

**HUDSON FALLS
CENTRAL SCHOOL DISTRICT**
Elementary Edition

HUDSON FALLS, NEW YORK

***DISTRICT POLICY ON SCHOOL CODE
OF CONDUCT AND DISCIPLINE***

revised August 2018

Note:

Please take some time to review this document with your child. You and your student may be asked to sign a form after reviewing this information and will need to return the completed form to your child's teacher and/or principal where required.

This information is provided to parents in addition to or as part of building specific handbooks that are also distributed.

If there are any areas that need clarification, please seek out the Principal in your child/children's building.



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STATEMENT OF PHILOSOPHY

As a public institution, the Hudson Falls Central School District should provide the opportunity for every student to achieve a broad educational and social experience. To attain this goal, we must recognize the worth and dignity of the individual, foster the development of personal values, encourage the practice of self-evaluation, and create an atmosphere in which new and potentially controversial ideas can be rationally examined and evaluated.

The school system should reflect the ideals of the local community and should act as an instrument for preserving the positive values and traditions of the community, state, and nation.

To teach each student how to develop as a responsible citizen within society, the school must clearly define the values and ideals by which personal and group conduct is judged. Toward that end, we believe Hudson Falls should foster a disciplined environment that will guide each individual in developing a firm code of moral conduct and a respect for the dignity of others.

DEFINITIONS

In accordance with the **Dignity for All Students Act**, School District policy and practice must ensure that no student is subject to discrimination or harassment, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity or sex by school employees or students on school property, on a school bus, or at a school function.

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 (Education Law Section 11[1]).

School Bus means every motor vehicle owned 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 Section 11[1] and Vehicle and Traffic Law Section 142).

School Function means a school sponsored extracurricular event or activity (Education Law Section 11[2]).

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 Section 11[4] and Executive Law Section 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 or sex.

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 five 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 Section s11[4] and 1125[3]).

Sexual Orientation means actual or perceived heterosexuality, homosexuality, or bisexuality (Education Law Section 11[5]).

Gender means actual or perceived sex and includes a person's gender identity or expression (Education Law Section 11[6]).

Harassment/Bullying means the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying as defined in Education Law s11(8), that

- (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical wellbeing; or
- (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
- (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
- (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

For purposes of this definition, the term "threats, intimidation or abuse" shall include verbal and non-verbal actions. (Education Law s11(7))

Cyberbullying means harassment/bullying, as defined above, through any form of electronic communication.

Race means a group of persons related by a common descent or heredity. For purposes of enumeration the U.S. Census Bureau uses terms such as: "White/Caucasian", "Black/African American/African-descent", "Asian", "Bi-racial", "Hispanics/Latinos" etc. to describe and classify the inhabitants of the United States.

Color means the term refers to the apparent pigmentation of the skin, especially as an indication or possible indication of race.

Weight means aside from the obvious meaning in the physical sciences, the word is used in reference to a person's "size".

National Origin means a person's country of birth or ancestor's country of birth.

Ethnic Group means a group of people who identify with each other through a common heritage including language, culture, and often a shared or common religion and or ideology that stresses ancestry.

Religion means specific fundamental beliefs and practices generally agreed to by large numbers of the group or a body of persons adhering to a particular set of beliefs and practices.

Religious Practice means a term including practices and observances such as attending worship services, wearing religious garb or symbols, praying at prescribed times, displaying religious objects, adhering to certain dietary rules, refraining from certain activities, proselytizing, etc.

Sex means the biological and physiological characteristics that define men and women. (MALE and FEMALE denote "sex".)

Gender means the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for men and women. (MASCULINE and FEMININE denote "gender".)

Sexual orientation means the sex to which a person is sexually attracted. Someone attracted primarily or exclusively to members of the opposite sex is characterized as straight or heterosexual. Someone attracted primarily or exclusively to members of the same sex is characterized as homosexual. A person with a strong or viable attraction to both genders is characterized as bisexual or pansexual.

Disability means any restriction or lack (due to any impairment) of ability to perform an activity in the manner or within the range considered typical.

If you believe your child is being impacted under DASA, please let an administrator know immediately and/or submit this information online at:

<https://www.hfcsd.org/district/dignity-for-all-students-act-bullying/>

PBIS

PBIS, also known as Positive Behavioral Interventions and Supports, is used throughout our elementary schools. PBIS is intended to provide a schoolwide language and approach in helping students learn social, emotional and behavioral competencies. “ PBIS implementation involves explicitly prompting, modeling, practicing, and encouraging positive expected social skills across settings and individuals. When students are taught to effectively use relevant expected social skills for themselves and with others, school climates are described as more positive, learning environments are designated as safer, and student-educator relationships are referred to as more trusting and respectful (www.pbis.org) “.

PBIS provides our elementary schools with positive behavior management processes throughout. This often leads to safer and more effective classrooms. PBIS also balances clear, schoolwide expectations with consequences and incentives, where needed. PBIS is designed to provide behavioral intervention when it is needed.

Character Education

Character education is a learning process that enables students and adults in a school community to understand, care about and act on core ethical values such as respect, justice, civic virtue and citizenship, and responsibility for self and others. Upon such core values, we form the attitudes and actions that are the hallmark of safe, healthy and informed communities that serve as the foundation of our society.

The Hudson Falls Central School District will ensure that the course of instruction in grades kindergarten through twelve include instruction in civility, citizenship and character education.

Further instruction in the following areas will be provided:

- Health education regarding mental health, alcohol, drugs, tobacco abuse and the prevention and detection of certain cancers.
- Courses of study in internet safety.

Homework

Meaningful homework may be assigned at each grade level throughout our elementary schools. When properly guided, homework serves to reinforce and extend formal instruction. Homework assignments:

- Provide practice in developing and reinforcing skills;
- Encourage student’s development of good study habits and self-initiative; and
- Develop parental interest and participation in the student’s program.

Your child’s teacher is your first point of contact with any questions or concerns regarding homework.

STUDENT'S BILL OF RIGHTS AND RESPONSIBILITIES

EDUCATION

All persons between the ages of 6 and 21 residing in the state of New York are entitled to free education without discrimination on the basis of sex, race, creed, or personal condition. Each student has the right to learn in a safe and orderly environment most suitable to the student. Each student has the responsibility not to interfere with or threaten the education of others by his/her actions. Each student has the responsibility to attend school regularly, at least until the completion of the school year in which they reach age 16, and to abide by the policies and regulations of the school.

ASSOCIATION

Students have the right to participate in any and all student organizations that have been recognized by the school district in accordance with established criteria. Such organizations may not restrict membership on the basis of race, sex, national origin, or other arbitrary criteria. It is the student's responsibility to respect and follow the established guidelines of each organization.

DIGNITY

Students have the right to be protected from intimidation, harassment, or discrimination based on actual or perceived race, color, weight, national origin, ethnic group, religion, or religious practice, sex, gender/gender identity, sexual orientation, or disability, by employees or students on school property or at a school-sponsored event, function or activity. Students have the responsibility to respect one another and treat others fairly in accordance with the District Code of Conduct and the provisions of the Dignity Act. Students are to conduct themselves in a manner that fosters an environment that is free from intimidation, harassment, or discrimination. Students are to report and encourage others to report any incidents of intimidation, harassment or discrimination.

DISCIPLINE

Rules for student conduct and discipline have been adopted by the Board of Education. These standards of conduct do not infringe upon the constitutional rights of students. The standards include prohibited student conduct and the range of penalties that may be imposed for such misconduct.

CONFIDENTIALITY

Student records will be maintained by the school district for use by appropriate district personnel in developing the best possible educational program for each student. Parents or legal guardians are entitled to inspect the student's cumulative record. Access to permanent student records is available to authorized school personnel and to the student's parents or legal guardians in consultation with school officials. The parent is afforded the opportunity through a hearing to challenge the accuracy content of the child's records. A student over the age of 18 is given these same rights as his/her parents.

FREEDOM OF EXPRESSION

Schools should afford the greatest possible opportunity for freedom of inquiry and expression to all members of the school community. It is the student's responsibility not to interfere with the orderly conduct of classes or to interfere with the freedom of others to express themselves, and to refrain from libel, obscenity, and personal attacks.

SEARCH AND SEIZURE

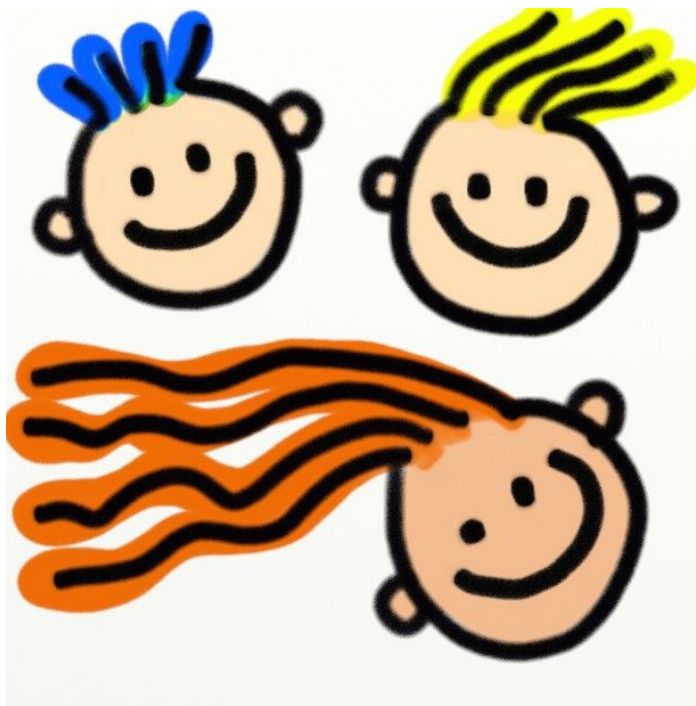
School authorities have a special responsibility and a corresponding broad power to control school grounds and facilities in order to protect students entrusted to their charge. Therefore, when reasonable cause exists, general or individual searches may be conducted under the authorization of the principal or his agent. Items that are used to disrupt or interfere with the educational process may be temporarily removed.

Lockers are school property and as such, are subject to inspection by school officials at any time. Such inspection may involve the use of dogs to detect the presence of drugs or other contraband such as explosives.

DUE PROCESS

All students are guaranteed the right of due process.

Every student is entitled to a free and appropriate education, during which they will be provided with rules and regulations to follow, will be treated with dignity by staff and fellow students, will be guaranteed due process, confidentiality and the freedom of expression, provided it does not disrupt the education of others. Students will not be subject to search and seizure without reasonable cause.



INTRODUCTION

OVERVIEW

In every institution, it is necessary to have certain rules and regulations that ensure it will function smoothly and productively. Moreover, it is also felt that certain consistent standards of behavior and organization help to create an atmosphere of respect and courtesy between students and staff members.

All buildings have rules in order to function efficiently and safely. These rules are provided to create an atmosphere for student learning, in which all school community members play a specific role. Students observe rules at school, teachers provide reminders and day-to-day support of rules, administration interprets and enforces rules, parents support students at home and at school, while the Board of Education reexamines rules and regulations annually to ensure their appropriateness.

It is important to outline certain rules that will govern the behavior of the school community. Each rule and disciplinary measure has been carefully designed in order to help the students understand their responsibilities during their years in the Hudson Falls Central School District.

As a result of legislation in 2000 under the Schools Against Violence in Education Act (SAVE), the State Education Department requires that all school districts have a revised set of district-wide written policies on school conduct and discipline. These documents must draw upon input from teachers, administrators, students, and parents. Each school level (K-3, 4-5, 6-8 and 9-12) may develop specific additional guidelines or information to help interpret behavioral expectations for students, staff and visitors.

The following represents our district's policy on school conduct and discipline. It is written at a level that may not be appropriate for all of our younger students and thus the elementary principals may interpret this policy at an appropriate language level, where necessary.

**It is emphasized that the conduct described in this policy is required of all district students, staff and visitors in any district-operated facility and also applies to all school events on and off school property. Furthermore, the roles and authority of the principal as hereby defined shall also be assumed by the Assistant Principal as applicable.*

ROLES

It is the obligation of every student, staff member, and administrator in Hudson Falls to maintain an orderly environment, one which is conducive to learning, respectful of the rights of others, and mindful of the school's integrity. Every member of the school community, therefore, has a role to play in carrying out that obligation.

The Role of the Students

The Hudson Falls Central School District shall afford its students all rights prescribed by State and Federal law, Commissioner's Regulations, and Board policy. No student shall be discriminated against because of race, creed, color, national origin, disability, perceived gender or sex.

The process of educating students is based on the humane values of self-respect and respect for others. No student has the right to interfere with the education of his/her fellow students. It is the responsibility of each student to respect the rights of all whom are involved in the educational process.

To function as an effective member of the school community, it is the obligation of each student to know the rules, adhere to them, and understand the consequences of his/her actions if the rules are violated.

The Role of Teachers

Teachers play a key role in the maintenance of a positive, orderly classroom and school atmosphere. First, by their own example, teachers provide models of exemplary school and community citizenship. Next, they have the responsibility for establishing and maintaining positive, effective, and consistent classroom management techniques that result in involving and motivating students.

Teachers have a day-to-day responsibility and authority for the maintenance of standards that are outlined in the Code of Conduct. Teachers must work closely with each student to assure their understanding of rules and regulations and provide guidance to them in their efforts to comply. Maintain a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.

Teachers will confront issues of discrimination and harassment in any situation that threatens the emotional or physical health or safety of any students, school employee or any person who is lawfully on school property or at a school function. Teachers will address personal biases that may prevent equal treatment of all students in the school or classroom setting. Teachers will 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 (DAC) in a timely manner.

School employees who witness harassment, bullying, and/or discrimination or receive an oral or written report of such acts shall *promptly* notify the principal, superintendent, or their designee not later than one school day after such employee witnesses or receives a report of such acts, and shall also file a written report with the principal, superintendent or their designee no later than two school days after making an oral report.

The teacher will work in cooperation with the principal, guidance counselor, psychologist, or other pupil personnel workers to develop appropriate strategies for addressing the student's problems. In cases where discipline must be handled beyond the classroom, the teacher will complete a Behavioral Referral Form that describes the inappropriate behavior. This "reported offense" will be forwarded to the school administrator or guidance office.

The Role of Administration

The administrators are responsible for all the activities that occur in and around the school building. Administrators have the responsibility of assuring that students receive all due process provisions of Education Law 3214. In the case of a suspension by the principal, the student and the person in parental relation shall, on request, be given an opportunity for an informal conference with the principal at which the person in parental relation shall be authorized to ask questions of complaining witnesses.

The administrators have the responsibility of receiving and acting on behavioral reports that may be submitted by staff members. In order that they may reach a decision with adequate due process, it may become necessary for them to gather additional facts or clarification from the teacher submitting the report, from the student or from other individuals they deem appropriate. Upon reviewing

relevant information, the administrator will determine an appropriate course of action based on the disciplinary measures outlined in the Code.

The administrators are to maintain and encourage a climate of mutual respect and dignity for all students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, with an understanding of appropriate appearance, language, and behavior in a school setting, which will strengthen students' self-image and promote confidence to learn.

The administrators are to follow up on any incidents of discrimination and harassment that are witnessed or otherwise brought to the Principal's attention in a timely manner in collaboration with the Dignity Act Coordinator (DAC). The principal, superintendent or the principal's designee shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after the receipt of any written reports.

When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the superintendent, principal, or designee shall take prompt action, reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such behavior was directed.

The administrators will be guided by the provisions of the Code, as well as by their human and professional judgment, in reaching a determination of an appropriate disciplinary action. The resources of the guidance department, school psychologist, and other school personnel will also be considered in setting a course of action.

The principal, superintendent, or their designee shall notify promptly the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct.

The principal shall provide a regular report, at least once during each school year, on data and trends related to harassment, bullying, and/or discrimination to the superintendent.

Pursuant to Education Law section 13, retaliation by any school employee or student shall be prohibited against any individual who, in good faith, reports or assists in the investigation of harassment, bullying, and/or discrimination.

It will be the responsibility of the administrator to communicate his/her actions to the staff member completing the report and to the student and parents, when appropriate. The principals will also be responsible for the maintenance of records regarding student discipline. A copy or summary of the copy of the Code of Conduct must be provided annually to students K-12 at the beginning of each school year through handouts, student planners or other appropriate means. A copy of code or summary of Code of Conduct must be mailed or otherwise conveyed to parents/students before the beginning of each school year through back to school newsletters or other means. A full copy of the policy that includes the code shall be available for public access online.

The Role of the Parent

The parents play a key role in the establishment of a positive school environment. When parents maintain a home environment that is orderly and guided by positive but firm guidelines, their children will approach their school experience with an understanding of expectations which stress respect for

the rights of others and positive, appropriate behavior. Parents also assist in the school's efforts to improve student conduct by being actively involved with school personnel should a problem arise. By working with the school staff on behalf of their children, parents assist in presenting a unified, well-thought-out course of action that will have maximum benefit for the student. Parents teach their children respect and dignity for themselves, and other students regardless of actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender/gender identity, or sex, which will strengthen the child's confidence and promote learning in accordance with the Dignity for All Students Act. A team (parent-school) approach will yield the most effective and worthwhile results.

The Role of the Board of Education

The Board of Education shall annually review the Code of Conduct at its annual Reorganization Meeting in July. The Board of Education will appoint a Dignity Act Coordinator in each school building. The

Dignity Act Coordinator will 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/gender identity, and sex. The Dignity Act Coordinator will be accessible to students and other staff members for consultation and advice as needed on the Dignity Act.

DISSEMINATION OF CODE OF CONDUCT

This overview of the code of conduct represents the distribution to all students and parents, while the full code is available through the district website. Parents are asked to indicate understanding and receipt of this information via a form found in this handbook.

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

- 1) Providing a public hearing, when changes have been made to the Code, prior to Board approval.
- 2) Providing copies of a summary of the Code to all students, in an age-appropriate, plain-language version, at a general school assembly held at the beginning of each school year.
- 3) Making copies of the Code available to all parents at the beginning of the school year.
- 4) Providing 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.
- 5) Providing all current teachers and other staff members with an electronic copy of the Code and a copy of any amendments to the code as soon as practicable after adoption.
- 6) Providing all new employees with an electronic copy of the current Code of Conduct when they are first hired.
- 7) Making copies of the Code available for review by students, parents and other community members and provide opportunities to review and discuss this Code with the appropriate personnel.

The Board will sponsor an in-service education program for all District staff members to ensure the effective implementation of the Code of Conduct. 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, via a committee of designated stakeholders, 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 adopting 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 District shall post the complete Code of Conduct (with all amendments and annual updates) on the District's website, if available. The District shall file a copy of its Code of Conduct and any amendments with the Commissioner, in a manner prescribed by the Commissioner, no later than thirty (30) days after their respective adoptions.

DEFINITION AND RANGE OF DISCIPLINARY MEASURES

All elementary buildings have Positive Behavioral Intervention Systems in place. Students can be assigned discipline as appropriate based on the specific infraction. Student discipline is recorded and dispositions may be based on cumulative behavior record. Administration will work with parents on solutions in dealing with behavioral concerns, which may include outside agencies depending upon the need of the student.

While it is the intent of the District that satisfactory behavior be fostered by positive measures, it must be recognized that some student behavior will require the imposition of appropriate disciplinary measures or penalties.

The code of conduct that follows this introduction specifies and defines various areas of student involvement or behavior. These statements are followed by appropriate disciplinary measures listed from the least to the most severe that will result in the event that a student fails to adhere to any of the rules. If an infraction is of a severe nature, it is possible that more severe disciplinary measures will be exacted which will be appropriate for the infraction.

A record will be kept of a student's infractions and the disciplinary measures incurred. Subsequent infractions of the same regulation will result in more severe penalties as stated for the first, second, and third offenses.

A parental conference may be required at any step in the disciplinary process. This is a meeting of a person in parental relationship and other appropriate school personnel to discuss student behavior and expected conduct for the future.

Acts within the school that constitute a crime will be reported to the proper legal jurisdiction.

With the exception of student class removal, which is described elsewhere, the Superintendent of Schools reserves the right to modify student disciplinary penalties on a case-by-case basis. When a parent disagrees with the disciplinary consequences determined by the principal, any appeals by the parent concerning the principal's decision must be made to the Superintendent of Schools. A parent may appeal to the Board of Education if in disagreement with the decision of the Superintendent of Schools.

Progressive discipline is used to assure appropriate student behavior. The order of disciplinary procedures listed below is intended to be in order of progression.

1. ***Reprimand*** A verbal warning given by a staff member.
2. ***Detention*** Students may be detained after school by teachers or at the direction of a principal or vice-principal. (Failure to report as assigned may result in added penalty.) Students may also be restricted from activities during recess or lunch periods.
3. ***Class Removal*** A student may be removed from a specific class if the student's behavior is significantly disruptive to others.
4. ***In-School Suspension*** A quiet supervised learning environment in which a suspended student is not in contact with other students.
5. ***Suspension*** Removal from school. With the cooperation of parents, this should be a parent-supervised detention at home for the day(s) assigned. A parental conference is required when a student returns to school after a suspension. Alternative education for any suspended student 17 years of age or under will be arranged by the school district if the period of suspension exceeds 5 days. The principal can suspend a student from 1-5 days. The parent will be notified immediately, by telephone if possible, and receive written notice within 24 hours if the suspension is for five days or less. The notice will describe the incident, suspension, the student's rights and the parents' rights to request an informal conference with the principal or administrator. If the suspension is for more than five consecutive days, the parents will receive notice of a Superintendent's hearing. The Superintendent can suspend for more than five days after a Superintendent's Hearing is held. Students are responsible for making up work missed as a result of a suspension. Students are prohibited from participating in any activities related to school or from appearing on school

property any time during the period of suspension

6 *Superintendent's Hearing*

Flagrant or repeated violations of the Code of Conduct will result in a hearing before the Superintendent or his appointed hearing officer. The student has the right to be represented by an attorney or designee, the right to present witnesses and other evidence in his/her behalf and the right to cross-examine opposing witnesses. The Superintendent will notify parents in writing, of the time set for the hearing and will advise parents of all rights available to them under existing Education Law. Dependent on the Superintendent's findings, penalties which include suspension beyond five days can be imposed and may include a Behavioral Contract as a condition of the student's return to school. In the case of a disabled student, alternate instruction is provided during the first 10 school days of any suspension or removal and is provided to the same extent as non-disabled students of compulsory school age.

REFERRAL TO OUTSIDE AGENCIES

The district will report any violations of the Code of Conduct which constitute a crime to the appropriate human service and/or law enforcement agencies. When necessary the district will file a juvenile delinquency petition or PINS petition in Family Court.

ALTERNATE SOLUTIONS

The district promotes age-appropriate alternative solutions to behavioral issues. The district reserves the option of seeking or accepting family engagement in the process of developing optional, alternative solutions. These may include, but are not limited to, community service, research projects, assigned mentors, voluntary counseling, and restorative practices. In many cases, these options are assigned in addition to traditional disciplinary consequences.

CORPORAL PUNISHMENT

The use of corporal punishment is expressly prohibited in the Hudson Falls Central School District. The school district administration may contact law enforcement for assistance if a student refuses to comply with a request to refrain from further disruptive acts that cause a major disruption of the educational process. The prohibition of corporal punishment shall not be construed to prohibit the use of physical force for the following reasons:

1. To protect oneself from physical injury.
2. To protect another pupil or teacher or any other person from physical injury.
3. To protect the property of the school or of others.
4. To restrain/remove a disruptive student.

Such emergency interventions shall only be used in situations where alternative procedures and methods not involving the use of reasonable physical force cannot reasonably be employed. Emergency interventions shall not be used as a punishment or as a substitute for systematic behavioral interventions that are designed to change, replace, modify or eliminate a targeted behavior.

Staff who may be called upon to implement emergency interventions will be provided appropriate training in safe and effective restraint procedures. The parent(s) of the student shall be notified whenever an emergency intervention is utilized.

The District will maintain documentation on the use of emergency interventions for each student. This documentation will be reviewed by District supervisory personnel and, if necessary, by the school nurse or other medical personnel.



PROCEDURES AND EXPECTATIONS FOR ATTENDANCE

Students are expected to attend school while of compulsory age, based upon New York State law. Please refer to the attendance policy in your handbook for more information concerning students registration and absences. School social workers and counselors will work with parents to improve attendance of students as necessary.

PURPOSE

The primary objectives of the procedure are: 1) to promote regular student attendance; 2) ensure that student attendance problems and patterns are properly identified; and 3) procedures are consistently followed and understood in each school building by staff, students and parents. The Board recognizes that frequent or prolonged absences or repeated tardiness have a detrimental impact on the educational process. The Board of Education attendance policy and corresponding comprehensive administrative regulation are in accordance with CR 104.1 and were adopted after a public hearing on the policy.

Initial admission to kindergarten of children shall be solely on the basis of chronological age.

A child entering kindergarten in September must attain the age of five years on or before December 1 of the same year. Children attaining the age of five years on or after December 1 shall be required to wait to enter kindergarten until the following September.

Other grades

Admission of children to other grades shall involve consideration of both chronological age and the readiness of the children to do the work required at the appropriate grade level. An evaluation may be conducted by district staff to determine appropriate grade level placement.

Proof of age and Immunization (Applies to All New Enrollments)

A birth certificate and proof of immunizations are required.

Residency Requirements

The superintendent shall interpret and decide all matters regarding eligibility for student attendance and residency. When a student is denied admission after claiming residency, the school district shall respond in writing indicating the reason(s) for denial. In determining residency, the following factors and conditions will be used:

- a) There should be the intent to remain in the school district permanently;
- b) The legal domicile of the parent, legal guardian or custodial adult is within the school district boundaries;
- c) To qualify as an emancipated student, he/she must meet all criteria for emancipation, including not receiving any financial aid or assistance from a parent or previous guardian, being beyond the compulsory educational age, and living apart from a parent or guardian;
- d) Physical presence in the school district alone is insufficient to establish residency;
- e) Where a parent has been awarded custody by the court, the child's district of residency shall be that of the custodial parent;
- f) Where there is joint custody, the parents may select the district for residency purposes; and

- g) If a child is homeless, the child will be allowed to attend school. A homeless child is defined as not having a fixed, regular, or adequate residence or where residence is in a public or private shelter.

Non-Resident and Tuition

Non-resident families who wish to enroll children in the Hudson Falls Central School District shall submit a request in writing to the Superintendent.

Non-resident student enrollment requests may only be considered where:

- a) There is sufficient space to accommodate the non-resident student;
- b) No increase in the size of faculty or staff will be necessary; and
- c) Admittance will not result in the establishment of a new section.
- d) The request is made by a school/district employee and has been granted Superintendent's approval

In making determinations regarding the admittance of non-resident students, the District will not discriminate on the basis of race, color, religion, national origin, sex, sexual orientation, age, disability or other legally protected category.

In the event a non-resident student is permitted to attend the District's schools, his/her attendance will be subject to the following conditions:

- a) Parents/guardians must work out transfer conditions with the home school district or provide their own transportation;
- b) All rules and regulations in effect for District students will be applicable to non-District students; and
- c) Tuition may be charged to families of non-resident students in accordance with formulas approved by the State Education Department.

Future Students

The children of families who have signed a contract to buy or build a residence in the School District may be enrolled for the semester in which they expect to become residents. Non-resident tuition shall be charged, payable in advance, with an adjustment to be made when the family becomes a resident in the District.

Former Residents

Students who move from the District after completion of the first semester of the year preceding their anticipated graduation year may be given permission to remain in the Hudson Falls Central School District until graduation. This is pending Principal and/or Superintendent approval.

Reservation of Claims

Should a material misstatement of fact be made and relied upon by any administrator or the Board of Education in admitting a non-resident student without tuition, the Board shall be entitled to recover the cost of instruction for the time the student was not authorized to attend a school in the District from the person having made the misstatement or from a person in parental relation to the student.

Tuition Fees

Where applicable, tuition fees are computed according to a formula established by the Commissioner of Education. Tuition of individual non-resident students shall be computed in advance at the time of enrollment. Methods of payment (e.g., monthly) may be arranged in the District Office and approved by the Superintendent. Non-resident student status is contingent upon timely payment of tuition fees as established by the Board of Education.

Legal Residence

Parents who maintain more than one residence, but whose legal residence for the purposes of voting or filing income tax is within the District, are eligible to send their children to District schools. However, school tax payments of non-residents who own assessable property in the District will be deducted from any tuition charges levied against such non-resident.

RECORDING ATTENDANCE

Student attendance in grade kindergarten through grade five shall be taken at least once per day.

Absences for other than legal reasons is discouraged. Upon return to school, each absence shall be supported by a written excuse signed by the parent or guardian. Students must be registered and records kept under their legal names. Preferred names can be used upon request of parents or legal guardians. Careful and complete records of student attendance, student academic progress, standardized testing, and student health shall be kept as per State Regulation under requirements of the New York State Archives & Records Administration (SARA). Such records are subject to the policy on records confidentiality.

Long Term Illness or Inability to Physically Attend

After five successive school days of illness, the school district will normally provide tutoring assuming the child is non-contagious and physically able to receive tutoring. The Building Principal will determine the location of tutoring. If conditions permit as determined by the Principal, tutoring will take place out of the home. Alternative instruction shall count as a day of attendance in computing course grades. The parent should work closely with the school to coordinate this instruction including special requests to the Principal to initiate tutoring earlier than five days. In situations where the illness is less than five days, the school should send home student work.

In situations where the student suffers from a long-term illness and where there is a high frequency of absences but of short duration (less than five days), alternative home instruction may be provided at the recommendation of the Principal upon each successive absence.

Definitions of Excused and Unexcused Absences, Tardies and Early Departures

Excused absences are defined as absences due to personal illness, illness or death in the family, impassable roads due to inclement weather, religious observance, school related activities (e.g. state or regional athletic competitions, training, etc.), quarantine, required court appearances, attendance at health clinics, visitations to medical professionals, college visitations and interviews for prospective college attendance, military obligations, or such other reasons as may be approved by the Commissioner of Education.

Tardies are defined as arriving to class after the prescribed starting time and/or bell.

Early departures are defined as leaving the class before the prescribed ending time and/or bell.

Every student, with the assistance of parent/guardian, should make a serious effort to return to school at the conclusion of any appointment. Furthermore, appointments should be made outside the normal school day, if possible.

Appeals Process for Grade Reduction

When a parent/guardian or student disagrees with the initial decision of the teacher regarding grade reduction due to lack of participation, the decision may be appealed to the building principal. If the parent/guardian or student does not agree with the decision, they may request an appeal to the superintendent either by phone or in writing within seven weekdays of receipt of the written decision from the principal.

The superintendent will schedule an appeal hearing within five weekdays of the initial appeal request from the parent/guardian or student. The building principal or designee, as well as the parent/guardian and student, shall be present at the appeal hearing. The Superintendent of Schools will render a decision within five weekdays of the hearing.

If the parent/guardian or student wish to continue an appeal after the decision of the superintendent, an appeal to the Board of Education may be requested by phone or in writing, and will be scheduled during the next regularly scheduled Board of Education meeting in Executive Session. The Board of Education will communicate its decision on the appeal by letter to the parent/guardian or student within five weekdays of hearing the appeal.

STEPS TO IMPROVE STUDENT ATTENDANCE

At grades K-12, the following options may be utilized by the principal to improve attendance: referral to school social worker; consulting with school nurse for health issues; contacting parent/guardian in writing, contacting of other state/county support agencies for assistance; and scheduling a parent conference with the parent/guardian and student.

ATTEND TODAY, ACHIEVE TOMORROW

GOOD SCHOOL ATTENDANCE MEANS...



PRESCHOOLERS
 Build skills and develop good habits for showing up on time



ELEMENTARY STUDENTS
 Read well by the end of third grade



MIDDLE AND HIGH SCHOOLERS
 Stay on track for graduation



COLLEGE STUDENTS
 Earn their degrees



WORKERS
 Succeed in their jobs

Too many absences—excused or unexcused—can keep students from succeeding in school and in life. How many are too many? 10% of the school year—that's 18 missed days or 2 days a month—can knock students off track.



Attendance Works
Advancing Student Success By Reducing Chronic Absence
www.attendanceworks.org

When a student has incurred an illegal absence, the school district Code of Conduct shall be utilized in determining appropriate steps and consequences.

Each building shall develop a process of notifying parents and students of attendance problems.

Student Sanctions for Unexcused Absences, Tardies and Early Departures

Progressive penalties for unexcused absences, tardiness and early departures include but are not limited to: a verbal warning, detention, in-school suspension, referral to Youth Court, behavioral contract, suspension, Superintendent's hearing, and referral to appropriate outside agencies.

Students who participate in alternative instruction provided by the school district shall not be marked as absent on the days they receive instruction. When a student is over the compulsory education age and is suspended and the district is not providing alternative education, the district will not mark these days as absences for the purpose of computing grades.

Student Incentives to Reward Attendance and Punctuality

Each building shall determine an incentive program to reward attendance and punctuality and update it on an annual basis.

Annual Review of Student Attendance

Each school year, the Superintendent of Schools shall provide the Board of Education with a review of district wide student attendance from the previous school year. If there is a substantive decline in attendance, the Board of Education may revise the attendance policy or direct the Superintendent of Schools to revise Administrative Regulations and Procedures in order to address the decline in attendance.

School and Community Awareness of Policy

Each school year, a summary of the attendance policy will be provided to parents and students by insertion into the student planner and/or school district calendar. A copy of the attendance policy and regulation shall be provided from the building principal to all teaching staff after adoption, and to new teachers thereafter, prior to the beginning of school. The building principals shall annually review the attendance policy and regulation with teachers and related staff prior to the beginning of school.

ASSURANCES AND STEPS TO PROTECT STUDENTS, STAFF & VISITORS

All buildings have systems of security in place to protect all individuals in the school community. Please refer to your handbook for specific information on building procedures.

The Board of Education ensures that appropriate procedures are in place to assure safety. These safety steps include:

- A. Limited access in each building – only primary entrances are unlocked during school hours and are monitored.
- B. All visitors are required to sign-in at student occupied buildings and wear a visitor tag. Scanning of IDs at each building may also be required.
- C. All school district staff are required to wear I.D. badges in school district buildings and grounds during normal student hours and during school functions.



PROHIBITED STUDENT CONDUCT

Students are expected to refrain from

- the use of obscene language
- lying
- being insubordinate to adults in school
- cheating
- harassing, assaulting or bullying other individuals
- stealing
- vandalizing property at school
- making false reports or alarms
- exhibiting objectionable behavior that is disruptive to the school environment

Disciplinary action will vary, dependent upon the infraction, age of the child, and cumulative behavior record.

OBSCENE LANGUAGE

Students and school community members are expected to use appropriate language, that is not offensive to others. Use of profanity and inflammatory language will be addressed by discipline assignments.

DISHONESTY

Cheating

Students are responsible for their own academic efforts, and will be held accountable for the use of other student's work or materials.

Lying

Providing false information, either verbally or in written form, is prohibited.

INSUBORDINATION

In order to maintain a positive school environment, staff members are required to give reasonable directives to students, which they must follow. Insubordination is the openly defiant and willful disregard of a staff member's directive.

HARASSMENT

Every person who comes to Hudson Falls is to enjoy freedom from harassment. Harassment is the persistent annoyance of another individual. Any student who harasses and/or threatens a member or members of the school community may be subject to disciplinary action.

Harassment may include but is not limited to:

- Ridicule of an individual who is physically or mentally handicapped.
- Repeated derogatory comments that would belittle a person's self-esteem.
- Any verbal threat of physical assault against another person.
- Defamation, which includes making false statements or representations about an individual that harm the reputation of the person in any way.
- Discrimination, based on a person's actual or perceived race, age, sexual orientation, color, creed, national origin, ethnic group, religion, religious practice, sex, sexual orientation,

gender or gender identity, or disability as a basis for treating another in a negative manner on school property or at a school function.

- Any verbal threat of physical assault against a staff member or other school community member.
- Inappropriate behavior that is sexual in nature.
- Any verbal or physical conduct that has the purpose or effect of creating an intimidating, hostile or offensive working or academic environment.

ASSAULT, BULLYING AND OTHER VIOLENT ACTS

Any physical attack upon another person is assault. Instances of assault upon any member of the school community will be investigated and appropriate disciplinary action taken. Disciplinary measures range from reprimand to a Superintendent's Hearing and the possible referral to appropriate law enforcement agencies.

The minimum suspension of a violent pupil as determined in this policy (Education Law 3214-2a) will be at least one (1) day and possibly substantially more dependent upon the severity and seriousness of the infraction. Violent students may be suspended from school by school administration. The definition of "violent" includes:

1. Act of violence against student, teacher or other person;
2. Possession of gun, knife, bomb or other dangerous instrument capable of causing death or physical harm;
3. Displaying an item which appears to be a gun, knife, bomb or other dangerous instrument;
4. Threatening to use an instrument capable of causing physical injury or death;
5. Knowingly damaging personal property of another person; or knowingly damaging District property.

Bullying consists of inappropriate persistent behavior including threats, or intimidation of others, treating others cruelly, or the habitual putting downs and/or badgering others. This behavior may take place in school or online, using school resources. Bullying, similar to all forms of harassment and hazing, are prohibited behaviors. Some students may be involved in conflict, but not bullying. Conflict does not meet the bullying criteria standards described within. Please refer to the information on the next page for more detailed definitions of conflict and bullying.



Incidents of conflict are handled differently than incidents of bullying.

Conflict	Bullying
Isolated or occasional Not intentionally hurtful Not a serious threat Similar emotional response Goal is not to control or intimidate Likely to feel remorse Willing to solve problem	Repeated Intended to harm Serious threat Unbalanced emotional response Goal is to control or intimidate Blames target, no remorse No desire to solve problem

THEFT

One of the goals of the school district is to instill a feeling of respect for the rights and property of the entire community. Therefore, it is expected that all students will be honest and will respect the property of others. Depending upon the scenario, local law enforcement may be notified of theft.

VANDALISM

Vandalism is the intentional damage to the property of the school district or of any personal property. Examples of vandalism include defacing of walls, furniture, books, or other school equipment (including busses) and materials; damage to floors, walls, ceilings, doors, windows, and bulletin boards; mistreatment of any equipment or furnishings, such as visual aids, books or electronic devices; and the personal property of any school community member. Referral to appropriate legal jurisdiction will be made as warranted.

According to Education Law, Paragraph 1709, Subdivision 36, a student's parent or guardian is responsible for the first \$2,500.00 of vandalism committed by their child.

A reasonable effort must be made to repay the damages within a time limit arranged by parent and administrator.

INTENTIONALLY MAKING A FALSE ALARM (FIRE/BOMB/SOCIAL MEDIA)

Misuse of fire alarms and protection equipment or the making of a bomb threat will result in disciplinary action. Referral to appropriate law enforcement agencies will be made.

A School District is also authorized to seek restitution, as described in law, from a parent or guardian of an unemancipated student over the age of ten (10) and under the age of eighteen (18) where such student:

- a) Has falsely reported an incident; or
- b) Has placed a false bomb as defined in the New York State Penal Law.

OBJECTIONABLE BEHAVIOR

Any objectionable behavior affecting the rights of others, especially that which could possibly result in bodily injury will not be tolerated.

The following are some examples of objectionable behavior:

- Fighting
- Shoving
- Any actions that might cause injury on a playground or in a building
- Throwing objects
- Misuse of property belonging to others
- Offensive gestures
- Running in halls
- Littering
- Possession or display of pornographic material
- Repeated non-compliance with teacher directives

Disciplinary measures will range from reprimand to suspension depending on the severity of the incident.

REMOVAL OF DISRUPTIVE STUDENT FROM CLASSROOM

A teacher removal of a student from class is not a student school suspension. A school suspension is complete removal from all classes and barred from being present on school grounds without permission from school administration. The rules and regulations for class removal and for school suspension apply to any K-12 students under age of 21.

Teachers have the right to remove a disruptive student when a student's behavior seriously impairs learning of others as defined below:

- a. For acts or threats of violence to others;
- b. For excessive arguing with a teacher;
- c. For excessive physical or verbal disruption of the classroom; and
- d. For repeated disruptions of teaching and hearing that are substantial in nature.

STUDENT SUSPENSION AND CONTINUING EDUCATION

When a student has been suspended from school by school administration, the school district will continue to provide appropriate educational services as required by law, regulation or statute. When provided, continued educational services shall be provided either at a school district location or other neutral site as determined by the school district. It will be the responsibility of the parent/guardian to provide transportation to the educational service location. Upon suspension the school district, when required, will arrange for the alternative educational services usually within 2-3 days of the beginning of a suspension.

ADDITIONAL STUDENT EXPECTATIONS

(based on Board of Education policy)

DANGEROUS ITEMS OR SUBSTANCES

Harmful or potentially harmful items such as weapons, firearms, knives, explosive substances or devices, fireworks, etc., are prohibited on school property. No student may possess these or any item that may be considered dangerous by school personnel.

DANGEROUS WEAPONS

No student shall have in his or her possession on school premises any rifle, shotgun, pistol, revolver, other firearm, knives, dangerous chemicals, explosives, or any object which is not necessary for school activities and which could be used as a weapon or has the intended appearance of a gun and/or weapon (including starter pistols, fake plastic guns or knives, etc.).

SEARCHES AND INTERROGATIONS OF STUDENTS

A student may be searched and prohibited items seized on school grounds or in a school building by an authorized District official only when he or she has reasonable suspicion to believe the student has engaged in or is engaging in activity which is in violation of the law and/or the rules of the school (i.e., the District *Code of Conduct*).

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

- The age of the student;
- The student's school record and past history;
- The predominance and seriousness of the problem in the school where the search is directed;
- The reliability of the information used as a justification for the search;
- The school official's prior knowledge of and experience with the student; and
- The urgency to conduct the search without delay.

If reasonable suspicion exists to believe that a student has violated or is violating the law and/or school rules, it is permissible for an authorized school official to search that student's outer clothing, pockets, or property. The search may include, but is not limited to, the student's outer clothing such as a jacket or coat, pockets, backpack, and/or purse.

Scope of Search

School officials are authorized to conduct searches of students and their belongings if the authorized school official has reasonable suspicion to believe that the search will produce evidence that the student has violated or is violating the law and/or the *Code of Conduct*.

School officials, whenever possible, will seek the least intrusive means to conduct a search to safeguard the privacy interests of students in their person and property.

Searches and Seizure of School Property

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

Parent Notification

The student's parent or guardian will be notified if any illegal, prohibited, or dangerous articles or materials are found in the student's desk, storage area or other property or possessions, or on the student's person, as a result of a search conducted in accordance with this policy.

Documentation of Searches

The designated school official conducting the search will be responsible for the custody, control, and disposition of any illegal, prohibited, or dangerous items taken from the student. The school official or designee must clearly label each item taken from the student and retain control of the item(s) until the item(s) is turned over to the police or secured by alternate means.

This school official will also be responsible for promptly documenting information about the search including, but not limited to, the reason for the search, the purpose of the search, the type and scope of the search, and the results of the search.

Questioning of Students by School Officials

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

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

The questioning of students by school officials does not preclude subsequent questioning/interrogations by police authorities as otherwise permitted by law. Similarly, the questioning of

students by school officials does not negate the right/responsibility of school officials to contact appropriate law enforcement agencies, as may be necessary, with regard to such statements given by students to school officials.

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

Law Enforcement Officials

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

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

Dissemination of Information

Copies of this policy will be distributed to students and parents at the beginning of each school year, with the full version of the Code available via the district website.

Interrogation of Students by Law Enforcement Officials

Generally, police authorities may only interview students on school premises without the permission of the parent or guardian in situations where a warrant has been issued for the student's arrest (or removal). Police authorities may also question students for general investigations or general questions regarding crimes committed on school property. In all other situations, unless an immediate health or safety risk exists, if the police wish to speak to a student without a warrant they must address the matter directly with the student's parent or guardian. Whenever police wish to question a student on school premises, administration will attempt to notify the student's parent/guardian.

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

Child Protective Services' Investigations

Occasionally, Child Protective Services (CPS) may desire to conduct interviews of students on school property. These interviews generally pertain to allegations of suspected child abuse or maltreatment. The Board encourages cooperation with CPS with respect to access to records and access to any child named as a victim, any of the victim's siblings, or any other child residing in the same home as the named victim, in accordance with applicable law.

STUDENT USE OF ELECTRONIC COMMUNICATION DEVICES

This policy defines the use of personal technology during instructional and non-instructional times and reinforces the standard that all use, regardless of its purpose, must follow the guidelines outlined in the Student Acceptable Use Policy (AUP), the District's *Code of Conduct*, and the Dignity for All Students Act.

Personal electronic devices from home are discouraged as items to bring in from home at the elementary level. Students risk loss, damage or theft of such item when they bring them into school.

Personal technology includes all existing and emerging technology devices that can take photographs; record or play audio or video; input text; upload and download media; connect to or receive information from the internet; and transmit or receive messages, telephone calls or images. Examples of personal technology includes, but are not limited to, iPods and MP3 players; iPad, Nook, Kindle, and other tablet PCs; chromebooks, laptop and netbook computers; personal digital assistants (PDAs), cell phones and smartphones such as BlackBerry, iPhone, or Droid, as well as any device with similar capabilities. Unacceptable devices shall include, but are not limited to, gaming devices or consoles, laser pointers, modems or routers, and televisions.

Liability

The District shall not be liable for the loss, damage, misuse, or theft of any personal technology brought to School. The District reserves the right to monitor, inspect, and/or confiscate personal technology when administration has reasonable suspicion to believe that a violation of school policy or criminal law has occurred.

The Board expressly **prohibits** use of personal technology in locker rooms, restrooms, Health Offices and any other areas where a person would reasonably expect some degree of personal privacy.

Prohibition during State Assessments

All students are prohibited from bringing electronic devices into a classroom or other location where a New York State assessment is being administered. Test proctors, test monitors and school officials shall have the right to collect prohibited electronic devices prior to the start of the test and hold them while the test is being administered, including break periods. Admission to any assessment will be denied to any student who refuses to relinquish a prohibited device.

Students with disabilities may use certain devices if the device is specified in that student's IEP or 504 plan or a student has provided medical documentation that they require the device during testing.

USE OF PERSONAL TECHNOLOGY / ACCESS TO INAPPROPRIATE CONTENT

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

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

Standards of Acceptable Use

Generally, the same standards of acceptable student conduct which apply to any school activity shall apply to use of the district network. This policy does not attempt to cover all of what is deemed acceptable nor inappropriate use of the district network.

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

Students who engage in unacceptable use of the district network may lose access in accordance with applicable due process procedures, and may be subject to further discipline in accordance with the District *Code of Conduct*.

Student data files and other electronic storage areas are considered District property subject to control and inspection by the District. The Computer Coordinator may access all files and communications without prior notice to ensure system integrity and that users are complying with the requirements of this policy. Students should not expect that information stored on the district network will be private.

Notification

The District's Acceptable Use Policy and Regulations (AUP form) will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and students' obligations when accessing the district network.

ELECTRONIC SURVEILLANCE

The Hudson Falls Central School District employs the use of electronic surveillance equipment to ensure the safety of students, faculty, and staff.

DRESS CODE

All students are expected to give proper attention to personal cleanliness and to dress appropriately for school and school functions. Students and their parents have the primary responsibility for acceptable student dress and appearance. Teachers and all other district personnel should exemplify and reinforce acceptable student dress and help students develop an understanding of appropriate appearance in the school setting.

A student's dress, grooming and appearance, including hair style/color, jewelry, make-up, and nails, shall:

1. Be safe, appropriate and not disrupt or interfere with the educational process.
2. Recognize that extremely brief garments such as tube tops, net tops, halter tops, spaghetti straps, plunging necklines (front and/or back) and see-through garments are not appropriate.
3. Ensure that underwear is completely covered with outer clothing.
4. Include footwear at all times. Footwear that is a safety hazard will not be allowed.
5. Not include the wearing of hats in the classroom except for a medical or religious purpose.
6. Not include items that are vulgar, obscene, libelous, or denigrate others on account of race, color, religion, creed, national origin, gender, sexual orientation or disability.
7. Not promote and/or endorse the use of alcohol, tobacco or illegal drugs and/or encourage other illegal or violent activities.

This policy does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that a student shall not be prevented from attending school or a school function, or otherwise be discriminated against, so long as his/her dress and appearance meet the above requirements. A school function shall mean a school sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

Students who violate the student dress code shall be required to modify their appearance by covering or removing the offending item, and if necessary or practical, replacing it with an acceptable item. Any student who refuses to do so shall be subject to discipline, up to and including in-school suspension for the day. Any student who repeatedly fails to comply with the dress code shall be subject to further discipline, up to and including out of school suspension.

While the school administration may require students participating in physical education classes to wear certain types of clothing such as sneakers, socks, shorts, and tee shirts, they may not prescribe a specific brand which students must wear.

This policy does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that a student shall not be prevented from attending school or a school function, or otherwise be discriminated against, so long as his/her dress and appearance meet the above requirements. A school function shall mean a school sponsored or

school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

TAPE RECORDING ON SCHOOL PROPERTY

There will be no tape recordings of parent-teacher-administrator or student conferences, any meetings between a parent or student and teachers or administrators, or classroom and other school activities unless pre-approved by the teacher or administrator involved.

BUS TRANSPORTATION

Safety is the primary concern in transporting students to and from school. The following guidelines have been established to ensure that safety and control by the driver is maintained throughout the trip. Students are to conduct themselves in a manner so that all bus rides will be a positive experience for everyone. Any misbehavior that distracts the driver jeopardizes the safety of all passengers.

Every school bus driver has been supplied with a School Bus Incident Reporting Form that is based on required rules of student conduct. Students will be cited for the following activities:

<i>Failure to Remain Seated</i>	<i>Throwing Objects Out of Bus</i>
<i>Refusing to Obey Driver</i>	<i>Throwing Objects on Bus</i>
<i>Fighting</i>	<i>Hanging Out of Window</i>
<i>Profanity</i>	<i>Spitting</i>
<i>Lighting Matches</i>	<i>Bothering Others</i>
<i>Smoking on Bus</i>	<i>Vandalism</i>

If a student is reported for any of the above activities or other unacceptable behavior, the principal will usually take the following disciplinary action:

First Offense - A warning to the student with a report to the parents and assignment to a specific seat. It is hoped that the parents will help to prevent a re-occurrence.

Second Offense - Discipline as assigned by the administrator dependent upon the seriousness of the infraction - a report to the parents.

Continued Offenses - Suspension of riding privileges may be imposed by the principal - length of time to depend on the seriousness of the infraction - a report to the parents. In a case where an individual act poses an immediate danger to the driver or students riding the bus, a suspension may be imposed on the first offense.

Maintaining safety on the bus is a primary concern of our Transportation Department. Students are to conduct themselves in a manner so that all bus rides will be a positive experience for everyone. Any misbehavior that distracts the driver jeopardizes the safety of all passengers. It is important that you take some time with your child and review the importance of the following rules:

- Stay in your assigned seat;

- Obey the driver's instruction;
- Use appropriate, polite language;
- Refrain from fighting;
- Refrain from harassing other students;
- Never throw objects about the bus.

Students who do not abide by these rules will be cited on a School Bus Incident Report. This report is sent to the building administrator who will follow the above district policies when reviewing with the student.

DISCIPLINE PROCEDURES FOR STUDENTS WITH DISABILITY

Generally, disciplinary action against a student with a disability or presumed to have a disability will be in accordance with procedures set forth in the District's *Code of Conduct* and in conjunction with applicable law, and the determination of the Committee on Special Education (CSE).

For suspensions or removals up to ten (10) school days in a school year that do not constitute a disciplinary change in placement, students with disabilities must be provided with alternative instruction or services on the same basis as non-disabled students of the same age.

If suspension or removal from the current educational placement constitutes a disciplinary change in placement because it is for more than ten (10) consecutive school days or constitutes a pattern, a manifestation determination must be made. The District determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.

Manifestation Determinations

A review of the relationship between the student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the disability must be made by a manifestation team immediately, if possible, but in no case later than ten (10) school days after a decision is made:

- a) By the Superintendent to change the placement to an interim alternative educational setting (IAES);
- b) By an Impartial Hearing Officer (IHO) to place the student in an IAES; or
- c) By the Board, District Superintendent, Superintendent or Building Principal to impose a suspension that constitutes a disciplinary change of placement.

The manifestation team will include a representative of the District knowledgeable about the student and the interpretation of information about child behavior, the parent and relevant members of the CSE as determined by the parent and the District. The parent must receive written notice prior to

the meeting to ensure that the parent has an opportunity to attend. This notice must include the purpose of the meeting, the names of those expected to attend and notice of the parent's right to have relevant members of the CSE participate at the parent's request.

The manifestation team will review all relevant information in the student's file including the student's individualized education program (IEP), any teacher observations, and any relevant information provided by the parents to determine if: the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or the conduct in question was the direct result of the District's failure to implement the IEP. If the team determines the conduct in question was the direct result of failure to implement the IEP, the District must take immediate steps to remedy those deficiencies.

Finding of Manifestation

If it is determined, as a result of this review, that the student's behavior is a manifestation of his/her disability the CSE shall conduct a functional behavioral assessment, if one has not yet been conducted, and implement or modify a behavioral intervention plan.

An FBA is the process of determining why the student engages in behaviors that impede learning and how the student's behavior relates to the environment. An FBA must be developed consistent with the requirements of Commissioner's regulations Section 200.22(a) and will include, but not be limited to, the identification of the problem behavior, the definition of the behavior in concrete terms, the identification of the contextual factors that contribute to the behavior (including cognitive and affective factors), and the formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

BIP is a plan that is based on the results of an FBA and, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs, and intervention strategies that include positive behavioral supports and services to address the behavior.

Unless the change in placement was due to behavior involving serious bodily injury, weapons, illegal drugs or controlled substances, the student must be returned to the placement from which the student was removed unless the parent and the District agree to a change of placement as part of the modification of the behavioral intervention plan.

No Finding of Manifestation

If it is determined that the student's behavior is not a manifestation of his/her disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner and for the same duration for which they would be applied to students without disabilities, subject to the right of the parent/person in parental relation to request a hearing objecting to the manifestation determination and the District's obligation to provide a free, appropriate public education to such student.

Provision of Services Regardless of the Manifestation Determination

Regardless of the manifestation determination, students with a disability shall be provided the services necessary for them to continue to participate in the general education curriculum and progress toward meeting the goals set out in their IEP as delineated below:

- a) During suspensions or removals for periods of up to ten (10) school days in a school year that do not constitute a disciplinary change in placement, students with disabilities of compulsory attendance age shall be provided with alternative instruction on the same basis as nondisabled students. Students with disabilities who are not of compulsory attendance age shall be entitled to receive services during such suspensions only to the extent that services are provided to nondisabled students of the same age who have been similarly suspended.

- b) During subsequent suspensions or removals for periods of ten (10) consecutive school days or less that in the aggregate total more than ten (10) school days in a school year but do not constitute a disciplinary change in placement, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. School personnel, in consultation with at least one (1) of the student's teachers, shall determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress in meeting the goals set out in the student's IEP.

- c) During suspensions or other disciplinary removals, for periods in excess of ten (10) school days in a school year which constitute a disciplinary change in placement, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum, to progress toward meeting the goals set out in the student's IEP, and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. The IAES and services shall be determined by the CSE.

Interim Alternative Educational Setting (IAES)

Students with disabilities who have been suspended or removed from their current placement for more than ten (10) school days may be placed in an IAES which is a temporary educational setting other than the student's current placement at the time the behavior precipitating the IAES placement occurred.

Additionally, an Impartial Hearing Officer in an expedited due process hearing may order a change in placement of a student with a disability to an appropriate IAES for up to forty-five (45) school days if the Hearing Officer determines that maintaining the current placement is substantially likely to result in injury to the students or others.

There are three (3) specific instances when a student with a disability may be placed in an IAES for up to forty-five (45) school days without regard to a manifestation determination:

- a) Where 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 the District; or
- b) Where a 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 the District; or
- c) Where a student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the District. Serious bodily harm has been defined in law to refer to one of the following:
 - 1. Substantial risk of death;
 - 2. Extreme physical pain; or
 - 3. Protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

A school function shall mean a school sponsored or school-authorized extracurricular event or activity regardless of where such event or activity takes place, including any event or activity that may take place in another state.

School premises 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.

School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with a disability who violates a code of student conduct.

In all cases, the student placed in an IAES shall:

- a) Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress towards the goals set out in the student's IEP, and
- b) Receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

The period of suspension or removal may not exceed the amount of time a non-disabled student would be suspended for the same behavior.

Suspension from BOCES

The BOCES Principal may suspend School District students from BOCES classes for a period not to exceed five (5) school days when student behavior warrants such action.

In-School Suspension

In-school suspension will be used as a lesser discipline to avoid an out-of-school suspension. The student shall be considered present for attendance purposes. The program is used to keep each student current with his/her class work while attempting to reinforce acceptable behavior, attitudes and personal interaction.

Exhaustion of Administrative Remedies

If a parent/person in parental relation wishes to appeal the decision of the Building Principal and/or Superintendent to suspend a student from school, regardless of the length of the student's suspension, the parent/person in parental relation must appeal to the Board of Education prior to commencing an appeal to the Commissioner of Education. Any appeal to the Board must be commenced within 30 days from the date of the Superintendent's decision. To be timely, the appeal must be received by the District Clerk within this 30-day period.

Procedure After Suspension

When a student has been suspended and is of compulsory attendance age, immediate steps shall be taken to provide alternative instruction which is of an equivalent nature to that provided in the student's regularly scheduled classes.

When a student has been suspended, the suspension may be revoked by the Board of Education whenever it appears to be for the best interest of the school and the student to do so. The Board of Education may also condition a student's early return to school and suspension revocation on the student's voluntary participation in counseling or specialized classes, including anger management or dispute resolution, where applicable.

STUDENTS PRESUMED TO HAVE A DISABILITY

The parent of a student who has violated any rule or *Code of Conduct of the School District* and who was not identified as a student with a disability at the time of such behavior may assert several protections provided for under the Individuals with Disabilities Education Act (IDEA) and State regulations if the District is deemed to have had knowledge (as determined in accordance with law or regulations and referenced below) that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred.

Basis of Knowledge

The School District shall be deemed to have knowledge that the student had a disability if prior to the time the behavior occurred:

- a) The parent of the student has expressed concern in writing to supervisory or administrative personnel, or to a teacher of the student, that the student is in need of special education and

related services. However, expressions of concern may be oral if the parent does not know how to write or has a disability that prevents a written statement;

- b) The parent of the student has requested an evaluation of the student in writing; or
- c) A teacher of the student, or other District personnel, has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the Director of Special Education or to other supervisory personnel.

Exception

A student is not a student presumed to have a disability for discipline purposes if, as a result of receiving the information specified above (i.e., subheading "Basis of Knowledge"):

- a) The parent of the student has not allowed an evaluation of the student pursuant to law and/or regulations;
- b) The parent of the student has refused services under law and/or regulations; or
- c) The student has been evaluated and it was determined that the student is not a student with a disability.

Responsibility for Determining Whether a Student is a Student Presumed to Have a Disability

If it is claimed by the parent of the student or by School District personnel that the District had a basis for knowledge, in accordance with law and/or regulation, that the student was a student with a disability prior to the time the behavior subject to disciplinary action occurred, it shall be the responsibility of the Superintendent of Schools, Building Principal or other school official imposing the suspension or removal to determine whether the student is a student presumed to have a disability.

Conditions That Apply if There is No Basis of Knowledge

If it is determined that there is no basis for knowledge that the student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as any other nondisabled student who engaged in comparable behaviors.

However, if a request for an individual evaluation is made during the time period in which such nondisabled student is subjected to a disciplinary removal, an expedited evaluation shall be conducted in accordance with law and/or regulations. Pending the results of the evaluation, the student shall remain in the educational placement determined by school authorities.

If the student is determined to be a student with a disability, taking into consideration information from the evaluation and information provided by the parents, the District shall provide special education and related services in accordance with law and/or regulations.