra-curricular activities for the next 5-week segment.
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7. If by the end of the 5-week ineligible segment the student has demonstrated improved citizenship to meet the code's standards, then he/she will be placed on probation for the next 5-week segment. At the conclusion of the 5-week probation segment a student may become removed from this list or added to the ineligible list.

D. Substance Abuse: Alcohol, Tobacco & Illicit Drugs

Participants in the extracurricular program are not to use, consume, possess, sell, or distribute, alcoholic beverages, tobacco in any form (including but not limited to cigarettes, chew, rub, etc.), or illegal drugs or drug-related paraphernalia. Participants in the extracurricular program are prohibited from using or possessing prescription or non-prescription medication, drugs, vitamins, supplements (including herbal supplements), or any unidentifiable substances including but not limited to powders, pills, tablets, and capsules of any kind not dispensed by the school nurse; Participants in the extracurricular program are prohibited from distributing or selling prescription or non-prescription medication, drugs, vitamins, supplements (including herbal supplements), or any unidentifiable substances including but not limited to powders, pills, tablets, and capsules of any kind.

The first violation of non-compliance with this regulation as related to using, consuming, possessing, selling, or distributing alcoholic beverages, tobacco, prescription or non-prescription medication, drugs, vitamins, supplements (including herbal supplements), or any unidentifiable substances including but not limited to powders, pills, tablets, and capsules of any kind will result in an immediate suspension from the next two athletic contests in the school year for athletes. For other extracurricular activities, the range of supervision will appropriately be determined by the administration. A second offense will result in immediate suspension from participation in all extracurricular programs for the remainder of the year.

The first violation of non-compliance with this regulation as related to using, consuming, possessing, selling, or distributing illegal drugs or drug-related paraphernalia will result in an immediate suspension from the athletic team for the remainder of the sports season. For other extracurricular activities, the range of supervision will appropriately be determined by the administration. A second offense will result in immediate suspension from participation in all extracurricular programs for the remainder of the year.

E. Extracurricular Review Panel

If in the opinion of the coach/advisor of a particular extracurricular participant, extenuating circumstances exist that should be considered in implementing this policy the coach/advisor in question may request that the Principal convene a Review Panel to evaluate the concerns at hand. This Review Panel will consist of the High School Principal, Athletic Director, and one other member of the district's extracurricular staff. The Superintendent of Schools will act as a member of the Review Panel in case of conflict of interest.

The review panel will have the authority to alter, but not to eliminate, prescribed penalties recorded herein. When doing so, the panel must be unanimous in their decision. (NOTE: This is a review for internal purposes only. Parents and students have due process review under the following provisions).

F. Due Process Appeal

Any student who is suspended from school may appeal that suspension through the due process.

Stage 1: Request an informal meeting with the High School Principal and the coach/advisor to discuss the matter and render a decision.

Stage 2: Formally request a meeting with the Superintendent of Schools to grieve the decision in Stage 1. The request must be in writing and must enumerate specific points upon which the aggrieved party bases his/her appeal. The Superintendent of Schools is to respond as soon as possible, but no later than 10 days after receiving the written request.

Stage 3: Appeal the decision of the Superintendent of Schools to the Board of Education. This appeal must also be in writing, again recording specific points of contention on which the appeal is based.

Stage 4: Final appeal is made to the Commissioner of Education, State Education Department Albany, New York.

PLEASE NOTE: The Board of Education, administration, and staff want to be clear that the appeal process is designed to provide student the opportunity to have their situation reviewed at various levels. In all issues involving behavior, alcohol or drug abuse, the school district is expressly interested in developing responses to appeals that will assist the student and their parents in dealing with issues that not only effect their extracurricular participation, but also may result in more serious and harmful effects on the student. We look favorably upon appeals that offer a willingness on the behalf of the student to participate in programs that will deal with behaviors or abuses that endanger the very lives of our students.

Below is a listing of some of the programs that are seen as constructive activities that show the willingness to alter behaviors or habits that may result in students earning back the privilege to participate in extracurricular through the appeal process.

- Approved drug and alcohol counseling
- Regular individual counseling
- Behavior management plans
- Community service activities

These programs can be designed with the assistance of school staff or may be engaged in within the private sector. The individuals responsible for decisions at each stage of appeal may approve or disapprove of the plans. For those private sector plans proof of regular participation must be submitted to the High School Principal. Failure to fully participate in these programs will result in an immediate return to the original term of suspension.

The goal of our extracurricular is to provide our students with exceptional learning opportunity. These rules are established to provide consistency in dealing with the many facets of conducting such an expansive extracurricular offering. Many of the more common issues are enumerated above. This policy is not all encompassing but sets a direction for dealing with specific issues as well as providing a philosophical approach to concerns not listed.

STUDENT COUNCIL CONSTITUTION

We, the students of Marathon Central School, in order to spread the spirit of responsibility, leadership, personal growth, good citizenship, cooperation and self-discipline; in order to foster movements for the school and community improvement; in order to achieve unity of effort in realizing the ideals of education and democracy to make available to the students throughout our school the ideas and information to help in achieving these objectives; unite in an organization to be known as the ***Junior and Senior High Student Council of Marathon Central School.***

Article I – Membership and Impeachment

- Section 1: Any duly qualified member of the Junior or Senior High School of Marathon Central School may become a member of this organization.
- Section 2: The council reserves the right to expel any representatives, alternates, or officers. Reason for impeachment will be as follows: lack of attendance by members or officers at two meetings throughout the year without a legal (medical, death in the family and school policy rules) or reasonable excuse. The Council reserves the right to review all absences.
- a. In case of conflict, a meeting will count if the person remains for the first twenty minutes of the meeting.
 - b. The alternate must be contacted at least one day in advance by the representative.
- Section 3: Replacement for an expelled homeroom representative will be an alternate. The Student Council will vote on the alternate to fill the vacated position. The replacement for the alternate will be chosen by an election by the class. If the alternate is expelled, then a replacement will be chosen by an election in that class. If both the representative and alternate are expelled, then new election will be held by that class to choose replacements.

Article II – Officers and Organization

- Section 1: The officers of the Student Council shall consist of a President, Vice-President, Secretary, Treasurer, Assistant Secretary, Assistant Treasurer, and Sergeant-at-Arms.
- Section 2: Faculty Advisor of the Student Council and an alternate may be any interested members of the school faculty. In case of no volunteers, the head of the Guidance Department is automatically the Faculty Advisor.

Section 3: All special duties shall be placed in the hands of the Student Council which shall consist of six representatives from each class of the Junior and Senior High School, a Faculty Advisor and the officers.

Article III – Organization of Elections – Officers

Section 1: Elections will be held each spring. The time table for elections will be established by the Student Council.

Section 2: Student Council election must precede all other school elections of the year.

Section 3: The election of officers will be based on parties but will allow for any independent parties. These parties will meet separately to set up platforms and plan campaigns. Each party will have a chairman.

Section 4: Eligibility for Officers

a. Qualifications for President

1. Must have been attendance at Marathon Central for at least one year.
2. Must be a full-fledged member of the upcoming Senior Class.

b. Vice-President

1. Must have been in attendance at Marathon Central for at least one year.
2. Must be a full-fledged member of the upcoming Junior or Senior class.

c. Secretary and Treasurer

1. Must have been in attendance at Marathon Central School for at least one year.
2. Must be a member of the upcoming Senior, Junior, Sophomore or Freshman class.

d. Anyone running for office must have a serious attitude toward the ideas of the Student Council and intend to perform all duties assigned to that office.

e. An officer of Student Council may not be an officer in any other school organization.

Section 5: Candidates are required to petition for office. Campaigns will take place in the week before the election.

Section 6: The candidates for party officers will give speeches at a general assembly. They must make their platforms known at this time. This is required of all parties.

Section 7: Officers will be elected by paper ballot. Each candidate must receive a majority to win. The runners-up for the positions of secretary and treasurer will be made assistants.

Section 8: Absentee ballots will be allowed. The person voting must follow this procedure: call school and tell a teacher or administrator who they are voting for. The person taking the votes must fill out a paper ballot for the person absent and make sure it is included in the collection of ballots.

Article IV – Meetings

Section 1: The meetings of Student Council are suggested to be held once every other week.

Section 2: Special meetings may be held upon the request of the President or upon petition of seven members.

Section 3: Meetings may be postponed or cancelled by the President or upon petition of seven members.

Section 4: Meetings will be governed in an orderly fashion. The Sergeant-at-Arms will be present at every meeting. This person will be elected at the first school year meeting and will have the authority to warn members, ask them to move, or ask them to leave if they are disruptive. A repeat offender may have their membership terminated.

Article V – Committees

The President may appoint, with the approval of Student Council, any committee to carry out the purpose of this organization. Officers may be on each committee.

Article VII – Amendment Procedures

If the Student Council feels it is necessary to amend the present constitution, they may do so by the following:

1. A committee for amendments shall be appointed by the Student Council.
2. New amendments must be approved by the Student Council with a majority vote.