Dear Students:

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.

Please review the handbook's contents and acknowledge the receipt by returning the last page of this book signed. This signed acknowledgement by both you and your parents is important as it also allows you to participate in classroom activities that require the use of the Internet. If you have questions about this handbook or its contents, please contact the school at 849-3281.

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 2019-2020 school year are priorities for all of us!

On behalf of the entire staff, we wish you well and hope you have a happy, healthy and successful school year. Have a great, fun-filled year, be safe, work hard and always use TKN and THINK.

Sincerely,

Mr. Hillis
**Appleby Phone Numbers**

Sue Light and Jonathan Hillis, Main Office...........849-3282  
Dorleen Kellicutt, Health Office ..........................849-3180  
Lisa Leber, Bus Garage ........................................849-3325  
Christopher Leins, Special Education Director....849-3167  
Kathleen Hoyt, Director of Instruction...............849-1228

**Mission**

*Embrace * Educate * Empower

**School Hours**

- Students should not arrive before 7:45.  
- Students must be in their homerooms before the **8:15** bell.  
- Dismissal begins at 2:45 p.m. The buses leave Appleby by 3:00 p.m.  
- Office personnel are available from 8:00 a.m. until 4:00 p.m. each day.  
- Emergency closings will be sent to you via K-12 alerts (text, call or email) and will be broadcast over the following radio and television stations:

  92.0 AM WKRT  
  101.5 FM WHXC  
  1290 AM WNBF  
  98.1 FM WHWK  
  1360 AM WKOP  
  99.1 FM WAAL  

**Health Office**

The Health Office is open from 8:00 a.m. until 3:15 p.m. each day. Mrs. Kellicutt 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. Attending school on time is your job. When you arrive late, you start the whole day behind everyone else. When you are late, you are not ready to start your day of learning with your classmates. Students who are tardy must present an excuse each time they are tardy.

**Child Drop-off and Pick-up Protocols**

- Students who are driven to school should arrive no earlier than 7:45 and should be dropped off at the south doors (Handicapped Entrance). Appleby will have staff at that entrance to assist and greet your children. Students should remain in the lobby until the 8am bell, unless going to breakfast. I am also asking that parents allow their children to walk by themselves to their classrooms to avoid congestion in the hallways.

- Students who require early dismissal from school due to appointments or family related reasons should come to school with a signed note. At the time of pick-up, parents need to park in a parking space, report to the Main office to sign their child out. At that time, the office staff will call down to their child's classroom and the child will be released from class to meet their parent in the office.

- Parents who pick up their children at the end of the school day should do so at the ramp leading to the cafeteria. Appleby will have staff outside for curb-side, parent pick-up.

**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 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 insure 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. Boys and girls may be seated separately.
- 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.
- Skateboards and ski equipment are not allowed on the bus.

All transportation changes (bus notes) for all students (including walkers and parent transports) must be made in writing and received in the office by 12:00 noon the day of the requested change. **Phone calls requesting bus changes will not be accepted at anytime during the day.** Parents may sign their children out at the nurse’s office during school hours for appointments.

This procedure is in response to the overwhelming number of bus changes, especially afternoon bus changes that are being requested on a daily basis.

Children handle the bus ride much better if there is a consistent, daily drop off routine. Bus changes should only be made in cases of family/employment emergencies. Parents should also plan to contact a responsible adult to meet their child at the bus stop if they are unable to be there on time.

We made these changes to ensure the safety of our students and the certainty that all children are arriving at their correct destinations each day.

Thank you for your attention to this extremely important issue.
Appleby School Rules

- Treat all people respectfully, as you wish to be treated respectfully.
- Say something nice or say nothing at all.
- Take care of your own business.
- 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 (iPods, iPod Touch, Gameboys, Nintendo DS, etc...) 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.

We use TKN (True, Kind, Necessary) in grades UPK-2 and THINK (True, Helpful, Inspiring, Necessary, Kind) in grades 3-6. Are your actions and words TKN or THINK?
Classroom Rules

At the beginning of each school year classroom rules are developed by teachers and their students. The rules are there for student safety and to insure that a calm, productive learning environment is available to each and every child. Students are expected to follow classroom rules.

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.**
Cafeteria

All students are eligible for free breakfast and lunch through Community Eligibility. Please take advantage! Breakfast and lunch times are very busy times for all of our students. In order for all students to relax and enjoy their meal it is expected that all students will:

- Demonstrate good manners to all: both adults and students
- Clean up their own space before leaving the cafeteria
- Respect the space and property of others
- Enter and leave the cafeteria in an orderly and safe manner

Recess Conduct

Recess is an important part of each child's day. It is a chance to have fun with friends and release some pent up energy. Recess allows children to be physically active in a supervised setting. The safety of all children during recess is a priority (students should wear sneakers). In order to maintain a safe and enjoyable environment, recess rules must be followed. Our recess supervisors review the rules with each grade level several times per year. It is expected that all students will follow the recess rules. Failure to do so may result in a referral to Mr. Hillis and possible loss of the privilege of participating during recess.

Appropriate Student Attire

All clothing must meet the school's standard of safety, decency and health. Clothing must not be distracting from the educational process. The following guidelines should be followed by all students:

- Clothing should cover all underwear
- Shirts and or tops should completely cover the abdomen and back
- Shorts and skirts should be of an appropriate length
- Clothing will not advertise or promote tobacco, alcohol, drugs or firearms
- Clothing will not bear any insignia that is obscene or libelous
- Hats of any type (including scarves and bandanas) will not be worn in the building without permission from Mr. Hillis
- Hoods on sweatshirts will be worn down
- Sneakers must be worn during PE class and at recess

Mr. Hills will determine if a student's clothing is inappropriate. The student will have the option of calling parents for a change of clothing or borrowing clothing from the Health Office.
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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, based on the principles of civility, mutual respect, citizenship, character, tolerance, honesty and integrity, are described on the following pages.

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, provided, however, that in all provisions of this article dealing with employment, the term must be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held (Education Law §11[4] and Executive Law §292[21]).

“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 (Education Law §§11[4] and 1125[3]).

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

"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

b. 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.

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

“Physical Harassment” means physical conduct that creates a hostile, intimidating or offensive environment and/or interferes with another’s ability to learn, such as but not limited to; threatening or intimidating actions, blocking a person’s path with intent to threaten or intimidate, pushing, shoving or purposely bumping into a person.

“Racial Harassment” means intimidation through use of epithets or slurs involving race, ethnicity or national origin.

“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, 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. Illegal Substances also includes but is 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 a public elementary or secondary school, or in or on a school bus, as defined in Vehicle and Traffic Law section 142. 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.

“Removal” means a removal, other than suspension and change in placement, for disciplinary reasons from the student’s current educational placement to an interim alternative educational setting (IAES).

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

“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 (Education Law §11[5]).

“Suspension” means a suspension 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 cigarettes, cigars, pipes, chewing tobacco, snuff, herbal tobacco products, simulated tobacco products that imitate or mimic tobacco products, e-cigarettes, vapes, cloves, bidis and kreteks as well as matches and lighters.

“Truancy” means absent from school without permission.

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

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

“Violent Student” – 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, 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 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:

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<th>NAME</th>
<th>Building</th>
<th>Email</th>
<th>School Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kathleen Hoyt</td>
<td>District</td>
<td><a href="mailto:hoytk@marathonschools.org">hoytk@marathonschools.org</a></td>
<td>849-1228</td>
</tr>
<tr>
<td>Jonathan Hillis</td>
<td>Appleby</td>
<td><a href="mailto:hillisj@marathonschools.org">hillisj@marathonschools.org</a></td>
<td>849-3282</td>
</tr>
<tr>
<td>Joshua Martin</td>
<td>JH/SH</td>
<td><a href="mailto:martinj@marathonschools.org">martinj@marathonschools.org</a></td>
<td>849-3252</td>
</tr>
</tbody>
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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
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 hair style/color, jewelry, make-up, and nails) shall be safe, appropriate, and will not disrupt or interfere with the educational process. Student dress must: (Please see attached Appendix for Dress Code Acceptable and Unacceptable Picture)
1. Not include garments such as tube tops, halter tops, midriffs, spaghetti straps, plunging necklines (back and front), short skirts, short shorts, any see-through garments or other such items deemed inappropriate.
2. Ensure that underwear is completely covered with outer clothing.
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.
5. Not promote or endorse the use of alcohol, tobacco 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 offer a “double meaning” that may be sexual or offensive in nature.
8. Not endanger the health, safety and welfare of self or others.

B. Hats & Coats
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.

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.
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 will not accept responsibility for their own behavior and who violate these rules will be required to accept the penalties for their conduct.

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:
1. Engaging in any willful act which disrupts the normal operation of the school community.
2. Running in hallways.
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:
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.
C. **Engage in conduct that is disruptive.** Examples of disruptive conduct include:

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:

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. “Weapon”, as defined above, also includes a gun, pistol, revolver, [possessing a shotgun, rifle, machine gun, disguised gun, dagger, dirk, razor, stiletto, switchblade knife, gravity knife, metal knuckle knife, box cutters, cane sword, electronic dart gun, Kung Fu star, electronic stun gun, pepper spray or other noxious spray, or other dangerous instrument that can cause physical injury or death. Also included are explosive or incendiary bombs or such components that could construct an explosive or incendiary device]. 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. Selling, using, or possessing obscene material.
6. Smoking a cigarette, cigar, pipe, or using chewing or smokeless tobacco.
7. Possessing, consuming, using, selling, manufacturing, distributing, sharing, or exchanging alcoholic beverages or Illegal Substances, or being under the influence of either.
8. 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.
9. 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.
10. Threatening to cause physical harm or to use any weapon.
11. 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.
12. Intentionally damaging or destroying school property.
13. 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.


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.
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.
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.

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

**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. The Building Principal shall advise the parents that if they are not satisfied with the decision and wish to pursue the matter, they must file a written appeal to the Board of Education with the district clerk within 10 business days of the date of the decision, unless they can show extraordinary circumstances precluding them from doing so. Only final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the 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.

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

Any student, other than a student with a disability [for students with a disability, see the end of this part], 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.

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.

The Superintendent is required to refer students over the age of 16 or any student 14 or 15 years old who qualifies for juvenile offender status to the appropriate law enforcement authorities. A student 14 or 15 years old who possesses a firearm, machine-gun, or loaded firearm (as defined in section 265.00 of the Penal Law) on school grounds (as defined in section 220.00(14) of the Penal Law) qualifies for juvenile offender status under section 1.20 of the Criminal Procedure Law.

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.

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. Accordingly, teachers maintain classroom environments reflective of good management techniques, and students behave in accordance with the code of conduct. Occasionally, students exhibit disruptive behavior, which warrants removal from class by the teacher. In these cases, the following procedures apply.

A classroom teacher may remove a student from class for up to two days if the teacher determines that the student is disruptive or violent. The removal from class applies to the class of the removing teacher only.
 Procedures for Disruptive Students Who Do Not Pose a Danger to Persons or Property:

1. Teacher explains why. Student may respond.
2. Student is sent to office (office is notified by teacher).
3. Teacher completes, Form – A.
4. Administrator confirms with the teacher date/time and reason for removal.
5. Administrator confirms that student is receiving educational instruction outside the classroom.
6. Person in Parental Relationship is notified within 24 hours.
7. Informal conference is held within 48 hours (if requested by Person in Parental Relationship) with parent/guardian, Building Principal, teacher.
8. Administrator makes determination of consequences, Form – B.

 Procedures for Disruptive Students Who Pose a Danger to Persons or Property:

1. Student is immediately removed to the office.
2. Teacher notifies administrator.
3. Teacher completes, Form – A.
4. Administrator confirms with the teacher date/time and reason for removal.
5. Administrator confirms that student is receiving educational instruction outside the classroom.
6. Teacher notifies student of reason for removal within 24 hours.
7. Person in Parental Relationship is notified within 24 hours by the administrator.
8. Conference is held within 48 hours (if requested by Person in Parental Relationship) with student, parent/guardian, administrator and teacher.
9. Administrator makes determination of consequences, Form – B.

The Building Principal may overturn the removal of the student from the class only if in the Building Principal's judgment there is a lack of substantial evidence to support a removal, there is violation of law, there is justification for suspending the student from school, or the removal is inconsistent with the code of conduct. Accordingly, after discussion with the teacher, the Building Principal may return the student to class. At the teacher's discretion, he/she may rescind the removal prior to the two-day removal period.

After meeting with an administrator, a student who is removed from class may be placed in a supervised setting until the period of removal is completed. As soon as possible, but no later than the beginning of the next school day, the removing teacher must provide a guide for instruction (on a district prepared form) and appropriate instructional material(s).

Each teacher must keep a log for all cases of removal of students from his/her class. Teachers must ensure that the cumulative days of removal of a special education student do not violate state or federal law or regulation. The Building Principal must keep a log of all removals of students from class.
**Students Who Are Repeatedly Disruptive**

Any student, who engages in conduct which results in the student being removed from a classroom by any teacher on four or more occasions in a semester, will be suspended from school for three days. 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.

**Minimum Suspension For Violent Students/Firearms**

Any student that engages in conduct described as a “Violent Student” as defined herein, will be suspended for a minimum of one (1) day. If a suspension exceeds five (5) days, a Superintendent’s Hearing will be required.

Any student, other than a student with a disability, found guilty of bringing a firearm onto school property will be subject to suspension from school for at least one calendar year. Before being suspended, the student will have an opportunity for a hearing pursuant to Education Law §3214.

The Superintendent has the authority to modify the one-year suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the following:

1. The student’s age; and/or
2. The student’s grade in school; and/or
3. The student’s prior disciplinary record; and/or
4. The superintendent’s belief that other forms of discipline may be more effective; and/or
5. Input from parents, teachers and/or others; and/or
6. Other extenuating circumstances.

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

**DISCIPLINE**

The efficient and orderly operation of a school requires that all students, teachers and administrators meet their obligations. It is your responsibility to understand the rules and regulations described in this booklet. The following disciplinary actions may be taken when those rules are not followed. The actions taken will depend on the offense.

1. Verbal warning
2. Written warning
3. A written report included in the student's file
4. Counseling
5. A letter sent to the student's parents
6. A parent and/or teacher conference scheduled
7. An in-school suspension
8. Suspension from transportation
9. An out-of-school suspension
10. Suspension from social or extracurricular activities
11. Removal of the student from the program (class)
12. Restriction of privileges
13. Detention during or after school
14. Removal from a class and/or activity for a stated period of time
15. Behavior Plan
17. Superintendent's/Board Hearing

**DETENTION**

The Board of Education believes that detention is an effective method of discipline for students. A student who violates the student disciplinary code may be assigned detention by the school office or any member of the faculty. A list of those on detention can be found on the daily absentee sheet. In order for a student to be placed on detention, the Building Principal and the parent(s) or guardian(s) must be notified, and the student must have transportation home.

**REFERRALS**

1. **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. Knowingly and unlawfully possesses marijuana in violation of Penal Law §221.05. A single violation of §221.05 will be a sufficient basis for filing a PINS petition.

2. **Juvenile Delinquents and Juvenile Offenders**

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

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

X. ALTERNATIVE INSTRUCTION

When a student of any age is removed from class or a student of compulsory attendance age is suspended from school pursuant to Education Law section 3214, the district will take immediate steps to provide alternative means of instruction for the student. 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. The Superintendent and/or
Building Principal shall be responsible for personally delivering dangerous or illegal items to police
authorities.

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.
• Been invited or admitted onto the grounds by school officials.
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 parent shall be informed of the questioning or search, in writing, by the Superintendent or
Building Principal as soon thereafter as possible. 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 cooperate with local child protective services workers who wish to conduct interviews of students on school property relating to allegations of suspected child abuse, and/or neglect, or custody investigations.

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

A child protective services worker may not remove a student from school property without a court order, unless the worker reasonably believes that the student would be subject to danger of abuse if 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. 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.
XVII. 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.
Student and Parent Signature of Agreement:

I have received and reviewed the Student and Parent Handbook for 2019-2020. Specifically, I have read and understand the contents of the Code of Conduct, the Internet Use Agreement and other school guidelines and expectations.

Student Name (please print): ___________________________________________ Grade: __________

Student Signature: ______________________________________ Date: __________

Parent Name (please print) _____________________________________________

Parent Signature: ______________________________________ Date: __________

RETURN ONLY THIS PAGE TO YOUR CHILD’S SCHOOL BY SEPTEMBER 13TH.

THANK YOU FOR YOUR THOUGHTFUL ATTENTION TO THESE MATTERS.